



HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

IMPORTANT NOTE: All communications distributed in mass, including in electronic format, require review and approval *prior to* distribution. The articles included below have been preapproved. However, please remember that you still need approval from the Majority Office before distributing an article if you change it or if you include it with other unapproved material. Refer to chapter 4 of the Administrative Policy Manual for more information on the House mass communications policy.

Florida House Health Quality Subcommittee Passed Improvements to our Health Care system

This week, the Health Quality Subcommittee passed four bills that improve healthcare access for Floridians.

HB 111 authorizes pharmacists to test for and treat flu and strep infections within the framework of an established written protocol with a physician licensed in this state. To provide such services, a pharmacist must meet certain criteria, including education, proof of liability insurance, and employer approval. The bill also establishes standards of practice for pharmacists providing these services. Authorizing pharmacists to test and treat flu and strep can shorten wait times by widening the pool of health care practitioners who care for Floridians with these illnesses.

HB 831 requires that all prescriptions be electronically transmitted by January 1, 2020. Electronic prescribing will prevent fraud, reduce abuse, and create an effective mode of access for Floridians to receive their healthcare.

HB 863 prohibits a health care provider from referring patients to any hospital in which the health care provider holds an investment interest. This bill eliminates the special exception in the law for hospitals and provides that an individual or entity participating in such referrals may now also be subject to the anti-kickback and patient brokering statutes. Closing the physician referral loophole ensures that physician recommendations are based on the patients' best interest and not providers' financial benefit.

HB 23 authorizes Florida licensed health care professionals to use telehealth to deliver health care services within their respective scopes of practice. The bill also authorizes out-of-state health care professionals to use telehealth to deliver health care services to Florida patients if they register with the Department of Health (DOH) or the applicable board. The bill also establishes standards of practice for services provided using telehealth, including patient examination, record-keeping, and prohibition on prescribing controlled substances for chronic malignant pain. The bill encourages health insurance coverage of services provided using telehealth by authorizing a tax credit for insurance companies and HMOs that reimburse for those services.

For the first time ever, the Florida House of Representatives had a "Virtual" Doctor of the Day from Memorial Healthcare System and their Telehealth Vendor AmericanWell for the Opening Day of Session. Telehealth brings quality healthcare access to Floridians regardless of their physical location or limitations.



Florida House Ways & Means Committee Passed Taxation Transparency

This week, the Ways & Means Committee passed a taxation transparency bill that will bring accountability to both state and local taxation.

The bill requires select state and local “levies” to be identified as taxes, instead of their current titles as fees, surcharges, assessments or similar terms. Truth in taxation is critical for public accountability in the exercise of one of the most serious responsibilities of elected officials -- taxation.

Florida House Civil Justice Subcommittee Passes Assignment of Benefits and Tort Reform

This Wednesday, the Civil Justice Subcommittee passed two bills that aim to protect consumers and reduce the costs of litigation.

First, the committee passed a committee bill reforming assignment of benefits (AOB). AOB is a legal tool that allows a contractor, repair person, or other vendor to “stand in the shoes” of a property owner and receive the benefits under a property insurance policy for repairs to the covered property. For example, when homeowners experience water damage and contact a repair person for assistance, the repair person may have the homeowner execute an AOB so work can begin immediately and the repair person can seek payment directly from the insurance company. Since 2006, the number of lawsuits involving AOBs has skyrocketed, generally resulting in higher payouts and litigation costs. These increased costs are ultimately paid for by consumers as higher insurance premiums. The bill addresses the abuses involving AOBs and aims to protect consumers from the impact of increased litigation costs.

Second, the committee passed **HB 17** dealing with tort reform. Tort law aims to provide compensation to individuals, groups, or businesses for unjust harm caused by others. Tort law can be created by judges (common law) and the Legislature (statutory law). Over the past several years, Florida courts decisions have expanded tort liability. Additionally, courts have allowed payouts for medical expenses to surpass the actual amount paid. The expansion of liability and the increase in payouts drive up insurance costs. **HB 17** provides reasonable constraints on liability and ensures that medical expenses are awarded for the actual amount that is paid.

Florida House Committee Passes Bills to Reduce Regulations on Businesses

This week, the Oversight, Transparency & Public Management Subcommittee passed **HB 679**, which strengthens the State’s Sunrise Act. The bill promotes economic growth and opportunity for all Floridians by preventing burdensome regulations that restrict consumer choice, residential mobility, and work opportunities.

Florida’s Sunrise Act is based on the principle that regulations on occupations should only be enacted if they are needed to protect the health, safety and welfare of all Floridians. The Sunrise Act requires a sunrise review to determine whether the benefits of proposed regulations outweigh the costs.

Currently, local jurisdictions do not have similar sunrise requirements.



HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

HB 679 improves the current Sunrise Act by requiring that a sunrise review for legislation that substantially expands regulation of an already regulated profession or occupation. The bill also adds effective timelines for the submission of information related to such legislation to ensure that the Legislature timely receives information necessary to complete a sunrise review.

Florida House Health Care Appropriations Subcommittee Passed Patient Safety and Quality Measures

This week, the Health Care Appropriations Subcommittee passed **HB 319**, Patient Safety and Quality Measures, to help increase access to quality health care for Floridians by providing patient safety culture surveys.

HB 319 requires all Florida hospitals and ambulatory surgical centers to complete patient safety culture surveys and requires the Agency for Health Care Administration to publish the data. These surveys ask employees about patient safety and quality of care in the facility, to help facilities identify and fix problems. When published, the survey data will also help Floridians make decisions about which facilities are best for their own care and that of their families.

Under this bill, each hospital in Florida will also provide patients with the most up-to-date information on its hospital-acquired infection rate, 15-day readmission rate, and the patient satisfaction rate. Florida hospitals will be compelled to provide information every Floridian needs to make better healthcare choices.

Local, Federal & Veterans Affairs Subcommittee Pass Transparency and Accountability Bills

On Tuesday the Local, Federal & Veterans Affairs Subcommittee passed three bills that advance our commitment to be accountable to our constituents.

HB 5 requires a referendum to adopt or amend a local discretionary sales surtax be held at a general election and requires approval of the referendum by two-thirds of the qualified electors voting on the ballot question. The bill also revises the process for triggering the performance audit of the government entity seeking the surtax by providing that, upon adoption of an ordinance by a local government to hold a discretionary sales surtax referendum, the local government must notify the Office of Program Policy Analysis and Government Accountability (OPPAGA). Lastly, the bill establishes a process for notifying OPPAGA of the need for a performance audit when a proposal to adopt a discretionary sales surtax is by initiative. Failure of a local government or an initiative sponsor to comply with these requirements renders void any referendum held on the proposed surtax.

HB 9 seeks to remedy the several reported instances of questionable spending by community redevelopment agencies (CRA) in Florida. The bill provides that new CRAs may only be created by approval of two-thirds of the electors voting in a county-wide referendum held during a primary or general election.



Among other notable requirements, the bill requires that money in the redevelopment trust fund may only be expended pursuant to an annual budget adopted by the board of commissioners and only for those purposes specified in law. Finally, the bill requires commissioners to undergo four hours of ethics training annually.

HB 641 provides that the board of supervisors of a community development district (CDD) must authorize general obligation bonds, benefit bonds, or revenue bonds by a two-thirds vote of all the board members. Currently the board must approve such resolutions by a simple majority vote of its members.

The Florida House Criminal Justice Subcommittee Passes Criminal Justice Reforms

This week the Criminal Justice Subcommittee passed several bills in an effort to reform the criminal justice system.

HB 859 allows a court to sentence a defendant to administrative probation, a form of nonreporting supervision that is currently available to low-risk offenders only by transfer of the Department of Corrections (DOC) upon completion of half of their probationary term. This bill seeks to expand the use of this less stringent supervision for low-risk offenders. The bill also provides a cost-saving benefit: there are no special conditions, the only way to violate administrative probation is to commit another crime, which will lead to fewer arrests and revocations. This bill reduces the number of probationers, which will allow probation officers to focus on higher-risk offenders.

HB 919 creates a new problem solving court: community courts. Community courts are designed to address misdemeanor crimes affecting a particular community. The bills allows judicial circuits to set up community courts and gives the chief judge discretion on what misdemeanor crimes qualify for the community court. The bill seeks to provide a way for particular communities to address problems that affect them directly.

HB 943 requires each judicial circuit to create a Driver License Reinstatement Days program for those who have had their license suspended or revoked. By authorizing clerks to negotiate or waive outstanding fees, the bill reduces financial barrier to license reinstatement and allows people to resume driving to work and purchase motor vehicle insurance.

HB 953 creates and expands reentry services for recently released inmates. The bill provides greater job training and career planning opportunities for inmates by allowing nonprofits to apply with DOC to provide reentry services. Notably, the bill authorizes DOC to create a prison entrepreneurship program for inmates that will allow them to develop skills for business planning and development. The bill seeks to reduce recidivism in the state

HB 963 reforms probation violations and standardizes a system for alternative sanctioning when a probationer violates their probation. The bill authorizes probation officers to provide alternative sanctions



HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

for a technical violation, such as a failed drug or alcohol test, failure to report to the probation office, or failure to attend a required class. The bill seeks to keep probationers out of prison for minor violations of their probation so they can continue to work and provide for their families.

Florida House Committee Passes Teacher Preparation Bill

This week, the PreK-12 Quality subcommittee passed **HB 7061** which enhances teacher preparation and retention by equipping teachers with the right tools and supports to be successful in the classroom.

The bill addresses certification requirements by giving teachers more time to pass the General Knowledge Test (GK), reduces the financial burden associated with taking the GK test and provides more robust mentorship opportunities for first time teachers.

The bill also enhances teacher preparation by improving the content of teacher preparation programs focusing on classroom management techniques, and improving the Department of Education's data collection function in order to monitor and respond more quickly to the needs of new teachers.

Florida House Health Market Reform Subcommittee Passed Improvements to our Health Care system

This week, the Health Market Reform Subcommittee passed seven bills that make healthcare better in Florida.

HB 7 expands the opportunities for consumers to directly purchase healthcare services. Current law only addresses agreements for primary care services. **HB 7** authorizes patients to enter into a "Direct Health Care Agreement" with any health care provider for any health care services offered within the scope of their professional license. This bill ensures that these patient-provider agreements are not treated like insurance and will not be regulated by the Office of Insurance Regulation. This bill empowers patients with greater choice and flexibility in how they receive and pay for their care.

HB 21 repeals the entire CON program in Florida and the specialty hospital ban. AHCA will still enforce licensure requirements for each facility and service that is no longer subject to the CON program. The bill removes regulatory barriers that hinder competition and block innovation. Free and competitive markets are the most effective means for reducing prices and improving quality.

HB 813 requires hospitals to inform a patient immediately when placed on observation status and to provide written notice using a standard federal form. Observation status can affect reimbursement for a hospital stay. Consumers should know the financial impact of healthcare decisions that affect them.

HB 843 requires hospitals to notify primary care physicians when their patients are admitted and allows patients to request their primary doctors to consult on their plan of care. The bill closes gaps in provider communication and promotes continuity of care from the inpatient to outpatient setting. Primary care physicians have a comprehensive knowledge of the patient's health history that can be vital during hospital admissions.



HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

HB 935 prohibits a health insurer or HMO from limiting the ability of any provider to discuss pricing information with a patient. Health care providers will be allowed to share all information on costs of care, and the availability of more affordable care options. Clear, accurate information about the cost and quality of health care is necessary for consumers to select health care services that provide good value.

HB 997 allows Floridians to take advantage of the new federal regulations on associated health plans and short-term health plans. Increased access to short-term health plans gives consumers a more affordable alternative to comprehensive coverage. These plans represent a legitimate alternative for many individuals.

HB 999 helps patients manage their healthcare costs in three ways: requires facilities to provide cost estimates for elective procedures and makes those estimates binding unless the reasons for the charge are expressed in writing; the bill requires facilities to establish a formal appeal process to contest charges on an itemized bill and increases consumer protection in debt collection proceedings.

We are committed to improving access to affordable, quality healthcare. Our goal is to remove governmental barriers to innovation and empower consumers to get better services at better prices.

Florida House Committee Passes Career Education Bill

This week, the PreK-12 Innovation subcommittee passed **HB 7055**, which expands career education opportunities in our state.

Florida's labor market must fill an additional 1.7 million vacancies by 2030, making the capacity of Florida's PreK-20 education system to produce graduates who are ready to fill high-growth, high-demand careers a top priority for lawmakers. Although school districts and postsecondary institutions are dedicated to preparing students to lead a fulfilling life, more can be done to ensure our students' education will lead to meaningful employment.

To address this issue, **HB 7055** requires the Department of Education to review career education programs for alignment with market demands and to eliminate programs that do not address priority workforce demands. The bill also enables school districts to meet the academic needs of students and be responsive to labor market demands by providing flexibility to meet graduation requirements through career education, establishing career planning requirements for middle school students and increasing awareness of pre-apprenticeship and apprenticeship programs.

Commerce Committee Passes "Nexus Test"

On Tuesday, the Commerce Committee heard **HB 207** concerning impact fees. Impact fees are charges imposed by local governments to fund local infrastructure required to provide for increased local service needs caused by new growth. The bill prohibits any local government from requiring payment of impact fees any time prior to issuing a building permit. It also codifies the dual rational nexus test, which requires



HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

impact fees to bear a rational nexus both to the need for additional capital facilities and to the expenditure of funds collected and the benefits accruing to the new construction.

Florida House Committee Passes Civics Education Bill

This week, the PreK-12 Quality subcommittee passed **HB 807**, relating to civics education.

Civic literacy and preparing students to become engaged and knowledgeable adults who positively contribute to their communities is a priority of Florida's K-20 education system.

The bill requires instructional materials used for the one-semester civics education course in middle school to be reviewed by the Florida Joint Center for Citizenship and approved by the Commissioner of Education.

Oversight, Transparency & Public Management Subcommittee Hears Bills on Collective Bargaining and Trade Secrets

On Wednesday, the Oversight, Transparency & Public Management Subcommittee heard legislation concerning collective bargaining and trade secrets.

HB 13 prohibits a public employer from compensating a public employee or third party for employee organization activities. "Employee organization activities" is defined as activities performed by a union or its members that relate to advocating the interests of member employees in wages, benefits, terms and conditions of employment, or enforcement, fulfillment, or advancement of the union's organizational purposes, obligations, external relations, or internal policies and procedures.

HB 761 creates a public record exemption for trade secrets that applies to almost all agencies and entities that are subject to public records requirements, while **HB 759** repeals every agency-specific public record exemption for trade secrets. Together, these bills establish uniformity amongst agencies for protecting trade secret information. In addition, **HB 759** specifies that any contract with a public agency is a public record, except that confidential and exempt information may be redacted. The bill also specifies that certain information related to public contracts is a public record and is not confidential or exempt from public record requirements.

Florida House Committee Passes Bill to End Public Tax Dollars Going Towards Funding for Stadiums

The Workforce Development & Tourism Subcommittee passed **HB 791** this week, which ends the practice of wasting taxpayer dollars to subsidize professional sports franchise facilities on public lands. The bill requires any sale or lease of public lands and facilities to professional sports franchises to be made at fair market value. Also, Local Tourist Development Tax or Convention Development Tax funds cannot be used to service bonds to finance construction or renovation of professional sports franchise facilities. Floridians take great pride in their sports teams, but I believe they should not have to see their hard-earned tax dollars fund stadium construction or renovations for professional sports franchises. In Florida, 80% of



HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

professional sports franchises have facilities on public land. Such subsidies amount to hundreds of millions of dollars. These deals have been financial disasters for taxpayers; for example, public dollars have financed as much as 125% of total stadium costs in four Florida cities alone.

Florida House Committee Passes Higher Education Transparency Bill

This week, the Higher Education & Career Readiness subcommittee passed **HB 7051** to increase transparency and accountability for Florida's higher education institutions.

Transparency and accountability are two principles required to maintain the public's trust. Currently, there are some controls in place to ensure that institutions are accountable and responsible stewards of state funds, but there are several areas that need strengthening.

The bill makes colleges and universities more accountable to students and the taxpayers by adding additional accountability for institutions to correct audit findings and increases oversight of state higher education institutions direct support organizations.