



Healthcare Council

**Tuesday, March 25, 2008
10:00 AM – 12:00 PM
Morris Hall**

Action Packet

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Aaron Bean (Chair)	X		
Thomas Anderson	X		
Loranne Ausley	X		
Joyce Cusack			X
Bill Galvano	X		
Rene Garcia	X		
Hugh Gibson III	X		
Denise Grimsley	X		
Gayle Harrell	X		
D. Alan Hays	X		
Ed Hooper	X		
Matt Hudson	X		
Jimmy Patronis	X		
Ari Porth	X		
Yolly Roberson	X		
Elaine Schwartz	X		
Kelly Skidmore	X		
Juan Zapata	X		
Totals:	17	0	1

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 121 : Special Observances

<input checked="" type="checkbox"/> Favorable with Council Substitute	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia	X				
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata	X				
Aaron Bean (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 153 : Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome Educational Requirements

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia	X				
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata	X				
Aaron Bean (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 243 : Automated External Defibrillators

<input checked="" type="checkbox"/>	Favorable with Council Substitute				
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia	X				
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata	X				
Aaron Bean (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 247 : Nursing Facilities

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia	X				
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata	X				
Aaron Bean (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 333 : Developmental Disabilities Institutions

<input checked="" type="checkbox"/> Favorable with Council Substitute	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia			X		
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata				X	
Aaron Bean (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 341 : Treatment Programs for Impaired Practitioners

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia	X				
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata				X	
Aaron Bean (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 637 : Electronic Health Records

<input checked="" type="checkbox"/> Favorable with Council Substitute	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia	X				
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata	X				
Aaron Bean (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 731 : Personal Care Attendant Program

	<input checked="" type="checkbox"/> Favorable with Council Substitute				
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia	X				
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata				X	
Aaron Bean (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

HB 731 - Personal Care Attendant Program
Margaret Hooper (Lobbyist) - Proponent
Florida Developmental Disabilities Council
124 Marriott Drive, #203
Tallahassee FL 32301
Phone: 850-488-1284

HB 731 - Personal Care Attendant Program
Donald Dawkins - Proponent
Florida Independent Living Council
1018 Thomasville Road, Suite 100 A
Tallahassee FL 32303
Phone: 850-728-0789

HB 731 - Personal Care Attendant Program
Martina Schmid - Proponent
Florida Association of Centers for Independent Living
111 Ridgeland Road
Tallahassee FL 32303
Phone: 850-575-6004

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

HB 989 : Physician Assistants

<input checked="" type="checkbox"/> Favorable	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia			X		
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata				X	
Aaron Bean (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

PCB HCC 08-23 : Prescription Drug Donation Program

<input checked="" type="checkbox"/>	<i>Favorable With Amendments (2)</i>				
	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Loranne Ausley	X				
Joyce Cusack			X		
Bill Galvano	X				
Rene Garcia	X				
Hugh Gibson III	X				
Denise Grimsley	X				
Gayle Harrell	X				
D. Alan Hays	X				
Ed Hooper	X				
Matt Hudson	X				
Jimmy Patronis	X				
Ari Porth	X				
Yolly Roberson	X				
Elaine Schwartz	X				
Kelly Skidmore	X				
Juan Zapata	X				
Aaron Bean (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

Other Business Appearance:

Diabetes Resolution
Haley May - Information Only
Self and Kids with Diabetes
1487 Ferzon Way
Tallahassee FL 32312
Phone: 850-906-9589

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

COUNCIL MEETING REPORT

Healthcare Council

3/25/2008 10:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Healthcare Council

Tuesday March 25, 2008 10:00 am

HB 121	Favorable with Council Substitute	Yeas: 17	Nays: 0
HB 153	Favorable with Council Substitute	Yeas: 17	Nays: 0
HB 243	Favorable with Council Substitute	Yeas: 17	Nays: 0
HB 247	Favorable with Council Substitute	Yeas: 17	Nays: 0
HB 333	Favorable with Council Substitute	Yeas: 15	Nays: 0
HB 341	Favorable with Council Substitute	Yeas: 16	Nays: 0
HB 637	Favorable with Council Substitute	Yeas: 17	Nays: 0
HB 731	Favorable with Council Substitute	Yeas: 16	Nays: 0
HB 989	Favorable	Yeas: 15	Nays: 0
PCB HCC 08-23	Favorable With Amendments (2)	Yeas: 17	Nays: 0

Committee meeting was reported out: Tuesday, March 25, 2008 2:07:38PM

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Morris Hall
 Time: 10:00 A.M.

Bill Number: PCB HCC 08-23
 Date Received: _____
 Date Reported: _____
 Subject: prescription drug donation program

Council/Committee Action:

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input type="checkbox"/> | Favorable | <input type="checkbox"/> | Retained for Reconsideration |
| <input checked="" type="checkbox"/> | Favorable w/ <u>2</u> amendments | <input type="checkbox"/> | Reconsidered |
| <input type="checkbox"/> | Favorable w/Council/Committee Substitute | <input type="checkbox"/> | Temporarily Postponed |
| <input type="checkbox"/> | Other Action: _____ | <input type="checkbox"/> | Unfavorable |

Final Vote On Bill		MEMBERS	1		2					
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Anderson								
<input checked="" type="checkbox"/>		Ausley	<u>W/O</u>		<u>W/O</u>					
<input checked="" type="checkbox"/>		Cusack	<u>W/O</u>		<u>W/O</u>					
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		Gibson								
<input checked="" type="checkbox"/>		Grimsley								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Hays								
<input checked="" type="checkbox"/>		Hooper								
<input checked="" type="checkbox"/>		Hudson								
<input checked="" type="checkbox"/>		Patronis								
<input checked="" type="checkbox"/>		Porth								
<input checked="" type="checkbox"/>		Roberson								
<input checked="" type="checkbox"/>		Schwartz								
<input checked="" type="checkbox"/>		Skidmore								
<input checked="" type="checkbox"/>		Zapata								
<input checked="" type="checkbox"/>		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
<u>17</u>	<u>0</u>									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01 (for drafter's use only)

Bill No. PCB HCC 08-23

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Healthcare Council

2 Representative Harrell offered the following:

3
4 **Amendment**

5 Remove line 32 and insert:

6 (c) "Dispensing Practitioner" means a practitioner
7 registered under s. 465.0276.

8 d) "Donor" means a patient or patient representative
9
10

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02 (for drafter's use only)

Bill No. PCB HCC 08-23

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Healthcare Council

2 Representative Harrell offered the following:

3

4 **Amendment**

5 Remove lines 85-86 and insert:

6 participant ~~facility~~ may provide dispensing and counseling
7 ~~consulting~~ services to an eligible patient individuals who is
8 are not a patient

9

10

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Monroe Hall
 Time: 10:00 A.M.

Bill Number: HB 121
 Date Received: _____
 Date Reported: _____
 Subject: special observances

Council/Committee Action:

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input type="checkbox"/> | Favorable | <input type="checkbox"/> | Retained for Reconsideration |
| <input type="checkbox"/> | Favorable w/ _____ amendments | <input type="checkbox"/> | Reconsidered |
| <input checked="" type="checkbox"/> | Favorable w/Council/Committee Substitute | <input type="checkbox"/> | Temporarily Postponed |
| <input type="checkbox"/> | Other Action: _____ | <input type="checkbox"/> | Unfavorable |

Final Vote On Bill		MEMBERS	<i>Strikes all around</i>							
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Anderson								
<input checked="" type="checkbox"/>		Ausley								
<input checked="" type="checkbox"/>		Cusack								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		Gibson								
<input checked="" type="checkbox"/>		Grimsley								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Hays								
<input checked="" type="checkbox"/>		Hooper								
<input checked="" type="checkbox"/>		Hudson								
<input checked="" type="checkbox"/>		Patronis								
<input checked="" type="checkbox"/>		Porth								
<input checked="" type="checkbox"/>		Roberson								
<input checked="" type="checkbox"/>		Schwartz								
<input checked="" type="checkbox"/>		Skidmore								
<input checked="" type="checkbox"/>		Zapata								
<input checked="" type="checkbox"/>		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
17	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 121

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Council hearing bill: Healthcare Council
 2 Representative Brise offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 683.34, Florida Statutes, is created to read:

683.34 Child Welfare Professionals Recognition Day.-- The second Monday in May of each year is designated as "Child Welfare Professionals Recognition Day" to recognize the efforts of all professionals who work with children and families who have been, or are at risk of being, affected by abuse, abandonment, or neglect. The Department of Children and Family Services, local governments, and other agencies are encouraged to sponsor events to promote awareness of the child welfare system and recognize the professionals who work in the system.

Section 2. This act shall take effect upon becoming a law.

T I T L E A M E N D M E N T

Remove the entire title and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

23 An act relating to special observances; creating s. 683.34,
24 F.S.; designating the second Monday in May as "Child Welfare
25 Professionals Recognition Day"; providing an effective date.
26

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Morris Hall
 Time: 10:00 A.M.

Bill Number: HB 153
 Date Received: _____
 Date Reported: _____
 Subject: HIV/AIDS

Education Requirements

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	<i>transferring</i>		<i>2</i>					
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Anderson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ausley	<i>No</i>		<i>w/o</i>					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cusack			<i>leg.</i>					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Galvano	<i>needed</i>	<i>at team</i>						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Garcia								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Gibson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Grimsley								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Harrell								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hays								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hooper								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hudson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Patronis								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Porth								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Roberson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Schwartz								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Skidmore								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Zapata								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
17	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 153

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

No action needed - traveling

1 Council/Committee hearing bill: -Healthcare Council
 2 Committee on Health Quality offered the following:

Amendment (with directory and title amendments)

Remove line(s) 33-62 and insert:

3
 4
 5
 6 issues pursuant to ss. 381.004 and 384.25. An employee who has
 7 completed the educational course required in this subsection is
 8 not required to repeat the course upon changing employment to a
 9 different facility licensed under chapter 393, chapter 394,
 10 chapter 395, or chapter 397, part II, part III, or part IV of
 11 chapter 400, or part I of chapter 429.

12 ~~(2) New employees shall be required to complete a course~~
 13 ~~on human immunodeficiency virus and acquired immune deficiency~~
 14 ~~syndrome, with instruction to include information on current~~
 15 ~~Florida law and its impact on testing, confidentiality of test~~
 16 ~~results, and treatment of patients.~~

17 (2)(3) Facilities licensed under chapter chapters 393,
 18 chapter 394, chapter 395, or chapter and 397, part parts II,
 19 part III, or part and IV of chapter 400, or and part I of
 20 chapter 429 shall maintain a record of employees and dates of

This amendment was adopted in HQ on 12/11/07 and is traveling with the bill and requires no further action.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

21 attendance at human immunodeficiency virus and acquired immune
22 deficiency syndrome educational courses.

23 ~~(3)(4)~~ The department shall have the authority to review
24 the records of each facility to determine compliance with the
25 requirements of this section. The department may adopt rules to
26 carry out the provisions of this section.

27 (4) This section does not apply to an employee who is
28 subject to the requirements of s. 456.033.

29

30

31

32

This amendment was adopted in HQ on 12/11/07 and is traveling with the bill and requires no further action.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02 (for drafter's use only)

Bill No. 153

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Healthcare Council

2 Representative Cusack offered the following:

3

4 **Amendment**

5 Remove line 78 and insert:

6 immunodeficiency virus counseling and testing, reporting,

7 offering HIV

8

9

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Monroe Hall
 Time: 10:00 A.M.

Bill Number: HB 243
 Date Received: _____
 Date Reported: _____
 Subject: automated external defibrillators

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	<i>transferring over</i>		<i>strip all</i>					
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Anderson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ausley								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cusack								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Galvano								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Garcia								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Gibson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Grimsley								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Harrell								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hays								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hooper								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hudson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Patronis								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Porth								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Roberson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Schwartz								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Skidmore								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Zapata								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
17	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 243

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER *See I substitute* ✓

1 Council/Committee hearing bill: Healthcare Council

2 Committee on Health Quality offered the following:

3

4 **Amendment**

5 Remove lines 27-29 and insert:

6 automated external defibrillator proficiency to any of its

7 employees

8

9

This amendment was adopted in HQ on 1/22/08 with recommended council substitute.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. 0243

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Healthcare Council

2 Representative Anderson offered the following:

3 *Substitute*

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6
7 Section 1. Subsection (2) of section 401.2915, Florida
8 Statutes, is amended to read:

9 401.2915 Automated external defibrillators.--It is the
10 intent of the Legislature that an automated external
11 defibrillator may be used by any person for the purpose of
12 saving the life of another person in cardiac arrest. In order to
13 achieve that goal, the Legislature intends to encourage training
14 in lifesaving first aid and set standards for and encourage the
15 use of automated external defibrillators.

16 (2) In order to promote ~~ensure~~ public health and safety:

17 (a) All persons who use an automated external
18 defibrillator are encouraged to ~~must~~ obtain appropriate
19 training, to include completion of a course in cardiopulmonary
20 resuscitation or successful completion of a basic first aid
21 course that includes cardiopulmonary resuscitation training, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

22 demonstrated proficiency in the use of an automated external
23 defibrillator.

24 (b) Any person or entity in possession of an automated
25 external defibrillator is encouraged to notify ~~register with~~ the
26 local emergency medical services medical director of the
27 ~~existence and~~ location of the automated external defibrillator.

28 (c) Any person who uses an automated external
29 defibrillator shall activate the emergency medical services
30 system as soon as possible upon use of the automated external
31 defibrillator.

32 Section 2. Subsection (3) of section 768.1325, Florida
33 Statutes, is amended to read:

34 768.1325 Cardiac Arrest Survival Act; immunity from civil
35 liability.--

36 (3) Notwithstanding any other provision of law to the
37 contrary, and except as provided in subsection (4), any person
38 who uses or attempts to use an automated external defibrillator
39 device on a victim of a perceived medical emergency, without
40 objection of the victim of the perceived medical emergency, is
41 immune from civil liability for any harm resulting from the use
42 or attempted use of such device. In addition, notwithstanding
43 any other provision of law to the contrary, and except as
44 provided in subsection (4), any person who acquired the device
45 and makes it available for use, including, but not limited to, a
46 community association organized under chapter 617, chapter 718,
47 chapter 719, chapter 720, chapter 721, or chapter 723, is immune
48 from such liability, if the harm was not due to the failure of
49 such person acquirer of the device to:

50 ~~(a) Notify the local emergency medical services medical~~
51 ~~director of the most recent placement of the device within a~~
52 ~~reasonable period of time after the device was placed;~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

53 ~~(a)-(b)~~ Properly maintain and test the device; or
54 ~~(b)-(e)~~ Provide appropriate training in the use of the
55 device to an employee or agent of the acquirer when the employee
56 or agent was the person who used the device on the victim,
57 except that such requirement of training does not apply if:

58 1. The device is equipped with audible, visual, or written
59 instructions on its use, including any such visual or written
60 instructions posted on or adjacent to the device;

61 ~~2.1-~~ The employee or agent was not an employee or agent
62 who would have been reasonably expected to use the device; or

63 ~~3.2-~~ The period of time elapsing between the engagement of
64 the person as an employee or agent and the occurrence of the
65 harm, or between the acquisition of the device and the
66 occurrence of the harm in any case in which the device was
67 acquired after engagement of the employee or agent, was not a
68 reasonably sufficient period in which to provide the training.

69 Section 3. This act shall take effect July 1, 2008.

70

71

72

73

T I T L E A M E N D M E N T

74

Remove the entire title and insert:

75

A bill to be entitled

76

An act relating to automated external defibrillators;

77

amending s. 401.2915, F.S.; revising provisions relating

78

to the maintenance of and training requirements for the

79

use of automated external defibrillators; revising

80

provisions encouraging notice to the local emergency

81

medical services medical director; amending s. 768.1325,

82

F.S.; revising requirements for civil immunity for the use

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

83

or attempted use of a defibrillator on a victim of a

84

perceived medical emergency; providing an effective date.

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Moniz Hall
 Time: 10:00 A.M.

Bill Number: HB 247
 Date Received: _____
 Date Reported: _____
 Subject: nursing facilities

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	1		2		3		4	
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Anderson								
<input checked="" type="checkbox"/>		Ausley								
<input checked="" type="checkbox"/>		Cusack								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		Gibson								
<input checked="" type="checkbox"/>		Grimsley								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Hays								
<input checked="" type="checkbox"/>		Hooper								
<input checked="" type="checkbox"/>		Hudson								
<input checked="" type="checkbox"/>		Patronis								
<input checked="" type="checkbox"/>		Porth								
<input checked="" type="checkbox"/>		Roberson								
<input checked="" type="checkbox"/>		Schwartz								
<input checked="" type="checkbox"/>		Skidmore								
<input checked="" type="checkbox"/>		Zapata								
<input checked="" type="checkbox"/>		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
17	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 247

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

No action needed

1 Council/Committee hearing bill: Healthcare Council
2 Committee on Healthy Seniors offered the following:

3
4 **Amendment (with title amendment)**
5 Remove lines 26-62

6
7 -----

8 **T I T L E A M E N D M E N T**

9 Remove line(s) 2-5 and insert:

10 An act relating to nursing facilities amending s. 400.141, F.S.;

11
12

This amendment was adopted in HS on 2/5/08 and is travelling with the bill and requires no further action.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.2 (for drafter's use only)

Bill No. HB 247

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER

No action needed

1 Council/Committee hearing bill: Healthcare Council

2 Committee on Healthy Seniors offered the following:

3

4 **Amendment (with directory and title amendments)**

5 Between line(s) 440 and 441 insert:

6 (f) Nothing herein shall affect any federal reporting
7 requirements.

8

9

This amendment was adopted in HS on 2/5/08 and is travelling with the bill and requires no further action.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

Bill No. HB 247

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: Health Care Council
2 Representative Murzin offered the following:
3
4 **Amendment**
5 Remove line 598 and insert:
6 duties of a certified nursing assistant for the entire shift and

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Monr2 Hall
 Time: 10:00 A.M.

Bill Number: HB 333
 Date Received: _____
 Date Reported: _____
 Subject: developmental disabilities

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input checked="" type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	1		2		3		4	
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Anderson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ausley	W/O		W/O		W/O		W/O	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cusack								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Galvano	g		g		g		g	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Garcia								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Gibson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Grimsley								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Harrell								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hays								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hooper								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hudson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Patronis								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Porth								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Roberson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Schwartz								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Skidmore								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Zapata								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
15	0									

Appearance Record *Rep Zapata - yes after roll call*

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: _____
 Place: _____
 Time: _____

Bill Number: _____
 Date Received: _____
 Date Reported: _____
 Subject: _____

Council/Committee Action:

- | | |
|---|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	5							
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
		Anderson								
		Ausley								
		Cusack								
		Galvano								
		Garcia								
		Gibson								
		Grimsley								
		Harrell								
		Hays								
		Hooper								
		Hudson								
		Patronis								
		Porth								
		Roberson								
		Schwartz								
		Skidmore								
		Zapata								
		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

Bill No. 333

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ✓___ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Healthcare Council

2 Representative(s) Nehr offered the following:

3

4 **Amendment (with directory and title amendments)**

5 Remove line(s) 92-95 and insert:

6 7. A process for developing a support plan that includes
7 consultation with the residents and their guardians for
8 providing services and other residential placement plans for
9 residents after they leave the institution.

10

11

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5 (for drafter's use only)

Bill No. 333

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/~~N~~)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Council/Committee hearing bill: Healthcare Council
2 Representative(s) Nehr offered the following:
3
4 **Amendment (with directory and title amendments)**
5 Remove line(s) 96-97

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Memorial Hall
 Time: 10:00 A.M.

Bill Number: HB 341
 Date Received: _____
 Date Reported: _____
 Subject: Treatment programs for impaired practitioners

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	<i>Tracking</i>							
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Anderson								
<input checked="" type="checkbox"/>		Ausley								
		Cusack								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		Gibson								
<input checked="" type="checkbox"/>		Grimsley								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Hays								
<input checked="" type="checkbox"/>		Hooper								
<input checked="" type="checkbox"/>		Hudson								
<input checked="" type="checkbox"/>		Patronis								
<input checked="" type="checkbox"/>		Porth								
<input checked="" type="checkbox"/>		Roberson								
<input checked="" type="checkbox"/>		Schwartz								
<input checked="" type="checkbox"/>		Skidmore								
<input checked="" type="checkbox"/>		Zapata								
<input checked="" type="checkbox"/>		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
16	0									

Appearance Record *Rep Zapata - Yes after roll call*

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 341

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ___ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)

OTHER

No action needed

1 Council/Committee hearing bill: Healthcare Council
2 Committee on Health Quality offered the following:

3

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsections (1) and (2) of section 456.076,
7 Florida Statutes, are amended, and subsection (7) is added to
8 that section, to read:

9 456.076 Treatment programs for impaired practitioners.--

10 (1) For professions that do not have impaired practitioner
11 programs provided for in their practice acts, the department
12 shall, by rule, designate approved impaired practitioner
13 programs under this section. The department may adopt rules
14 setting forth appropriate criteria for approval of treatment
15 providers. The rules may specify the manner in which the
16 consultant, retained as set forth in subsection (2), works with
17 the department in intervention, requirements for evaluating and
18 treating a professional, and requirements for the continued care
19 and monitoring ~~of a professional~~ by the consultant ~~by an~~
20 ~~approved treatment provider.~~

The strike all amendment was adopted in HQ on 1/22/08 with recommended council substitute.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

21 (2) The department shall retain one or more impaired
22 practitioner consultants. The A consultant shall be either a
23 licensee under the jurisdiction of the Division of Medical
24 Quality Assurance within the department who, and at least one
25 consultant must be a practitioner or recovered practitioner
26 licensed under chapter 458, chapter 459, or part I of chapter
27 464 or an entity that employs a medical director who must be a
28 practitioner or recovered practitioner licensed under chapter
29 458, chapter 459, or part I of chapter 464. The consultant shall
30 assist the probable cause panel and department in carrying out
31 the responsibilities of this section. This shall include working
32 with department investigators to determine whether a
33 practitioner is, in fact, impaired. The department may contract
34 with the consultant, for appropriate compensation, for services
35 to be provided, if requested by the school, for students
36 enrolled in schools in preparation for licensure as allopathic
37 physicians under chapter 458 or osteopathic physicians under
38 chapter 459 who are alleged to be impaired as a result of the
39 misuse or abuse of alcohol or drugs, or both, or due to a mental
40 or physical condition. No medical school accredited by the
41 Liaison Committee on Medical Education or Commission on
42 Osteopathic College Accreditation, or other school that provides
43 for the education of students enrolled in preparation for
44 licensure as allopathic physicians under chapter 458 or
45 osteopathic physicians under chapter 459, which is governed by
46 accreditation standards that require notice and the provision of
47 due process procedures to students shall be held liable in any
48 civil action for referring a student to the consultant retained
49 by the department or for disciplinary actions that adversely
50 affect the status of a student when the disciplinary actions are
The strike all amendment was adopted in HQ on 1/22/08 with
recommended council substitute.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

51 instituted in reasonable reliance on the recommendations,
52 reports, or conclusions provided by such consultant, provided
53 that the school, in referring the student or taking disciplinary
54 action, adheres to the due process procedures adopted by the
55 applicable accreditation entities and provided that the school
56 committed no intentional fraud in carrying out the provisions of
57 this section.

58 (7) (a) A consultant retained pursuant to subsection (2),
59 and its officers and employees and those acting at the direction
60 of the consultant for the limited purpose of an emergency
61 intervention of a licensee or student as described in subsection
62 (2) when the consultant is unable to perform such intervention,
63 shall be considered agents of the department for purposes of s.
64 768.28 while acting within the scope of the contractor's duties
65 under the contract with the department if the contract complies
66 with the requirements of this section. The contract must
67 provide:

68 1. That the consultant establish a quality assurance
69 program to monitor services delivered under the contract.

70 2. That the consultant's quality assurance program,
71 treatment, and monitoring records be evaluated quarterly.

72 3. That the consultant's quality assurance program be
73 subject to review and approval by the department.

74 4. That the consultant operate under policies and
75 procedures approved by the department.

76 5. That the consultant provide to the department for
77 approval a policy and procedure manual that comports with all
78 statutes, rules, and contract provisions approved by the
79 department.

The strike all amendment was adopted in HQ on 1/22/08 with recommended council substitute.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

80 6. That the department be entitled to review the records
81 relating to the consultant's performance under the contract for
82 the purpose of management audits, financial audits, or program
83 evaluation.

84 7. That all performance measures and standards be subject
85 to verification and approval by the department.

86 8. That the department be entitled to terminate the
87 contract with the consultant for noncompliance with the
88 contract.

89 (b) In accordance with s. 284.385, the Department of
90 Financial Services shall defend any claim, suit, action, or
91 proceeding against the consultant, or its officers or employees
92 or those acting at the direction of the consultant for the
93 limited purpose of an emergency intervention of a licensee or
94 student as described in subsection (2) when the consultant is
95 unable to perform such intervention, brought as a result of any
96 act or omission of action of any of its officers and employees
97 and those acting at the direction of the consultant for the
98 limited purpose of an emergency intervention of a licensee or
99 student as described in subsection (2) when the consultant is
100 unable to perform such intervention, when such act or omission
101 arises out of and in the scope of the consultant's duties under
102 its contract with the department.

103 (c) If the consultant retained pursuant to subsection (2)
104 is retained by any other state agency, and if the contract
105 between such state agency and the consultant complies with the
106 requirements of this section, then the consultant, and its
107 officers and employees and those acting at the direction of the
108 consultant for the limited purpose of an emergency intervention
109 of a licensee or student as described in subsection (2) when the
The strike all amendment was adopted in HQ on 1/22/08 with
recommended council substitute.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

110 consultant is unable to perform such intervention, shall be
111 considered agents of the state for the purposes of this section,
112 while acting within the scope of and pursuant to guidelines
113 established in the contract between such state agency and the
114 consultant.

115 Section 2. This act shall take effect July 1, 2008.

116

117

118 -----

119 T I T L E A M E N D M E N T

120 Remove the entire title and insert:

121 A bill to be entitled

122 An act relating to treatment programs for impaired
123 practitioners; amending s. 456.076, F.S.; revising
124 requirements for program consultants; authorizing the
125 Department of Health to contract with consultants to
126 provide treatment services for allopathic and osteopathic
127 physician students alleged to be impaired; providing for
128 absence of liability in civil actions of certain schools
129 for referring students to such consultants or taking
130 certain actions without intentional fraud; providing
131 limited sovereign immunity for certain program consultants
132 under specific contractual conditions; requiring the
133 Department of Financial Services to defend actions against
134 program consultants; providing an effective date.

135

The strike all amendment was adopted in HQ on 1/22/08 with recommended council substitute.

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Morris Hall
 Time: 10:00 A.M.

Bill Number: HB 637
 Date Received: _____
 Date Reported: _____
 Subject: electronic health records

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input checked="" type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	<i>Strike allowed</i>							
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
✓		Anderson								
✓		Ausley								
✓		Cusack								
✓		Galvano								
✓		Garcia								
✓		Gibson								
✓		Grimsley								
✓		Harrell								
✓		Hays								
✓		Hooper								
✓		Hudson								
✓		Patronis								
✓		Porth								
✓		Roberson								
✓		Schwartz								
✓		Skidmore								
✓		Zapata								
✓		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
17	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 637

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ✓___ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Healthcare Council
2 Representative Grimsley offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraphs (a), (e), and (f) of subsection (4)
7 of section 395.3025, Florida Statutes, are amended to read:
8 395.3025 Patient and personnel records; copies;
9 examination.--

10 (4) Patient records are confidential and must not be
11 disclosed without the consent of the patient or his or her legal
12 representative person to whom they pertain, but appropriate
13 disclosure may be made without such consent to:

14 (a) Licensed facility personnel, and attending physicians,
15 or other health care practitioners and providers currently
16 involved in the care or treatment of the patient for use only in
17 connection with the treatment of the patient.

18 (e) The department agency upon subpoena issued pursuant to
19 s. 456.071, but the records obtained thereby must be used solely
20 for the purpose of the department agency and the appropriate
21 professional board in its investigation, prosecution, and appeal
22 of disciplinary proceedings. If the department agency requests

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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23 copies of the records, the facility shall charge no more than
24 its actual copying costs, including reasonable staff time. The
25 records must be sealed and must not be available to the public
26 pursuant to s. 119.07(1) or any other statute providing access
27 to records, nor may they be available to the public as part of
28 the record of investigation for and prosecution in disciplinary
29 proceedings made available to the public by the department
30 ~~agency~~ or the appropriate regulatory board. However, the
31 department agency must make available, upon written request by a
32 practitioner against whom probable cause has been found, any
33 such records that form the basis of the determination of
34 probable cause.

35 (f) The department ~~of Health~~ or its agent, for the purpose
36 of establishing and maintaining a trauma registry and for the
37 purpose of ensuring that hospitals and trauma centers are in
38 compliance with the standards and rules established under ss.
39 395.401, 395.4015, 395.4025, 395.404, 395.4045, and 395.405, and
40 for the purpose of monitoring patient outcome at hospitals and
41 trauma centers that provide trauma care services.

42 Section 2. Subsection (4) of section 408.05, Florida
43 Statutes, is amended to read:

44 408.05 Florida Center for Health Information and Policy
45 Analysis.--

46 (4) TECHNICAL ASSISTANCE.--

47 ~~(a)~~ The center shall provide technical assistance to
48 persons or organizations engaged in health planning activities
49 in the effective use of statistics collected and compiled by the
50 center. The center shall also provide the following additional
51 technical assistance services:

52 ~~(a)1-~~ Establish procedures identifying the circumstances
53 under which, the places at which, the persons from whom, and the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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54 methods by which a person may secure data from the center,
55 including procedures governing requests, the ordering of
56 requests, timeframes for handling requests, and other procedures
57 necessary to facilitate the use of the center's data. To the
58 extent possible, the center should provide current data timely
59 in response to requests from public or private agencies.

60 (b)2- Provide assistance to data sources and users in the
61 areas of database design, survey design, sampling procedures,
62 statistical interpretation, and data access to promote improved
63 health-care-related data sets.

64 (c)3- Identify health care data gaps and provide technical
65 assistance to other public or private organizations for meeting
66 documented health care data needs.

67 (d)4- Assist other organizations in developing statistical
68 abstracts of their data sets that could be used by the center.

69 (e)5- Provide statistical support to state agencies with
70 regard to the use of databases maintained by the center.

71 (f)6- To the extent possible, respond to multiple requests
72 for information not currently collected by the center or
73 available from other sources by initiating data collection.

74 (g)7- Maintain detailed information on data maintained by
75 other local, state, federal, and private agencies in order to
76 advise those who use the center of potential sources of data
77 which are requested but which are not available from the center.

78 (h)8- Respond to requests for data which are not available
79 in published form by initiating special computer runs on data
80 sets available to the center.

81 (i)9- Monitor innovations in health information
82 technology, informatics, and the exchange of health information
83 and maintain a repository of technical resources to support the
84 development of a statewide health information exchange network.

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85 ~~(b) The agency shall administer, manage, and monitor~~
86 ~~grants to not for profit organizations, regional health~~
87 ~~information organizations, public health departments, or state~~
88 ~~agencies that submit proposals for planning, implementation, or~~
89 ~~training projects to advance the development of a health~~
90 ~~information network. Any grant contract shall be evaluated to~~
91 ~~ensure the effective outcome of the health information project.~~

92 (c) The agency shall initiate, oversee, manage, and
93 evaluate the integration of health care data from each state
94 agency that collects, stores, and reports on health care issues
95 and make that data available to any health care practitioner
96 through a statewide health information exchange network.

97 Section 3. Section 408.051, Florida Statutes, is created
98 to read:

99 408.051 Florida eHealth Initiative Act.--

100 (1) SHORT TITLE.--This section may be cited as the
101 "Florida eHealth Initiative Act."

102 (2) LEGISLATIVE INTENT.--The Legislature recognizes that
103 the exchange of electronic medical records will benefit
104 consumers by increasing the quality and efficiency of health
105 care throughout the state. It is the intent of the Legislature
106 that the state promote and coordinate the establishment of a
107 secure, privacy-protected, and interconnected statewide health
108 information exchange.

109 (3) DEFINITIONS.--As used in this section, the term:

110 (a) "Electronic medical record" means a record of a
111 person's medical treatment created by a licensed health care
112 provider and stored in an interoperable and accessible digital
113 format.

114 (b) "Electronic medical records system" means an
115 application environment composed of at least two of the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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116 following systems: a clinical data repository; clinical decision
117 support; controlled medical vocabulary; computerized provider
118 order entry; pharmacy; or clinical documentation. The
119 application must be used by health care practitioners to
120 document, monitor, and manage health care delivery within a
121 health care delivery system and must be capable of
122 interoperability within a health information exchange.

123 (c) "Health information exchange" means an electronic
124 system used to acquire, process, and transmit electronic medical
125 records that can be shared in real time among authorized health
126 care providers, health care facilities, health insurers, and
127 other recipients, as authorized by law, to facilitate the
128 provision of health care services.

129 (d) "Health information organization" means an entity with
130 a formal structure and established policies and procedures that
131 serves as a neutral convener of local stakeholders to enable the
132 secure and reliable exchange of electronic medical records among
133 authorized health care stakeholders within a defined geographic
134 region to facilitate improvements in health care quality,
135 safety, and coordination of care.

136 (4) MATCHING GRANTS.--

137 (a) Subject to a specific appropriation, the agency shall
138 award and monitor matching grants to health information
139 organizations that submit proposals that advance the development
140 of a statewide health information exchange. Funds awarded under
141 this subsection shall be awarded on the basis of matching each
142 \$1 of state funds with \$1 of local or private funds. Local or
143 private funds may be provided in the form of cash or in-kind
144 support or services. Grants may be awarded within the following
145 categories: development, operation, and collaboration.

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146 (b) The agency shall, by rule, establish specific
147 eligibility criteria for a health information organization to
148 qualify for a grant under this subsection. These criteria shall
149 include, at a minimum, documentation of the following:

150 1. For development grants, the proposed organizational
151 structure, the level of community support, including a list of
152 key participants, a demonstration of available local or private
153 matching funds, a timeline for development of the health
154 information exchange, and proposed goals and metrics.

155 2. For operation grants, a demonstration of available
156 local or private matching funds and a detailed business plan,
157 which shall include a timeline for implementation of the health
158 information exchange, policies and procedures to protect the
159 privacy and security of electronic medical records, and proposed
160 goals and metrics.

161 3. For collaboration grants, a demonstration of available
162 local or private matching funds, memoranda of understanding
163 between at least two health information organizations for the
164 exchange of electronic medical records, a demonstration of
165 consistent utilization of the health information exchange by
166 members within each participating health information
167 organization, and a detailed business plan, which shall include
168 a timeline for the implementation of the exchange of electronic
169 medical records between participating health information
170 organizations, policies and procedures to protect the privacy
171 and security of electronic medical records, and proposed goals
172 and metrics.

173 (c) Beginning July 1, 2008, the agency shall not award a
174 health information organization more than 6 aggregate years of
175 funding.

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176 (d) The agency shall award grants in consultation with the
177 Florida Health Information Exchange Advisory Council.

178 (5) ELECTRONIC MEDICAL RECORDS SYSTEM ADOPTION LOAN
179 PROGRAM.--

180 (a) Subject to a specific appropriation, the agency shall
181 operate an Electronic Medical Records System Adoption Loan
182 Program for the purpose of providing a one-time, no-interest
183 loan to eligible physicians licensed under chapter 458 or
184 chapter 459 or to an eligible business entity whose shareholders
185 are licensed under chapter 458 or chapter 459 for the initial
186 costs of implementing an electronic medical records system.

187 (b) In order to be eligible for a loan under this
188 subsection, each physician must demonstrate that he or she has
189 practiced continuously within the state for the previous 3
190 years.

191 (c) The agency shall not provide a loan to a physician who
192 has or a business entity whose physician has:

193 1. Been found guilty of violating s. 456.072(1) or been
194 disciplined under the applicable licensing chapter in the
195 previous 5 years.

196 2. Been found guilty of or entered a plea of guilty or
197 nolo contendere to a violation of s. 409.920 or s. 409.9201.

198 3. Been sanctioned pursuant to s. 409.913 for fraud or
199 abuse.

200 (d) A loan may be provided to an eligible physician or
201 business entity in a lump-sum amount to pay for the costs of
202 purchasing hardware and software, subscription services,
203 professional consultation, and staff training. The agency shall
204 provide guidance to loan recipients by providing, at a minimum,
205 a list of electronic medical record systems recognized or

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206 certified by national standards-setting entities as capable of
207 being used to communicate with a health information exchange.

208 (e) The agency shall distribute a minimum of 25 percent of
209 funds appropriated to this program to physicians or business
210 entities operating within a rural county as defined in s.
211 288.106(1)(r).

212 (f) The agency shall, by rule, develop standard terms and
213 conditions for use in this program. At a minimum, these terms
214 and conditions shall require:

215 1. Loan repayment by the physician or business entity
216 within a reasonable period of time, which may not be longer than
217 72 months after the funding of the loan.

218 2. Equal periodic payments that commence within 3 months
219 after the funding of the loan.

220 3. The eligible physician or business entity to execute a
221 promissory note and a security agreement in favor of the state.
222 The security agreement shall be a purchase-money security
223 interest pledging as collateral for the loan the specific
224 hardware and software purchased with the loan proceeds. The
225 agency shall prepare and record a financing statement under
226 chapter 679. The physician or business entity shall be
227 responsible for paying the cost of recording the financing
228 statement. The security agreement shall further require that the
229 physician or business entity pay all collection costs, including
230 attorney's fees.

231 (g) The agency shall further require the physician or
232 business entity to provide additional security under one of the
233 following subparagraphs:

234 1. An irrevocable letter of credit, as defined in chapter
235 675, in an amount equal to the amount of the loan.

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236 2. An escrow account consisting of cash or assets eligible
237 for deposit in accordance with s. 625.52 in an amount equal to
238 the amount of the loan. If the escrow agent is responsible for
239 making the periodic payments on the loan, the required escrow
240 balance may be diminished as payments are made.

241 3. A pledge of the accounts receivables of the physician
242 or business entity. This pledge shall be reflected on the
243 financing statement.

244 (h) All payments received from or on behalf of a physician
245 or business entity under this program shall be deposited into
246 the agency's Administrative Trust Fund to be used to fund new
247 loans.

248 (i) If a physician or business entity that has received a
249 loan under this section ceases to provide care or services to
250 patients, or if the physician or business entity defaults in any
251 payment and the default continues for 30 days, the entire loan
252 balance shall be immediately due and payable and shall bear
253 interest from that point forward at the rate of 18 percent
254 annually. Upon default, the agency may offset any moneys owed to
255 the physician or business entity from the state and apply the
256 offset against the outstanding balance.

257 (j) If a physician defaults in any payment and if the
258 default continues for 30 days, the default shall constitute
259 grounds for disciplinary action under chapter 458 or chapter 459
260 and s. 456.072(1)(k).

261 (6) FLORIDA HEALTH INFORMATION EXCHANGE ADVISORY
262 COUNCIL.--

263 (a) The Florida Health Information Exchange Advisory
264 Council is created as an adjunct to the agency. The council is
265 subject to the requirements of s. 20.052, except that only state

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266 officers and employees shall be reimbursed for per diem and
267 travel expenses pursuant to s. 112.061.

268 (b) The purpose of the council is to:

269 1. Promote participation in regional and statewide health
270 information exchanges and adoption of health information
271 technology to support the infrastructure capacity for regional
272 and statewide health information exchanges.

273 2. Conduct outreach and convene forums to educate
274 stakeholders regarding the benefits of utilizing a health
275 information exchange.

276 3. Provide guidance to stakeholders regarding the
277 effective use of health information exchanges and standards for
278 protecting the privacy and security of electronic medical
279 records.

280 (c) The council shall consist of the following members:

281 1. The Secretary of Health Care Administration, or his or
282 her designee.

283 2. The State Surgeon General, or his or her designee.

284 3. Two members appointed by and serving at the pleasure of
285 the Governor, of which:

286 a. One member must be from the health insurance industry.

287 b. One member must be a consumer who is a resident of the
288 state.

289 4. Four members appointed by and serving at the pleasure
290 of the President of the Senate, of which:

291 a. One member must be from a hospital utilizing an
292 electronic medical records system.

293 b. One member must be a physician utilizing an electronic
294 medical records system in his or her practice.

295 c. One member must be a representative of an operating
296 health information organization in the state.

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297 d. One member must be from a federally qualified health
298 center or other rural health organization utilizing an
299 electronic medical records system.

300 5. Four members appointed by and serving at the pleasure
301 of the Speaker of the House of Representatives, of which:

302 a. One member must be from a hospital utilizing an
303 electronic medical records system.

304 b. One member must be a physician utilizing an electronic
305 medical records system in his or her practice.

306 c. One member must be a representative of an operating
307 health information organization in the state.

308 d. One member must be from a federally qualified health
309 center or other rural health organization utilizing an
310 electronic medical records system.

311 (d) A member who is a representative of an operating
312 health information organization in the state must recuse himself
313 or herself during discussion, evaluation, or recommendation of a
314 grant application.

315 (e) Each member of the council subject to appointment
316 shall be appointed to serve for a term of 4 years following the
317 date of appointment. A vacancy shall be filled by appointment
318 for the remainder of the term. Appointments shall be made within
319 45 days after the effective date of this section.

320 (f) The council may meet at the call of the chair or at
321 the request of a majority of its membership, but the council
322 must meet at least quarterly. Meetings of the council may be
323 held via teleconference or other electronic means.

324 (g) Members shall elect a chair and vice chair annually.

325 (h) A majority of the members constitutes a quorum and the
326 affirmative vote of a majority of a quorum is necessary to take
327 action.

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328 (i) The council's duties and responsibilities include, but
329 are not limited to, developing recommendations to:

330 1. Establish standards for all state-funded health
331 information exchange efforts. Such standards shall include, but
332 are not limited to, policies and procedures to protect the
333 privacy and security of electronic medical records.

334 2. Remove barriers, including, but not limited to,
335 technological, regulatory, and financial barriers, that limit
336 participation by health care providers, health care facilities,
337 and health insurers in a health information exchange.

338 3. Remove barriers that prevent consumers from having
339 access to their electronic medical records.

340 4. Provide incentives to promote participation by health
341 care providers, health care facilities, and health insurers in
342 health information exchanges.

343 5. Identify health care data held by state agencies and
344 remove barriers to making that data available to authorized
345 recipients through health information exchanges in a private and
346 secure manner.

347 6. Increase state agency participation in health
348 information exchanges.

349 7. Partner with other state, regional, and federal
350 entities to promote and coordinate health information exchange
351 efforts.

352 8. Create a long-term plan for an interoperable statewide
353 network of health information organizations.

354
355 The council shall establish ad hoc issue-oriented technical
356 workgroups on an as-needed basis to make recommendations to the
357 council.

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358 (j) The Florida Center for Health Information and Policy
359 Analysis within the agency shall provide, within existing
360 resources, staff support to enable the council to carry out its
361 responsibilities under this section.

362 (k) Beginning July 1, 2009, the council shall annually
363 provide a report to the Governor, the President of the Senate,
364 the Speaker of the House of Representatives, and the chairs of
365 the appropriate substantive committees of the Senate and the
366 House of Representatives that includes, but is not limited to,
367 the recommendations regarding the council's duties and
368 responsibilities. In addition, by July 1, 2010, the council
369 shall recommend a long-term plan to create an interoperable
370 statewide network of health information organizations to the
371 Governor, the President of the Senate, the Speaker of the House
372 of Representatives, and the chairs of the appropriate
373 substantive committees of the Senate and the House of
374 Representatives.

375 (l) This section is repealed and the council shall stand
376 abolished July 1, 2012, unless reviewed and saved from repeal
377 through reenactment by the Legislature.

378 (7) AGENCY FOR HEALTH CARE ADMINISTRATION; DUTIES.--

379 (a) The agency shall develop and maintain on its Internet
380 website the following information:

381 1. Federal and private sector health information exchange
382 funding programs, including analyses of successful local and
383 state recipients of the programs, as well as unsuccessful local
384 and state applicants of the programs.

385 2. A clearinghouse of state and national legislative,
386 regulatory, and public awareness activities related to health
387 information exchanges.

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388 (b) The agency shall develop and implement a plan that
389 promotes, at a minimum, participation in regional and statewide
390 health information exchanges and the adoption of electronic
391 medical record systems by physicians through the Electronic
392 Medical Records System Adoption Loan Program, in consultation
393 with the Florida Health Information Exchange Advisory Council,
394 organizations representing allopathic and osteopathic practicing
395 physicians, the Board of Medicine, and the Board of Osteopathic
396 Medicine.

397 (8) PROGRAM EVALUATION; REPORT.--The Office of Program
398 Policy Analysis and Government Accountability shall complete an
399 independent evaluation of the grants program administered by the
400 agency. The evaluation must include, at a minimum, assessments
401 of the grant evaluation and distribution process; the way in
402 which grant dollars are spent; the level of participation by
403 entities within each grantee's project; the extent of clinical
404 data exchange among entities within each grantee's project; the
405 sources of funding for each grantee; and the feasibility of each
406 grantee achieving long-term sustainability without state grant
407 funding. The evaluation must assess the level at which the
408 current grants program is advancing the development of a
409 statewide health information exchange and recommend other
410 programs that may accomplish the same goal. The report shall be
411 submitted to the Governor, the President of the Senate, the
412 Speaker of the House of Representatives, and the chairs of the
413 relevant committees in the Senate and the House of
414 Representatives no later than July 1, 2009.

415 Section 4. Subsection (5) of section 408.062, Florida
416 Statutes, is amended to read:

417 408.062 Research, analyses, studies, and reports.--

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418 ~~(5) The agency shall develop and implement a strategy for~~
419 ~~the adoption and use of electronic health records, including the~~
420 ~~development of an electronic health information network for the~~
421 ~~sharing of electronic health records among health care~~
422 ~~facilities, health care providers, and health insurers. The~~
423 ~~agency may develop rules to facilitate the functionality and~~
424 ~~protect the confidentiality of electronic health records. The~~
425 ~~agency shall report to the Governor, the Speaker of the House of~~
426 ~~Representatives, and the President of the Senate on legislative~~
427 ~~recommendations to protect the confidentiality of electronic~~
428 ~~health records.~~

429 Section 5. Subsection (2) of section 483.181, Florida
430 Statutes, is amended to read:

431 483.181 Acceptance, collection, identification, and
432 examination of specimens.--

433 (2) The results of a test must be reported directly to the
434 licensed practitioner or other authorized person who requested
435 it, and appropriate disclosure may be made by the clinical
436 laboratory without a patient's consent to other health care
437 practitioners and providers involved in the care or treatment of
438 the patient for use in connection with the treatment of the
439 patient. The report must include the name and address of the
440 clinical laboratory in which the test was actually performed,
441 unless the test was performed in a hospital laboratory and the
442 report becomes an integral part of the hospital record.

443 Section 6. This act shall take effect upon becoming a law.

444

445

446

447

448

T I T L E A M E N D M E N T

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

449 Remove the entire title and insert:
450 An act relating to electronic health records; amending s.
451 395.3025, F.S.; expanding access to a patient's medical records
452 to facilitate electronic exchange of data between certain health
453 care facilities, practitioners, and providers and attending
454 physicians; revising terminology regarding disclosure of patient
455 records to conform to changes made by the act; amending s.
456 408.05, F.S.; removing responsibility of the Agency for Health
457 Care Administration for monitoring certain grants; creating s.
458 408.051, F.S.; creating the "Florida eHealth Initiative Act";
459 providing legislative intent; providing definitions; requiring
460 the agency to award and monitor grants to certain health
461 information organizations; providing rulemaking authority
462 regarding establishment of eligibility criteria; establishing
463 the Electronic Medical Records System Adoption Loan Program;
464 providing eligibility criteria; providing rulemaking authority
465 regarding terms and conditions for the granting of loans;
466 creating the Florida Health Information Exchange Advisory
467 Council; providing for purpose, membership, terms of office, and
468 duties of the council; requiring the Florida Center for Health
469 Information and Policy Analysis to provide staff support;
470 requiring reports to the Governor and Legislature; providing for
471 future repeal of s. 408.051, F.S., and abolition of the council;
472 providing duties of the agency with regard to availability of
473 specified information on the agency's Internet website;
474 requiring the agency to develop and implement a plan to promote
475 participation in regional and statewide health information
476 exchanges; requiring the Office of Program Policy Analysis and
477 Government Accountability to complete an independent evaluation
478 of the grants program administered by the agency and submit the
479 report to the Governor and Legislature; amending s. 408.062,

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480 F.S.; removing responsibility of the agency for developing an
481 electronic health information network; amending s. 483.181,
482 F.S.; expanding access to laboratory reports to facilitate
483 electronic exchange of data between certain health care
484 practitioners and providers; providing an effective date.
485

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Monroe Hall
 Time: 10:00 A.M.

Bill Number: HB 731
 Date Received: _____
 Date Reported: _____
 Subject: personal care
attendant program

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input checked="" type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	<i>Trending</i>							
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Anderson								
<input checked="" type="checkbox"/>		Ausley								
<input checked="" type="checkbox"/>		Cusack								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		Gibson								
<input checked="" type="checkbox"/>		Grimsley								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Hays								
<input checked="" type="checkbox"/>		Hooper								
<input checked="" type="checkbox"/>		Hudson								
<input checked="" type="checkbox"/>		Patronis								
<input checked="" type="checkbox"/>		Porth								
<input checked="" type="checkbox"/>		Roberson								
<input checked="" type="checkbox"/>		Schwartz								
<input checked="" type="checkbox"/>		Skidmore								
<input checked="" type="checkbox"/>		Zapata								
<input checked="" type="checkbox"/>		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
16	0									

Appearance Record *Rep Zapata - Yea after roll call*

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. HB 731

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER _____

No action needed

1 Council/Committee hearing bill: Healthcare Council

2 Committee on Healthy Seniors offered the following:

3

4 **Amendment**

5 On line 155 remove:

6 (1) Notwithstanding the provisions of s. 212.20, 90 50

7 and insert:

8 (1) Notwithstanding the provisions of s. 212.20, 50

This amendment was adopted in HS on 3/4/08 and is travelling with the bill and requires no further action.

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Healthcare Council
 Meeting Date: 3/25/08
 Place: Morris Hall
 Time: 10:00 A.M.

Bill Number: HB 989
 Date Received: _____
 Date Reported: _____
 Subject: physician assistants

Council/Committee Action:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
✓		Anderson								
✓		Ausley								
✓		Cusack								
✓		Galvano								
✓		Garcia								
✓		Gibson								
✓		Grimsley								
✓		Harrell								
✓		Hays								
✓		Hooper								
✓		Hudson								
✓		Patronis								
✓		Porth								
✓		Roberson								
✓		Schwartz								
✓		Skidmore								
✓		Zapata								
✓		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
15	0									

Appearance Record Rep Zapata - yes after roll call

NAME	REPRESENTING	ADDRESS & PHONE	*CODE