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**Florida House of Representatives
Representative Darryl E. Rouson**

Darryl.Rouson@myfloridahouse.gov

December 14th, 2009

The Honorable Larry Cretul, Speaker
Florida House of Representatives
402 South Monroe Street
420 The Capitol
Tallahassee, Florida 32399-1300

The Honorable Jeff Atwater, President
Florida Senate
312 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Speaker Cretul and President Atwater,

I write to garner your support for proposed legislation that seeks to correct unintended consequences of a measure approved by the Florida Legislature earlier this year pertaining to Florida's healthcare professionals.

My expected legislation is also worthy of your support because, I believe, it will help ease our statewide shortage of healthcare professionals.

Senate Bill 1986 in the 2009 regular session amended Florida Statute 408.815 (4)(a) pertaining to Medicaid fraud. After the legislation became effective July 1, I received numerous complaints about a provision that bars healthcare professionals from obtaining licenses to practice if they have committed certain criminal offenses within the last 15 years.

Though well-intended, this legislation couldn't come at a worse time for our state. A report from the Florida Center for Nursing, which was established by the Legislature to study nursing workforce and education issues, found that Florida faces a shortage of registered nurses that could cripple the state's healthcare system and reduce access to quality of care for Floridians. Specifically, the report documents a shortage of approximately 11,000 nurses in 2007 that is expected to grow to more than 52,000 within the next 13 years.

Senate Bill 1986 adds categories under which healthcare professionals are prevented from obtaining licensure if they have a criminal background within the last 15 years. Doing so creates barriers for individuals who have spent time, energy, and resources to attend nursing programs, only to be denied a license to practice.

Data obtained from the Florida Department of Health shows that of the 60 people denied licenses since the new law became effective, 40 are nurses.

I am currently in the process of analyzing felonies under chapters 409, 817, 893, 21 U.S.C. ss. 801-970, and 42 U.S.C. ss. 1395-1396 with the goal of removing certain offenses that may not result in mitigating Medicaid fraud. I would like to have a professional healthcare board review those individuals with offenses that will not be included in FS 408.815 (4)(a). In the coming months, I will file legislation, hopefully with your input, to address the problems these professionals are experiencing.

With Florida experiencing a critical shortage of health care professionals and high numbers of unemployed, it is disheartening that individuals affected by this statutory provision are not able to obtain gainful employment in their chosen fields.

I urge you to join me in an effort to amend FS 408.815. Together, we can ensure that Medicaid fraud is, indeed, being curtailed, but not at the expense of qualified health care professionals whose services are needed and whose economic well being can only be safeguarded by allowing them the opportunity to practice their craft.

Regards,

A handwritten signature in blue ink that reads "Darryl E. Rouson". The signature is written in a cursive style with a large initial "D" and "R".

Representative Darryl E. Rouson
Florida House District 55

Cc:

Senator Don Gaetz
Senator Dennis Jones
Senator Durrell Peaden, Jr.
Representative Ed Homan
Representative David Rivera
Representative Denise Grimsley
Representative Nick Thompson
Representative Paige Kreegel