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# Health Quality Subcommittee

**Tuesday, March 19, 2013  
9:00 AM - 11:00 AM  
306 HOB**

**Action Packet**

**Will Weatherford  
Speaker**

**Kenneth L. "Ken" Roberson  
Chair**

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

Location: 306 HOB

### Summary:

#### Health Quality Subcommittee

Tuesday March 19, 2013 09:00 am

HB 605	Favorable	Yeas: 12	Nays: 0
HB 831	Favorable With Committee Substitute Amendment 259207 Adopted Without Objection	Yeas: 11	Nays: 1
HB 847	Favorable With Committee Substitute Amendment 265847 Adopted Without Objection	Yeas: 12	Nays: 0
HB 1115	Favorable	Yeas: 12	Nays: 0
HB 1129	Favorable With Committee Substitute Amendment 591425 Adopted Without Objection	Yeas: 10	Nays: 2
HB 1205	Favorable With Committee Substitute Amendment 518893 Adopted Without Objection	Yeas: 11	Nays: 0

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

Location: 306 HOB

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Kenneth Roberson (Chair)	X		
Daphne Campbell	X		
Manny Diaz, Jr.	X		
Eduardo Gonzalez	X		
Bryan Nelson	X		
Jose Oliva	X		
Kevin Rader	X		
Daniel Raulerson	X		
José Rodríguez	X		
Patrick Rooney, Jr.	X		
Joe Saunders	X		
Ross Spano			X
Clovis Watson, Jr.	X		
<b>Totals:</b>	<b>12</b>	<b>0</b>	<b>1</b>

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

Location: 306 HOB

### HB 605 : Workers' Compensation

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Manny Diaz, Jr.	X				
Eduardo Gonzalez	X				
Bryan Nelson	X				
Jose Oliva	X				
Kevin Rader	X				
Daniel Raulerson	X				
José Rodríguez	X				
Patrick Rooney, Jr.	X				
Joe Saunders	X				
Ross Spano			X		
Clovis Watson, Jr.	X				
Kenneth Roberson (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

#### Appearances:

Sanford, Paul (Lobbyist) - Waive In Support  
Florida Blue  
106 S. Monroe St.  
Tallahassee FL 32301  
Phone: (850) 222-7200

Workers' Comp  
Fentriss, Cam (Lobbyist) - Waive In Support  
FL Roofing, Sheet Metal  
1400 Village Square #3-243  
Tallahassee FL 32312  
Phone: (850) 222-2772

Workers' Compensation  
Stahl, Tom (Lobbyist) - Waive In Support  
FUBA - Florida United Businesses Association  
116 S. Monroe St.  
Tallahassee FL 32301  
Phone: (850) 681-6265

Diaz, Pablo (Lobbyist) - Waive In Support  
National Federation of Independent Business  
110 E. Jefferson St  
Tallahassee FL 32301  
Phone: (850) 681-0416

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

**Location:** 306 HOB

**HB 605 : Workers' Compensation (continued)**

**Appearances: (continued)**

Workers' Comp

Hart, David (Lobbyist) - Proponent

FL Chamber

136 S. Bronough St.

Tallahassee FL 32301

Phone: (850) 521-1200

Repackaging

Gonzalez, Larry (Lobbyist) - Waive In Support

Florida Society of Health System Pharmacists, Inc

223 S. Gadsden St.

Tallahassee FL 32301

Phone: (850) 222-0465

Physician Dispensing

Panza, Tom (Lobbyist) - Opponent

Automated Health Care Solutions

3600 N. Federal Highway

Fort Lauderdale FL 33308

Phone: (954) 390-0100

Workers' Comp - repackaging physician dispensing

O'Hara, Rebecca (Lobbyist) - Opponent

FL Medical Association

113 E. College Ave.

Tallahassee FL 32301

Phone: (850) 339-6211

Workers' Comp

Joiner, Melissa (Lobbyist) - Waive In Support

Florida Retail Federation

Tallahassee FL

Phone: (850) 570-0269

Brainerd, Jim (Lobbyist) - Waive In Support

Florida Association of Insurance Agents

2814 Rabbit Hill Rd.

Tallahassee FL 32308

Phone: (850) 508-6716

Workers' Comp

Snyder, James (Lobbyist) - Waive In Support

Florida Fire Equipment Dealers Association, FHM Insurance

PO Box 10615

Tallahassee FL 32302

Phone: (850) 294-3611

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

**Location:** 306 HOB

**HB 605 : Workers' Compensation (continued)**

**Appearances: (continued)**

Workers' Comp

Perdue, Tammy (Lobbyist) - Proponent

Associated Industries of Florida

516 N. Adams St.

Tallahassee FL 32301

Phone: (850) 224-7173

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

Location: 306 HOB

### HB 831 : Pharmacy & Controlled Substance Prescription

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell		X			
Manny Diaz, Jr.	X				
Eduardo Gonzalez	X				
Bryan Nelson	X				
Jose Oliva	X				
Kevin Rader	X				
Daniel Raulerson	X				
José Rodríguez	X				
Patrick Rooney, Jr.	X				
Joe Saunders	X				
Ross Spano			X		
Clovis Watson, Jr.	X				
Kenneth Roberson (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 1</b>			

### HB 831 Amendments

#### Amendment 259207

Adopted Without Objection

### Appearances:

Amendment to HB 831  
Kenney, Kevin (General Public) - Waive In Support  
Sarasota County Sheriff  
2071 Ringling Blvd.  
Sarasota FL 34230  
Phone: (941) 861-4232

Amendment to HB 831  
Hurley, Lisa (Lobbyist) - Proponent  
Florida Association of Counties  
100 S. Monroe St.  
Tallahassee FL 32301  
Phone: (850) 922-4300

Amendment to HB 831  
O'Hara, Rebecca (Lobbyist) - Waive In Opposition  
FL Medical Association  
113 E. College Ave.  
Tallahassee FL 32301  
Phone: (850) 339-6211

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

**Location:** 306 HOB

**HB 831 : Pharmacy & Controlled Substance Prescription (continued)**

**Appearances: (continued)**

Amendment to HB 831

Hatch, Taylor (Lobbyist) - Waive In Support

Florida Sheriff's Association  
225 South Adams St., Ste. 250  
Tallahassee FL 32301  
Phone: (850) 294-0797

Amendment to HB 831

Bosco, Brian (General Public) - Waive In Support

Florida Sheriff's Association  
123 W. Indiana Ave.  
Deland FL  
Phone: (386) 248-1777

Nuland, Chris (Lobbyist) - Opponent

Florida Chapter, American College of Physicians; American College of Surgeons  
1000 Riverside Avenue  
Jacksonville Florida 32204  
Phone: (904) 355-1555

Gonzalez, Larry (Lobbyist) - Waive In Support

Florida Society of Health System Pharmacists, Inc  
223 S. Gadsden St.  
Tallahassee FL 32309  
Phone: (850) 222-0465

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM





Amendment No.

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: Health Quality  
 2 Subcommittee  
 3 Representative Fasano offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Paragraph (tt) is added to subsection (1) of section 458.331, Florida Statutes, to read:

458.331 Grounds for disciplinary action; action by the board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(tt) Failing to review a patient's controlled substance prescription history prior to prescribing a controlled substance, as required under s. 893.055.

Section 2. Paragraph (vv) is added to subsection (1) of section 459.015, Florida Statutes, to read:

459.015 Grounds for disciplinary action; action by the board and department.—



Amendment No.

20 (1) The following acts constitute grounds for denial of a  
21 license or disciplinary action, as specified in s. 456.072(2):

22 (vv) Failing to review a patient's controlled substance  
23 prescription history prior to prescribing a controlled  
24 substance, as required under s. 893.055.

25 Section 3. Paragraph (dd) is added to subsection (1) of  
26 section 461.013, Florida Statutes, to read:

27 461.013 Grounds for disciplinary action; action by the  
28 board; investigations by department.—

29 (1) The following acts constitute grounds for denial of a  
30 license or disciplinary action, as specified in s. 456.072(2):

31 (dd) Failing to review a patient's controlled substance  
32 prescription history prior to prescribing a controlled  
33 substance, as required under s. 893.055.

34 Section 4. Paragraph (ff) is added to subsection (1) of  
35 section 462.14, Florida Statutes, to read:

36 462.14 Grounds for disciplinary action; action by the  
37 department.—

38 (1) The following acts constitute grounds for denial of a  
39 license or disciplinary action, as specified in s. 456.072(2):

40 (ff) Failing to review a patient's controlled substance  
41 prescription history prior to prescribing a controlled  
42 substance, as required under s. 893.055.

43 Section 5. Paragraph (nn) is added to subsection (1) of  
44 section 466.028, Florida Statutes, to read:

45 466.028 Grounds for disciplinary action; action by the  
46 board.—



Amendment No.

47 (1) The following acts constitute grounds for denial of a  
48 license or disciplinary action, as specified in s. 456.072(2):

49 (nn) Failing to review a patient's controlled substance  
50 prescription history prior to prescribing a controlled  
51 substance, as required under s. 893.055.

52 Section 6. Subsections (4), (9), (10), and (12) of section  
53 893.055, Florida Statutes, are amended to read:

54 893.055 Prescription drug monitoring program.—

55 (4) Each time a controlled substance is dispensed to an  
56 individual, the controlled substance shall be reported to the  
57 department through the system as soon thereafter as possible,  
58 but not more than 2 7 days after the date the controlled  
59 substance is dispensed unless an extension is approved by the  
60 department for cause as determined by rule. A dispenser must  
61 meet the reporting requirements of this section by providing the  
62 required information concerning each controlled substance that  
63 it dispensed in a department-approved, secure methodology and  
64 format. Such approved formats may include, but are not limited  
65 to, submission via the Internet, on a disc, or by use of regular  
66 mail.

67 (9)(a) Any prescriber who willfully and knowingly fails to  
68 access the electronic database, as required under subsection  
69 (12), may be disciplined pursuant to the practice act under  
70 which the prescriber is licensed.

71 (b) Any person who willfully and knowingly fails to report  
72 the dispensing of a controlled substance as required by this  
73 section commits a misdemeanor of the first degree, punishable as  
74 provided in s. 775.082 or s. 775.083.



Amendment No.

75 (10) All costs incurred by the department in administering  
76 the prescription drug monitoring program shall be funded through  
77 federal grants or private funding applied for or received by the  
78 state. The department may not commit funds for the monitoring  
79 program without ensuring funding is available. The prescription  
80 drug monitoring program and the implementation thereof are  
81 contingent upon receipt of the nonstate funding. The department  
82 and state government shall cooperate with the direct-support  
83 organization established pursuant to subsection (11) in seeking  
84 federal grant funds, other nonstate grant funds, gifts,  
85 donations, or other private moneys for the department so long as  
86 the costs of doing so are not considered material. Nonmaterial  
87 costs for this purpose include, but are not limited to, the  
88 costs of mailing and personnel assigned to research or apply for  
89 a grant. Notwithstanding the exemptions to competitive-  
90 solicitation requirements under s. 287.057(3)(f), the department  
91 shall comply with the competitive-solicitation requirements  
92 under s. 287.057 for the procurement of any goods or services  
93 required by this section. ~~Funds provided, directly or~~  
94 ~~indirectly, by prescription drug manufacturers may not be used~~  
95 ~~to implement the program.~~

96 (12) A prescriber must access the electronic database  
97 established under this section to review the controlled  
98 substance prescription history of the prescriber's patient prior  
99 to prescribing a controlled substance to that patient. ~~or A~~  
100 dispenser may have access to the electronic database established  
101 ~~information~~ under this section, ~~which relates to a patient of~~  
102 ~~that prescriber or dispenser~~ as needed, for the purpose of



Amendment No.

103 reviewing the ~~patient's~~ controlled substance ~~drug~~ prescription  
104 history of the dispenser's patient. A prescriber or dispenser  
105 acting in good faith is immune from any civil, criminal, or  
106 administrative liability that might otherwise be incurred or  
107 imposed for receiving or using information from the prescription  
108 drug monitoring program. This subsection does not create a  
109 private cause of action, and a person may not recover damages  
110 against a prescriber required to access or dispenser authorized  
111 to access information under this subsection for accessing or  
112 failing to access such information.

113 Section 7. This act shall take effect July 1, 2013.

114

115

116

117

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**T I T L E   A M E N D M E N T**

118

Remove everything before the enacting clause and insert:

119

An act relating to controlled substance prescription; amending

120

ss. 458.331, 459.015, 461.013, 462.14, and 466.028, F.S.;

121

providing for disciplinary actions under the relevant practice

122

acts for failing to review a patient's controlled substance

123

prescription history prior to prescribing a controlled

124

substance; amending s. 893.055, F.S.; reducing the number of

125

days within which a dispenser must report to the Department of

126

Health that a controlled substance has been dispensed; providing

127

that a prescriber of controlled substances, who willfully and

128

knowingly fails to access an electronic database to review a

129

patient's controlled substance prescription history prior to

130

prescribing a controlled substance, may be administratively



Amendment No.

131 | disciplined; removing a prohibition of funding by prescription  
132 | drug manufacturers to implement the prescription drug monitoring  
133 | program; requiring a prescriber to access the electronic  
134 | database established by the prescription drug monitoring program  
135 | prior to prescribing a controlled substance to a patient;  
136 | providing an effective date.

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

Location: 306 HOB

### HB 847 : Temporary Certificates for Visiting Physicians

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Manny Diaz, Jr.	X				
Eduardo Gonzalez	X				
Bryan Nelson	X				
Jose Oliva	X				
Kevin Rader	X				
Daniel Raulerson	X				
José Rodríguez	X				
Patrick Rooney, Jr.	X				
Joe Saunders	X				
Ross Spano			X		
Clovis Watson, Jr.	X				
Kenneth Roberson (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### HB 847 Amendments

#### Amendment 265847

Adopted Without Objection

### Appearances:

Christian, Amy (Lobbyist) - Waive In Support  
Florida Hospital  
537 E. Park Ave.  
Tallahassee FL 32309  
Phone: (850) 224-1900

Nuland, Christopher (Lobbyist) - Waive In Support  
Florida Society of Plastic Surgeons, Inc  
1000 Riverside Ave. #115  
Jacksonville FL 32209  
Phone: (904) 355-1555

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health Quality  
 2 Subcommittee  
 3 Representative Peters offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

7 Section 1. Section 458.3137, Florida Statutes, is amended  
8 to read:

9 458.3137 Temporary certificate for visiting physicians to  
10 obtain medical privileges for instructional purposes in  
11 conjunction with certain plastic surgery or other medical or  
12 surgical training programs and ~~plastic surgery~~ educational  
13 symposiums.-

14 (1) A ~~Any~~ physician who has been invited by ~~both~~:

15 (a) A plastic surgery or other medical or surgical  
 16 training program ~~that is~~ affiliated with a medical school in  
 17 within this state which ~~that~~ is accredited by the Accreditation  
 18 Council for Graduate Medical Education or the American  
 19 Osteopathic Association or which is part of a teaching hospital  
 20 as defined in s. 408.07; or and





Amendment No.

21 (b) An educational symposium cosponsored by the American  
22 Society of Plastic Surgeons, the Plastic Surgery Educational  
23 Foundation, ~~or~~ the American Society for Aesthetic Plastic  
24 Surgery, or any other medical or surgical society in conjunction  
25 with a medical school or teaching hospital as defined in s.  
26 408.07,

27  
28 may be issued a temporary certificate for limited privileges  
29 solely for purposes of providing educational training in plastic  
30 surgery or other medical or surgical procedures, as appropriate,  
31 in accordance with the restrictions set forth in this section.

32 (2) A temporary certificate to practice medicine for  
33 educational purposes to help teach plastic surgery or other  
34 medical or surgical procedures to residents in a training  
35 program affiliated with a medical school that is accredited by  
36 the Accreditation Council for Graduate Medical Education or the  
37 American Osteopathic Association or that is part of a teaching  
38 hospital, or to residents of a medical school within this state  
39 in conjunction with a nationally sponsored educational symposium  
40 or an educational symposium held by a state medical school or  
41 teaching hospital, may be issued without examination, upon  
42 verification by the board that the individual ~~meets all of the~~  
43 ~~following requirements:~~

44 (a) Is a graduate of an accredited medical school or its  
45 equivalent or is a graduate of a foreign medical school listed  
46 with the World Health Organization.

47 (b) Holds a valid and unencumbered license to practice  
48 medicine in another state or country.



Amendment No.

49 (c) Is a recognized expert in a specific area of plastic  
50 surgery or another field of medicine or surgery, as demonstrated  
51 by peer-reviewed publications, invited lectureships, and  
52 academic affiliations.

53 (d) Has completed an application form adopted by the board  
54 and remitted a nonrefundable application fee not to exceed \$300.

55 (e) Has not committed an act in this or any other  
56 jurisdiction that would constitute a basis for disciplining a  
57 physician under s. 456.072 or s. 458.331.

58 (f) Meets the financial responsibility requirements of s.  
59 458.320(1) or (2).

60 (g) Is applying only in connection with a training program  
61 or an educational symposium as described in subsection (1) ~~both a~~  
62 ~~medical school within this state that is accredited by the~~  
63 ~~Accreditation Council for Graduate Medical Education and an~~  
64 ~~educational symposium sponsored by the American Society of~~  
65 ~~Plastic Surgeons, the Plastic Surgery Educational Foundation, or~~  
66 ~~the American Society for Aesthetic Plastic Surgery.~~

67 (3) A temporary certificate issued under this section is  
68 valid for up to 5 ~~no more than 3~~ days per year, and such  
69 certificate expires 1 year after issuance.

70 (4) The department ~~may shall~~ not issue more than 12 ~~six~~  
71 temporary certificates for any single educational symposium or  
72 single training program under this section ~~per calendar year~~.

73 (5) In order for a physician who is a graduate of a  
74 foreign medical school and holds a valid and unencumbered  
75 license to practice medicine in another country but does not  
76 hold a license to practice medicine in this or another state to



Amendment No.

77 obtain a temporary certificate under this section, the  
78 organization sponsoring the educational symposium must pay for  
79 any medical judgments incurred by that physician by obtaining a  
80 surety bond issued by a surety company authorized to do business  
81 in this state, by ~~or~~ establishing a certificate of deposit or a  
82 guaranteed letter of credit with a licensed and insured bank or  
83 savings institution located in the state, or by providing proof  
84 that the physician is covered under a teaching hospital's or  
85 medical school's medical malpractice insurance. The amount of  
86 the bond, certificate of deposit, or guaranteed letter of credit  
87 must shall be at least an amount not less than \$250,000.

88 (6) A physician applying under this section is exempt from  
89 the requirements of ss. 456.039-456.046. All other provisions of  
90 chapter 456 and this chapter apply.

91 (7) The board may shall not issue a temporary certificate  
92 for practice to any physician who is under investigation in  
93 another jurisdiction for an act that would constitute a  
94 violation of this chapter or chapter 456 until such time as the  
95 investigation is complete and the physician is found innocent of  
96 all charges.

97 Section 2. This act shall take effect July 1, 2013.  
98  
99  
100

101 -----  
102 **T I T L E A M E N D M E N T**

103 Remove everything before the enacting clause and insert:



Amendment No.

104 | An act relating to temporary certificates for visiting  
105 | physicians; amending s. 458.3137, F.S.; providing that a  
106 | physician who has been invited by certain medical or surgical  
107 | training programs or educational symposiums may be issued a  
108 | temporary certificate for limited privileges solely to provide  
109 | educational training; modifying criteria; revising the  
110 | requirements for proof of medical malpractice insurance;  
111 | providing an effective date.

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

Location: 306 HOB

HB 1115 : Pub. Rec./Dental Workforce Surveys

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Manny Diaz, Jr.	X				
Eduardo Gonzalez	X				
Bryan Nelson	X				
Jose Oliva	X				
Kevin Rader	X				
Daniel Raulerson	X				
José Rodríguez	X				
Patrick Rooney, Jr.	X				
Joe Saunders	X				
Ross Spano			X		
Clovis Watson, Jr.	X				
Kenneth Roberson (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### Appearances:

Large, Toni (Lobbyist) - Waive In Support  
Florida Association of Orthodontists  
519 E. Park Ave.  
Tallahassee FL 32301  
Phone: (850) 556-1461

Stoutamire, Casey (Lobbyist) - Waive In Support  
Florida Dental Association  
118 E. Jefferson St.  
Tallahassee FL 32301  
Phone: (850) 224-1089

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

Location: 306 HOB

### HB 1129 : Infants Born Alive

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Manny Diaz, Jr.	X				
Eduardo Gonzalez	X				
Bryan Nelson	X				
Jose Oliva	X				
Kevin Rader		X			
Daniel Raulerson	X				
José Rodríguez	X				
Patrick Rooney, Jr.	X				
Joe Saunders		X			
Ross Spano			X		
Clovis Watson, Jr.	X				
Kenneth Roberson (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 2</b>			

### HB 1129 Amendments

#### Amendment 591425

Adopted Without Objection

#### Appearances:

Johnson, Sara (Lobbyist) - Waive In Support  
Florida Family Action  
4853 S. Orange Ave.  
Orlando FL 32806  
Phone: (850) 567-8143

Hopkins, Sheila (Lobbyist) - Waive In Support  
Florida Conference of Catholic Bishops  
201 W. Park Ave.  
Tallahassee FL 32301-7715  
Phone: (850) 205-6826

Baxter, Thomas (General Public) - Opponent  
The people of Florida; Unite Women.org  
216 W. College Ave., #10358  
Tallahassee FL 32302  
Phone: (850) 893-7390

Wesdowski, Missy (Lobbyist) - Opponent  
Florida Alliance of Planned Parenthood Affiliates  
2300 N. Florida Margo Rd.  
West Palm Beach FL  
Phone: (561) 291-9236

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

**Location:** 306 HOB

**HB 1129 : Infants Born Alive (continued)**

**Appearances: (continued)**

Bilbao, Ron (Lobbyist) - Waive In Opposition  
American Civil Liberties Union of Florida  
4500 Biscayne Blvd., Suite 340  
Miami Florida 33137  
Phone: (919) 923-7288

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health Quality  
 2 Subcommittee

3 Representative Pigman offered the following:

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

6 Between lines 78 and 79, insert:

7 Section 1. Subsection (1) of section 390.0112, Florida  
8 Statutes, is amended to read:

9 390.0112 Termination of pregnancies; reporting.—

10 (1) The director of any medical facility in which any  
 11 pregnancy is terminated shall submit a monthly report to the  
 12 agency which contains the number of procedures performed, the  
 13 reason for same, ~~and~~ the period of gestation at the time such  
 14 procedures were performed, and the number of infants born alive  
 15 during or immediately after an attempted abortion ~~to the agency.~~

16 The agency shall be responsible for keeping such reports in a  
 17 central place from which statistical data and analysis can be  
 18 made.

19  
20





Amendment No.

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**T I T L E   A M E N D M E N T**

Remove line 19 and insert:  
amending s. 390.0112, F.S.; revising a reporting requirement;  
providing an effective date.

# COMMITTEE MEETING REPORT

## Health Quality Subcommittee

3/19/2013 9:00:00AM

Location: 306 HOB

### HB 1205 : Sovereign Immunity for Dentists and Dental Hygienists

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Manny Diaz, Jr.	X				
Eduardo Gonzalez	X				
Bryan Nelson	X				
Jose Oliva	X				
Kevin Rader	X				
Daniel Raulerson	X				
José Rodríguez	X				
Patrick Rooney, Jr.	X				
Joe Saunders	X				
Ross Spano			X		
Clovis Watson, Jr.			X		
Kenneth Roberson (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### HB 1205 Amendments

#### Amendment 518893

Adopted Without Objection

### Appearances:

Large, Toni (Lobbyist) - Waive In Support  
Florida Association of Orthodontists  
519 E. Park Ave.  
Tallahassee FL 32301  
Phone: (850) 556-1461

Hart, Joe Ann (Lobbyist) - Waive In Support  
Florida Dental Association  
118 E. Jefferson St.  
Tallahassee FL 32301  
Phone: (850) 224-1089

Committee meeting was reported out: Tuesday, March 19, 2013 1:07:18PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: Health Quality  
 2 Subcommittee  
 3 Representative Magar offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

8 Section 1. Paragraph (a) of subsection (3) of section  
 9 766.1115, Florida Statutes, is amended, and paragraph (h) is  
 10 added to subsection (4) of that section, to read:

11 766.1115 Health care providers; creation of agency  
 12 relationship with governmental contractors.—

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

14 (a) "Contract" means an agreement executed in compliance  
 15 with this section between a health care provider and a  
 16 governmental contractor which allows. ~~This contract shall allow~~  
 17 the health care provider to deliver health care services to low-  
 18 income recipients as an agent of the governmental contractor.  
 19 The contract must be for volunteer, uncompensated services. For  
 20 services to qualify as volunteer, uncompensated services under



Amendment No. 1

21 this section, the health care provider must receive no  
22 compensation from the governmental contractor for ~~any~~ services  
23 provided under the contract and must not bill or accept  
24 compensation from the recipient, or a ~~any~~ public or private  
25 third-party payor, for the specific services provided to the  
26 low-income recipients covered by the contract.

27 (4) CONTRACT REQUIREMENTS.—A health care provider that  
28 executes a contract with a governmental contractor to deliver  
29 health care services on or after April 17, 1992, as an agent of  
30 the governmental contractor is an agent for purposes of s.  
31 768.28(9), while acting within the scope of duties under the  
32 contract, if the contract complies with the requirements of this  
33 section and regardless of whether the individual treated is  
34 later found to be ineligible. A health care provider under  
35 contract with the state may not be named as a defendant in any  
36 action arising out of medical care or treatment provided on or  
37 after April 17, 1992, under contracts entered into under this  
38 section. The contract must provide that:

39 (h) Notwithstanding subsection (3), as an agent of the  
40 governmental contractor for purposes of s. 768.28(9), while  
41 acting within the scope of duties under the contract, a health  
42 care provider licensed under chapter 466 may allow a patient or  
43 a parent or guardian of the patient to voluntarily contribute a  
44 fee to cover costs of dental laboratory work related to the  
45 services provided to the patient. This contribution may not  
46 exceed the actual cost of the dental laboratory charges and is  
47 deemed in compliance with this section.  
48



Amendment No. 1

49 A governmental contractor that is also a health care provider is  
50 not required to enter into a contract under this section with  
51 respect to the health care services delivered by its employees.

52 Section 2. This act shall take effect July 1, 2013.  
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56 **T I T L E A M E N D M E N T**

57 Remove everything before the enacting clause and insert:

58 An act relating to sovereign immunity for dentists and  
59 dental hygienists; amending s. 766.1115, F.S.; revising a  
60 definition; requiring a contract with a governmental contractor  
61 for health care services to include a provision for a health  
62 care provider licensed under ch. 466, F.S., as an agent of the  
63 governmental contractor, to allow a patient or a parent or  
64 guardian of the patient to voluntarily contribute a fee to cover  
65 costs of dental laboratory work related to the services provided  
66 to the patient without forfeiting sovereign immunity;  
67 prohibiting the contribution from exceeding the actual amount of  
68 the dental laboratory charges; providing that the contribution  
69 complies with the requirements of s. 766.1115, F.S.; providing  
70 an effective date.