



**Floor Packet Week 7**  
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## CS/HB 9 Community Redevelopment Agencies

- The Community Redevelopment Act authorizes counties and municipalities to create community redevelopment agencies (CRAs) as a means of redeveloping slums and blighted areas. They operate under a community redevelopment plan that is approved by the local governing body. CRAs are primarily funded by tax increment financing, calculated based on the increase of property values inside the boundaries of the agency.
- **CS/HB 9** increases accountability and transparency for CRAs by:
  - Requiring the governing board members of a CRA to undergo four hours of ethics training annually;
  - Requiring each CRA to use the same procurement and purchasing processes as the creating county or municipality;
  - Expanding the annual reporting requirements for CRAs to include audit information and performance data and requiring the information and data to be posted on the agency website;
  - Providing that moneys in the redevelopment trust fund may only be expended pursuant to an annual budget adopted by the board of commissioners of the CRA, and only for those purposes specified in current law, beginning October 1, 2019;
  - Authorizing the local governing body creating the CRA to adjust the level of tax increment financing available to the CRA;
  - Requiring a CRA created by a municipality to provide its budget and any amendments to the board of county commissioners for the county in which the CRA is located by a time certain; and
  - Requiring counties and municipalities to include CRA data in their annual financial report.
- The bill provides that the creation of new CRAs on or after October 1, 2019, may only occur upon approval at a county-wide referendum held during a primary or general election and approved by two-thirds of the qualified electors.
- The bill provides for the phase-out of existing CRAs at the earlier of the expiration date stated in the agency's charter or on September 30, 2039, with the exception of those CRAs with any outstanding bond obligations. However, the governing board of a creating local government entity may prevent the phase-out of a CRA by a two-thirds vote to retain the agency.
- The bill provides a process for the Department of Economic Opportunity to declare a CRA inactive if it has reported no revenues, no expenditures, and no debt for three consecutive fiscal years.



## HB 861 Local Government Financial Reporting

- **HB 861** requires counties and municipalities to post their annual budgets to their respective websites for at least two years and tentative budgets to their websites for at least 45 days.
- Beginning October 15, 2019, and annually thereafter, the bill requires each county and municipal budget officer to submit specified information regarding its final budget and economic status to the Office of Economic and Demographic Research (EDR), in a format and on forms prescribed by EDR, including information concerning:
  - Government spending per resident, including the rate for the five preceding fiscal years;
  - Government debt per resident, including the rate for the five preceding fiscal years;
  - Median income within the county or municipality;
  - Average county or municipal employee salary;
  - Percent of the county or municipal budget spent on salaries and benefits for its employees; and
  - Number of special taxing districts that are located wholly or partially within the county or municipality.
- The bill requires EDR to develop the format and forms for reporting the information by July 15, 2019.



# HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES



REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

## HB 1 Ethics Reform

- **HB 1** reforms conflicts of interest law so government employees and elected officials do not use their positions for private gain.
- The bill prohibits state and local officers or employees from soliciting a job from a business or entity that the officer or employee's agency has regulatory power over.
- The bill requires disclosure and reporting on offers of conflicting employment.
- The bill requires state legislators and statewide elected officers to disclose changes in employment and pay raises immediately when the employer has interests in the legislative process.
- The bill revises executive branch lobbying registration requirements to mandate electronic registration, clarifies provisions, and adds the Board of Governors of the State University System and the State Board of Education to the list of entities to which the requirements apply.
- The bill authorizes the Commission on Ethics to investigate disclosures of certain prohibited solicitations in the same manner as a complaint.



## HB 7021 and HB 7023 Financial Disclosure

- **HB 7021** provides for the creation of an electronic financial disclosure filing system.
- This new system provides a modern way of filing financial disclosure for elected officials and state and local employees by utilizing current and up to date technology.
- The electronic system will also allow the public to easily search public disclosure forms that are filed to ensure full transparency and accountability.
- The bill provides mandatory electronic filing of financial disclosures and requires the Florida Commission on Ethics (Commission) to procure and test the system by January 1, 2022.
- The bill requires the electronic disclosure filing system to:
  - Provide for access through the Internet for the completion and submission of Form 6s, Form 1s, and other required forms;
  - Make filings available in a searchable format that is accessible to the public;
  - Issue a verification or receipt that the Commission has received the filing of the financial disclosure form;
  - Provide a secure method that prevents unauthorized access to electronic filing system functions or data; and
  - Provide a method for an attorney or CPA to sign the disclosure form to indicate he or she prepared the form and that the form is true and correct.



## CS/CS/CS/HB 839 Higher Education

- **CS/CS/CS/HB 839** is a comprehensive higher education package that ensures our students and higher education institutions continue to succeed.
- The bill requires the Board of Governors (BOG) and the State Board of Education (SBE) to annually report on the intellectual freedom and viewpoint diversity at each institution to ensure students and faculty will feel safe on campus to express their viewpoints.
- The bill increases transparency by including Florida College System (FCS) institution employee salaries and other information on the Florida Has a Right to Know website.
- The bill authorizes FCS institutions and state universities to provide either an opt-in or an opt-out provision to students regarding textbook and instructional materials affordability.
- The bill revises the data source used to determine whether an institution is designated as preeminent or emerging preeminent to allow for more timely performance data.
- The bill modifies state university performance funding metrics to include metrics that focus on the success rate of Pell Grant-eligible students and “2+2” Associate in Arts (AA) degree transfer students and prohibits the adjustment of such metrics once data has been received.
- The bill requires the Commissioner of Education to submit recommendations to the SBE and the Legislature for the most efficient process to achieve a complete performance-based model.
- The bill requires the BOG to define the data and methodology required to calculate each metric used in performance and preeminence funding, and requires each state university to conduct and submit an audit to the BOG’s Office of Inspector General.
- The bill requires the BOG to enter into an agreement with the Department of Economic Opportunity for access to individual reemployment assistance wage reports for auditing and evaluation purposes.
- The bill increases accountability by prohibiting the transfer of state appropriations by a university board of trustees to any of its direct-support organizations’ subsidiaries and affiliates.
- The bill supports our students who transfer into the SUS system by establishing the “2+2” targeted pathway program to improve student retention and on-time graduation.
- The bill requires a reverse transfer agreement for FCS AA degree students who transfer to a state university.
- The bill requires the BOG legislative budget request to include 5-year trend information on the number of faculty and administrators at each university and specifies that the growth rate of administrators may not exceed the growth rate of faculty.
- The bill requires the University of South Florida (USF) St. Petersburg and USF Manatee/Sarasota to maintain branch campus status when each campus’s accreditation is consolidated into a single accreditation, as monitored by the BOG, and prohibits the BOG from using the consolidated data for determining funding eligibility, subject to meeting certain deadlines.



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## CS/HB 629 Lottery Games

- The Lottery is a state-run enterprise offering games that can cause addiction or compulsive behavior for some players. Currently, the Florida Lottery urges customers to “Play Responsibly,” and encourages problem gamblers to seek help, but it does not inform players about the specific risks associated with gambling.
- **CS/HB 629** ensures that Floridians and visitors to our state are informed about the potential risks of playing the Lottery and clarifies that lottery games are paper-based only.
- The bill amends current law by directing the Florida Lottery to place the following warning prominently on the front of all lottery tickets:  
“WARNING: PLAYING A LOTTERY GAME CONSTITUTES GAMBLING AND MAY LEAD TO ADDICTION AND/OR COMPULSIVE BEHAVIOR. THE CHANCES OF WINNING A BIG PRIZE ARE VERY LOW.”
- The bill also requires the same warning to appear in all advertisements and promotions of Florida Lottery games.
- The bill expressly prohibits the use of personal electronic devices in the sale or purchase of lottery tickets or games.



## CS/HB 759 and HB 761 Trade Secrets

- Florida law contains a variety of provisions that make trade secret information exempt or confidential and exempt from public record requirements. Some exemptions only protect trade secrets, while others protect “proprietary business information” and define that term to specifically include trade secrets. Some exemptions also provide a specific process that an agency must use when protecting trade secret information under the exemption.
- **HB 761** creates a public record exemption for trade secrets that applies to most agencies that are subject to public record requirements.
- The bill defines the term “trade secret” and specifically excludes from the definition certain information related to any contract or agreement, or an addendum thereto, with an agency. Such information includes the parties to the contract or agreement; the amount of money paid, any payment structure or plan, expenditures, incentives, bonuses, fees, or penalties; the nature or type of commodities or services purchased; and applicable contract unit prices and deliverables.
- The bill requires a person who submits a record claimed to be a trade secret to an agency to mark the record clearly with the words “trade secret” and to submit with the record a notice verifying, under penalty of perjury, that the record contains a trade secret.
- The bill provides for repeal of the exemption on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature. The bill provides a public necessity statement as required by the Florida Constitution.
- **CS/HB 759** repeals most public record exemptions for trade secrets in current law, all associated processes for designating a trade secret, and most references to trade secrets contained in definitions for proprietary business information.
- The bill repeals a provision authorizing the Department of the Lottery to determine by rule information relating to the operation of the lottery that is confidential and exempt from public record requirements.
- The bill repeals s. 815.045, F.S., which is a public necessity statement for a trade secret exemption that was inadvertently codified in the Florida Statutes.





## CS/HB 1035 Patient Access to Records

- **CS/HB 1035** allows patients, nursing home residents and their legal representatives to control how they receive requested records.
- The bill requires health care providers to give patients their records the way they want to receive them – including access to the provider’s electronic medical record through a patient portal, or submitting the records to the patient’s own electronic Personal Health Record.
- The bill also standardizes the timeframes for providers to produce records or allow inspection of records, and limits the patient cost for reproducing records. All health care practitioners and facilities, excluding nursing homes, must provide records within 14 days of a request and allow inspection within 10 days. The bill also standardizes the patient cost for reproducing treatment records.
- Federal law currently requires nursing homes to provide residents with access to their records within 24 hours (excluding holidays and weekends) and a copy of any requested records within two working days of request. The bill incorporates these timelines into Florida law.
- Additionally, the bill defines “legal representative” as a client’s attorney who has been designated by the patient or resident to receive copies of the patient’s or resident’s medical, care and treatment, or interdisciplinary records; any legally recognized guardian of the patient or resident; any court appointed representative of the patient or resident; or any person designated by the patient or resident or by a court of competent jurisdiction to receive copies of the patient’s or resident’s medical, care and treatment, or interdisciplinary records. **This is the current definition of legal representative found in the Board of Medicine’s rules.**
- The bill helps patients to be more engaged in their treatment by making more information available in easy-to-use formats.



## CS/HB 999 Medical Billing

- **HB 999** empowers patients and eases the burden of the cost of medical bills on consumers.
- The bill helps patients manage their healthcare costs in three ways: requires facilities to provide binding cost estimates, with exceptions; requires facilities to establish an internal grievance process to contest charges; increases consumer protection in debt collection proceedings, including asset protection and a prohibition on taking collection action until all insurance coverage applicable to the patient has been exhausted.
  - **Binding Cost Estimates:** Requires that the estimate of charges provided by a facility be binding. The amount ultimately charged by the facility may not exceed the estimate by more than 10%, unless unforeseen circumstances dictate that the charges be higher. If a facility determines that charges must exceed this threshold, the facility must clearly document the rationale for the higher charges to the patient.
  - **Internal Grievance Process:** Prohibits these facilities from engaging in any “extraordinary collection actions” against a patient prior to determining whether that patient is eligible for financial assistance, before providing an itemized bill, during an ongoing grievance process, prior to billing any applicable insurance coverage, and for 30 days after notifying a patient in writing that a collections action will commence.
  - **Consumer Protections:** Establishes a new set of debt collection exemptions from attachment, garnishment, or other legal process to include a single motor vehicle and personal property of a debtor of a value up to \$10,000 when debt is incurred as a result of medical services provided in a licensed hospital facility, provided that the debtor does not receive a homestead exemption. Prevents a facility from initiating a collection action against a patient until all applicable insurance coverage is exhausted.
- In total, the bill ensures that all patients are furnished with cost-of-care information prior to electing treatments provided by hospitals, ambulatory surgical centers, urgent care centers, and physicians providing services in those facilities.



## CS/HB 961 Innovation Commission

- **CS/HB 961** facilitates innovations in healthcare by reducing governmental barriers to implementation.
- The bill creates, within the Agency for Health Care Administration (AHCA), an Innovation Commission charged with facilitating implementation of innovative or alternative health care delivery or payment models that will increase efficiency, improve patient outcomes, or reduce health care costs, but which cannot be effectively or efficiently implemented due to specific regulatory barriers in law or rule.
- The bill gives the Commission authority to grant exemptions to these specific laws or rules, with certain conditions. To be eligible for consideration for such an exemption, a proposal must, at a minimum:
  - Identify an existing problem in the healthcare delivery system, which can include inefficiency, high costs, or poor patient outcomes;
  - Propose a specific alternative or innovative healthcare delivery or payment model to solve the problem the applicant will be able to implement, and describe the necessary changes to current practice that are required to effectively implement the solution;
  - Demonstrate, using real data or prior experience, how and to what extent the proposed solution will either increase efficiency, improve patient outcomes, or reduce costs to the consumer, industry, or government; and
  - Identify the specific barriers to implementing the proposed solution in current law or rule, request that the commission grant an exemption from such law or rule, and demonstrate the impact such exemption would have on patient health and safety.
- The bill imposes certain conditions on the Commission's ability to grant exemptions. Specifically, the Commission may only grant an exemption to the extent necessary to implement the proposal. Additionally, the Commission may impose conditions on the granted exemption, but only to the extent necessary to achieve increased efficiency, reduced costs, or improved patient outcomes.
- The bill requires AHCA to submit an annual report on the Commission's activities to the Governor and Legislature by November 1 of each year. The report must include, at a minimum:
  - Summaries of the proposals reviewed by the Commission during the previous fiscal year, including background information, an explanation of the proposed solutions, a fiscal analysis, any barriers to implementing the proposed solutions existing in law or rule at the time the proposals were submitted, and a copy of the Commission's written findings and decisions; and
  - A list of any provisions of law or rule from which the Commission granted exemptions within the previous fiscal year.



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## CS/HB 935 Price Transparency in Contracts

- **CS/HB 935** prevents health insurers from prohibiting health care providers from giving patients information on costs.
- The bill 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 the costs of care and the availability of more affordable care options.
- The bill also prohibits an insurer from requiring an insured patient to make a payment for a health care service that exceeds the cash price of that service in the absence of health insurance.
- Clear, accurate information about the costs and quality of health care is necessary for consumers to select health care services that provide good value.



## CS/CS/HB 863 Physician Referrals

- **CS/HB 863** improves the healthcare marketplace by closing the physician referral loophole.
- The bill 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.
- The bill also requires health care providers to give a written notice to a patient any time the health care provider refers a patient to a provider not covered by the patient's insurance.
- Closing the physician referral loophole ensures that physician recommendations are based on the patient's best interest and not providers' financial benefit.



## CS/CS/CS/HB 821 Health Care Practitioners

- **CS/HB 821** allows advanced practice registered nurses and physician assistants to practice without physician supervision, if they meet certain criteria.
- The bill authorizes an advisory committee comprised of physicians and advanced practice registered nurses (APRNs) to develop a list of medical acts that an APRN engaging in autonomous practice may perform. The bill requires the Council on Physician Assistants (Council) to develop rules defining the primary specialties in which an autonomous physician assistant (PA) may practice.
- The bill expands the scope of practice for all PAs by authorizing them to certify a person for involuntary examination under the Baker Act, file death certificates and certify a cause of death, and participate in guardianship plans. The bill removes a requirement that a PA must notify a patient that he or she has the right to see a physician prior to prescribing or dispensing a prescription.
- The bill responsibly allows nurses and physician assistants to practice to the greatest and safest extent of their training, and will increase access to care.



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## CS/CS/HB 1295 Property Tax Exemptions Used by Hospitals

- **HB 1295** requires hospitals to demonstrate they provide a level of charity that equals or exceeds their property tax liability in order to qualify for an existing property tax exemption.
- The bill allows hospitals to qualify for a property tax exemption that is proportional to the value of charitable services they provide as reported to the IRS. The value of charitable services as reported to the IRS does not include the value of services covered by revenue from uncompensated care pools or programs such as Low Income Pool (LIP) or Disproportionate Share Hospital (DSH).
- The bill sets forth specific computations for determining the extent of the exemption. The bill requires hospitals to provide a statement signed by the hospital's CEO and a certified public accountant that the information submitted is true and correct.
- The bill ensures hospitals do not abuse the tax exemption available to charitable organizations.



## HB 1335 Abortion

- **HB 1335** adds a parental consent requirement before an abortion is performed on a minor.
- The bill prohibits, with limited exceptions, a physician from performing an abortion on a minor unless the physician receives notarized, written parental consent or an order from a court waiving the parental consent requirement.
- The bill exempts a minor from the parental consent requirement if the minor is exempt from the parental notification requirement. This includes exemptions for when the disability of nonage has been removed, medical emergencies, parental waiver and when the minor is a parent. The bill also provides an exemption for medical emergencies for circumstances where the minor has notified her parent or legal guardian but has not obtained parental consent.
- Additionally, the bill expands the Parental Notice of Abortion Act's current judicial waiver provision for parental notification to include waiver of parental consent. The bill adds a requirement that the court must appoint counsel for the minor at least 24 hours prior to the judicial waiver hearing.
- The bill also provides an exemption for medical emergencies if in the physician's good-faith clinical judgment, a medical emergency exists and there is insufficient time for the attending physician to comply with the consent requirement.
- Current law requires any health care practitioner present when an infant is born alive during an attempted abortion to preserve the health and life of the infant with care appropriate for the gestational age of the infant. The infant must also be immediately transported and admitted to a hospital. A health care practitioner or any employee of a hospital, a physician's office, or an abortion clinic who has knowledge of a violation of these requirements must report the violation to the Department of Health.
- The bill increases the penalty for violating the requirement of the infants born alive provisions within Florida statutes from a first degree misdemeanor to a third degree felony, punishable by up to five years in prison and a \$5,000 fine.