

Current as of: 3/16/23

## 2023 FMA BILL WATCH LIST

Title	Bill #	Sponsor	Position	Comm of Ref	Action	Notes
Telehealth	HB 267	Fabricio CoSponsors: Amesty, Porras, Rizo	Support	Healthcare Regulation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee		Telehealth Practice Standards: Revises definition of term "telehealth." Effective Date: July 1, 2023
	SB 298	Boyd		Health Policy (11-0); Banking and Insurance (12-0); Rules		
Health Care Practitioner Titles and Abbreviations	HB 583	Massullo, MD	Support	Healthcare Regulation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee		Defines "advertisement" & "deceptive or misleading terms or false representation"; specifies which titles & abbreviations health care practitioners may use in their advertisements, communications, & personal identification; requires health care practitioners to disclose specified information & use only authorized titles & abbreviations in their advertisements; prohibits health care practitioners from using deceptive or misleading terms or false representations in their advertisements; provides for denial of licensure & disciplinary action. Effective Date: July 1, 2023
	SB 230	Harrell		Health Policy (10-1); Rules (20-0)	Passed (Vote: 37 Yeas / 0 Nays); Immediately certified	Defining the terms "advertisement" and "deceptive or misleading terms or false representation"; specifying which titles and abbreviations health care practitioners may use in their advertisements, communications, and personal identification; requiring health care practitioners to disclose specified information and use only authorized titles and abbreviations in their advertisements; requiring health care practitioners who treat patients in person to wear a badge or clothing that clearly discloses specified information, etc. Effective Date: 7/1/2023
Physician Assistants' Prescriptive Authority	HB 481	Melo	Oppose	Healthcare Regulation Subcommittee; Health & Human Services Committee		Removes requirements that physician assistants may only prescribe or dispense drugs under physician's supervision. Effective Date: July 1, 2023
Autonomous Practice by Advanced Practice Registered Nurses	HB 1067	Giallombardo	Oppose	Healthcare Regulation Subcommittee; Health & Human Services Committee		Revises staff membership & clinical privileges for advanced practice registered nurses; revises practice requirements for autonomous advanced practice registered nurse; revises practice requirements for certified nurse midwives; authorizes autonomous advanced practice registered nurse to perform certain acts; provides for expiration of Council on Advanced Practice Registered Nurse Autonomous Practice. Effective Date: July 1, 2023
	SB 1058	Rodriguez		Health Policy; Appropriations Committee on Health and Human Services; Rules		Exempting certain advanced practice registered nurses from specified medical direction requirements for clinical privileges in hospitals; revising requirements for certified nurse midwives registered to engage in autonomous practice; providing for the future expiration of the Council on Advanced Practice Registered Nurse Autonomous Practice, etc. Effective Date: 7/1/2023
Anesthesiologist Assistants	HB 1485	Plakon	Support	Criminal Justice Subcommittee; Ethics, Elections & Open Government Subcommittee; <del>Judiciary Committee</del>		Revising the definitions of the terms "anesthesiologist" and "direct supervision"; revising requirements for the written protocol between an anesthesiologist assistant and a supervising anesthesiologist; revising provisions relating to duties and functions anesthesiologist assistants may perform, etc. Effective Date: 7/1/2023
	SB 1630	Rouson		Health Policy; Appropriations Committee on Health and Human Services; Fiscal Policy		

	HB 1391	Stevenson	Withdrawn	Revises requirements for autonomous practice of nurse midwifery; requires nurse midwives engaged in autonomous practice to prescribe & use emergency plan of care forms, report information & provide patient records to receiving providers when transferring patients; requires Board of Nursing to establish transfer-of-care conditions, monitor for excessive transfers, conduct reviews of adverse maternal & neonatal outcomes & monitor licensure of certified nurse midwives. Effective Date: July 1, 2023
<b>Certified Nurse Midwife Out-of-hospital Care Plan</b>			<b>Monitor</b>	
	SB 1192	Rodriguez	Health Policy; Judiciary; Rules	Requiring certain certified nurse midwives, in order to provide out-of-hospital intrapartum care, to maintain a written policy for the transfer of patients needing a higher acuity of care or emergency services; requiring that such policy prescribe and require the use of an emergency plan-of-care form; requiring such certified nurse midwives to document specified information on the form if the transfer of care is determined to be necessary; requiring certified nurse midwives, before such transfer of the patient, to verbally provide the receiving provider with specified information, etc. Effective Date: 7/1/2023
<b>Protection of Medical Freedom</b>	HB 305	Barnaby CoSponsors: Black, Plasencia	Healthcare Regulation Subcommittee; Civil Justice Subcommittee; Regulatory Reform & Economic Development Subcommittee; Health & Human Services Committee	Prohibiting the Department of Health from requiring enrollment in the state's immunization registry or otherwise requiring persons to submit to immunization tracking; prohibiting business and governmental entities from requiring individuals to provide proof of vaccination or postinfection recovery from any disease to gain access to, entry upon, or service from such entities; prohibiting employers from refusing employment to, or discharging, disciplining, demoting, or otherwise discriminating against, an individual solely on the basis of vaccination or immunity status; revising the purposes of the Florida Civil Rights Act of 1992 to include discrimination protection for vaccination or immunity status, etc. Effective Date: 7/1/2023
	SB 222	Gruters CoSponsors: Perry	Judiciary; Health Policy; Rules	
<b>COVID-19 Mandates and Treatment Options</b>	HB 1013	Griffitts Jr.	Health & Human Services Committee; Appropriations Committee; Commerce Committee	Prohibits business entities, governmental entities, & educational institutions from imposing COVID-19 testing, facial covering, & vaccination mandates; prohibits hospitals from interfering with patients' right to choose COVID-19 treatment alternatives; requires health care practitioners to obtain informed consent about COVID-19 treatment options. Effective Date: July 1, 2023
	SB 252	Burton	Health Policy; Fiscal Policy	Repealing a provision relating to prohibiting public employers from imposing COVID-19 vaccination mandates; prohibiting business entities and governmental entities from requiring COVID-19 testing to gain access to, entry upon, or service from such entities; prohibiting such entities from requiring persons to provide certain documentation or requiring COVID-19 testing as a condition of contracting, hiring, promotion, or continued employment; prohibiting business and governmental entities from refusing to hire persons, discharging persons, depriving or attempting to deprive persons of employment opportunities, adversely affecting persons with respect to employment, or otherwise discriminating against any person based on knowledge or belief of a person's COVID-19 vaccination or postinfection recovery status or failure to take a COVID-19 test, etc. Effective Date: 7/1/2023
<b>Referral of Patients by Health Care Providers</b>	HB 601	Steele	Healthcare Regulation Subcommittee; Health & Human Services Committee	Removes definition of terms "direct supervision" & "present in office suite"; revises definition of term "referral" to remove direct physician supervision & to require compliance with certain Medicare payments & rules. Effective Date: July 1, 2023
	SB 768	Martin	Health Policy (03/20/23, 3:30 pm, 412 K); Appropriations Committee on Health and Human Services; Fiscal Policy	

Health Care Authority and Consent	HB 427	Michael	Support	Healthcare Regulation Subcommittee; Judiciary Committee; Health & Human Services Committee	Authorizes certain persons to act on behalf of ward before guardian is appointed; prohibits selling or transferring another person's DNA sample for DNA analysis; revises exemptions from prosecution of certain crimes related to unlawful use of DNA samples, DNA analyses, or results of DNA analyses; authorizes health care practitioners & providers to obtain verbal parental consent for provision of health care services, medical procedures, & prescription of medicinal drugs to minor child; requires health care practitioners & providers to document certain information when written parental consent is not obtained. Effective Date: July 1, 2023
Corporate Practice of Medicine	HB 1193	Skidmore	Monitor	Regulation Subcommittee; Health & Human Services Committee	Provides additional acts that constitute grounds for denial of license or disciplinary action to which penalties apply. Effective Date: July 1, 2023
	SB 1222	Powell		Health Policy; Judiciary; Rules	
Civil Remedies	HB 837	Fabricio, Gregory	Oppose	Civil Justice Subcommittee (12-6); Judiciary Committee (16-8)	Creates rebuttable presumption that lodestar fee is sufficient & reasonable attorney fee in most civil actions; creates exception to lawyer-client evidentiary privilege relating to lawyer's referral of client to medical provider; provides standards for bad faith actions; provides standards for admissibility of evidence to prove cost of damages for medical expenses in civil actions; requires disclosures with respect to claims for medical expenses for treatment rendered under letters of protection; specifies damages that may be recovered by claimant for reasonable & necessary cost of medical care; provides that party in negligence action who is at fault by specified amount may not recover damages under comparative negligence action; repeals provisions relating to awards of attorney fees. Effective Date: July 1, 2023
	SB 236	Hutson		Banking and Insurance (8-3); Judiciary (8-4); Fiscal Policy (03/16/23, 08:30 am, 412 K)	Creating a rebuttable presumption that a lodestar fee is a sufficient and reasonable attorney fee in most civil actions; reducing the statute of limitations for negligence actions; providing standards for bad faith actions; providing standards for the admissibility of evidence to prove the cost of damages for medical expenses in certain civil actions; providing that a party in a negligence action who is at fault by a specified amount may not recover damages under a comparative negligence action, etc. Effective Date: Section 2 of this act shall take effect upon becoming a law and shall apply to causes of action accruing on or after the effective date of this act. The remaining sections of this act shall take effect upon becoming a law and shall apply to causes of action filed on or after that date

<b>Motor Vehicle Insurance</b>	HB 429	Alvarez	<b>Oppose</b>	Insurance & Banking Subcommittee; Civil Justice Subcommittee; Commerce Committee	Repealing provisions which comprise the Florida Motor Vehicle No-Fault Law; revising the motor vehicle insurance coverages that an applicant must show to register certain vehicles with the Department of Highway Safety and Motor Vehicles; revising minimum liability coverage requirements for motor vehicle owners or operators; revising requirements for a certificate of deposit that is required if a person elects a certain method of proving financial responsibility; providing an exception to the circumstances under which a person who is damaged may bring a civil action against an insurer, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2024
	SB 586	Grall		Banking and Insurance; Judiciary; Fiscal Policy	
<b>Sovereign Immunity</b>	HB 401	Beltran	<b>Oppose</b>	Civil Justice Subcommittee (13-4); Appropriations Committee (TPd); Judiciary Committee	Removes statutory limits on liability for tort claims against state & its agencies & subdivisions; revises requirements for government entity to settle claim or judgment; revises timeframes within which claim must be presented & within which agency must make final disposition of claim after it is filed to prevent claim from being deemed denied; revises exceptions relating to instituting actions on claims against state or one of its agencies or subdivision. Effective Date: October 1, 2024
	SB 604	Gruters		Judiciary; Governmental Oversight and Accountability; Appropriations	
<b>Coverage for Skin Cancer Screenings</b>	HB 785	Payne	<b>Support</b>	Healthcare Regulation Subcommittee; Appropriations Committee; Health & Human Services Committee	Requiring individual health insurance policies; group, blanket, and franchise health insurance policies; and health maintenance contracts, respectively, to provide coverage and payment for annual skin cancer screenings performed by a licensed dermatologist without imposing any cost-sharing requirement; specifying a requirement for and a restriction on payments for such screenings, etc. Effective Date: 7/1/2023
	SB 142	Harrell		Banking and Insurance; Health Policy; Appropriations	
<b>Gluteal Fat Grafting Procedures</b>	HB 1471	Busatta Cabrera	<b>Support with our amendment</b>	Healthcare Regulation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee	Revises rights of licensed nursing home facility residents; revises background screening requirements for licensure applicants; creates cause of action for ex parte temporary injunction against continued unlicensed activity; authorizes ACHA to provide records to local law enforcement & state attorneys' offices; provides standard of care requirements for office surgeries; prohibits certain office surgeries; provides physician, office, & procedure requirements; prohibits specified health care facilities from registering as office. Effective Date: July 1, 2023
	SB 412	Garcia (I)		Health Policy; Judiciary; Rules	
					Requiring physicians performing gluteal fat grafting procedures in an office surgery setting to adhere to specified standards of practice; authorizing the Board of Medicine and the Board of Osteopathic Medicine, respectively, to adopt certain rules, etc. Effective Date: 7/1/2023

<b>Controlled Substance Testing</b>	HB 165	Hunschofsky	<b>Support</b>	Criminal Justice Subcommittee (16-0); Judiciary Committee	Revising the definition of the term “drug paraphernalia” to exclude certain narcotic-drug-testing products, etc. Effective Date: 7/1/2023
	SB 164	Polsky CoSponsors: Berman		Criminal Justice (8-0); Judiciary (12-0); Rules	
<b>Medicaid Step-Therapy Protocols for Drugs for Serious Mental Illness Treatments</b>	HB 183	Gonzalez Pittman	<b>Support</b>	Healthcare Regulation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee	Requires AHCA to approve certain drug products for treatment of serious mental illnesses without step-therapy prior authorization. Effective Date: July 1, 2023
	SB 112	Harrell		Health Policy (11-0); Appropriations Committee on Health and Human Services (16-0); Fiscal Policy	
<b>Payment of Health Insurance Claims</b>	HB 1335	Rudman	<b>Support</b>	Healthcare Regulation Subcommittee; Insurance & Banking Subcommittee; Health & Human Services Committee	Prohibiting a health insurer or health maintenance organization from retroactively denying a claim at any time because of ineligibility of the insured or subscriber, respectively; specifying an exception, etc. Effective Date: 7/1/2023
	SB 1160	Hooper		Banking and Insurance; Judiciary; Rules	
<b>Prior Authorization</b>	HB 1533	Berfield	<b>Support</b>	Healthcare Regulation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee	Provides process to accept electronic requests for prior authorization for health care services; provides requirements for electronic prior authorization process; prohibits requirements for prior authorizations for certain health care services & medications; prohibits prior authorization revocations, limitations, conditions, & restrictions under specified circumstance; provides requirements for payments to health care providers; provides length of prior authorization validity; prohibits requirements for additional prior authorizations under certain circumstances. Effective Date: July 1, 2023
	SB 1434	Simon		Banking and Insurance; Appropriations Committee on Agriculture, Environment, and General Government; Appropriations	

Health Care Expenses	HB 1413	Tramont	Healthcare Regulation Subcommittee; Insurance & Banking Subcommittee; Health & Human Services Committee		Establishes 3-year statute of limitations for action to collect medical debt for services; provides personal property exemptions from legal process for medical debts; requires licensed facility to post on its website consumer-friendly list of standard charges; requires licensed facility to provide estimate to patient & patient's insurer; requires licensed facility to establish internal grievance process for patients to dispute charges; prohibits collection activities by licensed facility; requires health insurer to provide insured with advanced explanation of benefits for scheduled services; provides shared savings incentive offered by health insurer or HMO constitutes medical expense for rate development & rate filing purposes. Effective Date: July 1, 2023
				<b>Monitor (make sure physicians don't get added)</b>	
	SB 268	Brodeur	Health Policy; Appropriations Committee on Health and Human Services; Fiscal Policy		Establishing a 3-year statute of limitations for an action to collect medical debt for services rendered by a health care provider or facility; providing additional personal property exemptions from legal process for medical debts resulting from services provided in certain licensed facilities; requiring a licensed facility to post on its website a consumer-friendly list of standard charges for a minimum number of shoppable health care services; requiring each health insurer to provide an insured with an advance explanation of benefits after receiving a patient estimate from a facility for scheduled services, etc. Effective Date: 7/1/2023
Coverage for Clinician-administered Drugs	HB 203	Gonzalez Pittman	Healthcare Regulation Subcommittee; Appropriations Committee; Health & Human Services Committee	White bagging included in HB 203- Access to Pharmacies and Prescription Drugs Under Insurance and PBM Policies	Access to Pharmacies and Prescription Drugs Under Insurance and Pharmacy Benefit Managers Policies: Requires OIR to examine pharmacy benefit managers to ascertain compliance with specified laws; requires PBMs to have standard contracts with pharmacies; prohibits PBMs from denying pharmacies & pharmacists right to participate as contract providers; authorizes persons & entities to bring actions & injunctive relief; prohibits PBMs from engaging in acts against patients; prohibits health insurers & PBMs from engaging in acts relating to covered clinician-administered drugs. Effective Date: July 1, 2023
	SB 1638	Simon	Banking and Insurance; Health Policy; Rules		Prohibiting certain acts by insurers or pharmacy benefit managers that cover clinician-administered drugs; providing that violations are deemed unfair methods of competition and unfair practices or acts, etc. Effective Date: On July 1, 2023
Gender Clinical Interventions	HB 1421	Fine	Healthcare Regulation Subcommittee; Health & Human Services Committee		Prohibits persons & entities from expending funds for reimbursement for specified clinical interventions; prohibits person's biological sex from being changed on birth certificate; prohibits gender clinical interventions for minors; authorizes certain persons to refuse to participate in gender clinical interventions; prohibits health insurance policy & health maintenance contract from providing coverage for gender clinical interventions. Effective Date: July 1, 2023
	SB 254	Yarborough	Health Policy (8-3); Fiscal Policy		Granting courts of this state temporary emergency jurisdiction over children present in this state if they are at risk of or are being subjected to the provision of sex-reassignment prescriptions or procedures; requiring courts to consider specified conduct as unjustifiable for purposes of determining jurisdiction in certain proceedings; defining the term "serious physical harm" for purposes of warrants to take physical custody of a child in certain child custody enforcement proceedings; providing that the courts of this state have jurisdiction to vacate, stay, or modify child custody determinations made by a court of another state under certain circumstances, etc. Effective Date: Upon becoming a law

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**Medical  
Countermeasures**

SB 1362 Brodeur

**Waiting on  
comments from  
ER folks**

Health Policy; Community Affairs;  
Rules

Providing that a medical director is liable for any act or omission of a paramedic under his or her supervision who administers medical countermeasures in a nonemergency environment; providing for a State Emergency Medical Services Medical Director appointed by the State Surgeon General; requiring the medical director to meet certain minimum qualifications and perform certain duties; authorizing paramedics to administer medical countermeasures in a nonemergency environment under the direction of a medical director; requiring medical directors to verify and document that paramedics under their direction have received sufficient training and experience to administer medical countermeasures, etc. Effective Date: Upon becoming a law

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Department of Health	HB 1387	Porras	Healthcare Regulation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee	Monitoring and trying to fix	Prohibits certain research relating to enhanced potential pandemic pathogens; provides requirement for researchers applying for state or local funding; prohibits medical marijuana treatment centers from producing certain marijuana products; provides requirements for marijuana packaging & labeling, medical marijuana treatment center advertising, & medical marijuana testing laboratories & employee background screening; provides requirements for live birth, death, & fetal death records & marriage licenses & certain dissolution-of-marriage records; revises requirements for applicants for certification or recertification as EMT or paramedic; exempts certain applicants for certification as certified nursing assistant from portion of competency examination; revises scope of practice for audiologists & hearing aid specialists; revises membership requirements for members of Board of Hearing Aid Specialists. Effective Date: July 1, 2023
	SB 1506	Rodriguez	Health Policy; Rules		
Protections of Medical Conscience	HB 1403	Rudman	Healthcare Regulation Subcommittee; Health & Human Services Committee	Monitor	Authorizes health care providers & health care payors to opt out of participation in or payment for certain health care services by conscience-based objections without discrimination or threat of adverse actions; requires health care provider to notify the patient and the health care provider's supervisor or employee, if applicable, in writing when such health care provider declines to participate in certain health care services & retain copy of such notification; prohibits certain boards and DOH from taking certain disciplinary actions under certain circumstances. Effective Date: July 1, 2023
	SB 1580	Trumbull	Health Policy; Rules		Providing that health care providers and health care payors have the right to opt out of participation in or payment for certain health care services on the basis of conscience-based objections; providing requirements for a health care provider's notice and documentation of such objection; providing whistle-blower protections for health care providers and health care payors that take certain actions or disclose certain information relating to the reporting of certain violations; prohibiting boards, or the Department of Health if there is no board, from taking disciplinary action against or denying a license to an individual based solely on specified conduct, etc. Effective Date: 7/1/2023
Pregnancy and Parenting Support	HB 7	Persons-Mulicka	Healthcare Regulation Subcommittee (03/16/23, 8:00 am, 102 H); Health & Human Services Committee		Prohibits use of state funds for person to travel to another state to receive services to support abortion; requires DOH to report to Governor & Legislature information relating to Florida Pregnancy Care Network, Inc.; prohibits physician from knowingly performing or inducing termination of pregnancy after specified period of time; provides exceptions; requires physician to perform or induce termination of pregnancy or to dispense abortion-inducing drugs in person; removes provisions relating to termination of pregnancies during viability; prohibits telehealth provider from using telehealth to provide abortion. Effective Date: upon becoming a law
	SB 300	Grall	Health Policy (03/20/23, 3:30 pm, 412 K); Fiscal Policy		Prohibits use of state funds for person to travel to another state to receive services to support abortion; requires DOH to report to Governor & Legislature information relating to Florida Pregnancy Care Network, Inc.; prohibits physician from knowingly performing or inducing termination of pregnancy after specified period of time; provides exceptions; requires physician to perform or induce termination of pregnancy or to dispense abortion-inducing drugs in person; removes provisions relating to termination of pregnancies during viability; prohibits telehealth provider from using telehealth to provide abortion. Effective Date: upon becoming a law