



Healthcare Council

Tuesday, April 10, 2007
9:00 AM
Morris Hall

Action Packet

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

Council/Committee: Healthcare
 Meeting Date: 4/10/09
 Place: Morris Hall
 Time: 9:00 AM

Bill Number: HB 877
 Date Received: _____
 Date Reported: _____
 Subject: physician workforce
assessment and development

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>traveling</i>		<i>Strike all</i>		<i>Amend 1 to strike 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"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ausley			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ford			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Galvano			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Garcia			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Gibson			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Harrell			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hays			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hooper			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Patronis			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Porth			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Schwartz			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Skidmore			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Taylor			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Zapata			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Bean, Chair			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
16	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. 877

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) Homan offered the following:

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

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 381.4018, Florida Statutes, is created
7 to read:

8 381.4018 Office of Physician Workforce Assessment and
9 Development.--

10 (1) LEGISLATIVE INTENT.--The Legislature recognizes that
11 physician workforce planning is an essential component in
12 ensuring that there is an adequate and appropriate supply of
13 well-trained physicians to meet the state's future healthcare
14 service needs as both the general population and elderly
15 population of the state increase. The Legislature finds that
16 issues to consider relative to the assessment of physician
17 workforce need may include physician practice status; specialty
18 mix; geographic distribution; demographic information,
19 including, but not limited to, age, gender, race, and cultural
20 considerations; and meeting the needs of current or projected
21 medically underserved areas in the state. Long-term strategic
22 planning is essential, as the period of time from the time of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

23 entering medical school to completion of graduate medical
24 education may range from 7 to 10 years, or longer. The
25 Legislature recognizes that strategies to provide for a well-
26 trained supply of physicians must include ensuring the
27 availability of quality medical schools and graduate medical
28 education capacity in the state as well as utilizing new or
29 existing state or federal programs that might provide incentives
30 for physicians to practice in needed specialties and in
31 underserved areas in a manner that addresses projected physician
32 manpower needs.

33 (2) CREATION; PURPOSE.--The Office of Physician Workforce
34 Assessment and Development is created in the Department of
35 Health and shall serve as a coordinating and strategic planning
36 body to actively assess the state's current and future physician
37 workforce needs and shall work with multiple stakeholders to
38 develop strategies and alternatives to address the state's
39 current and projected physician workforce needs.

40 (3) GENERAL FUNCTIONS.--The Office of Physician Workforce
41 Assessment and Development shall maximize the utilization of
42 existing programs under the jurisdiction of the department and
43 other state agencies; coordinate among governmental and
44 nongovernmental stakeholders and resources to determine a state
45 strategic plan; and assess implementation of such strategic plan
46 to:

47 (a) Monitor, evaluate, and report on the supply and
48 distribution of physicians licensed under chapters 458 and 459.
49 The department shall maintain a database to serve as the
50 official statewide source of valid, objective, and reliable data
51 on the physician workforce.

52 (b) Develop a model and quantify, on an ongoing basis, the
53 adequacy of the state's current and future physician workforce,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

54 as reliable physician workforce data becomes available. Such
55 model shall consider the following factors: demographics,
56 physician practice status, place of education and training,
57 generational changes, population growth, economic indicators,
58 and issues relating to the channeling of students into medical
59 education.

60 (c) Develop and recommend strategies to determine whether
61 availability of qualified state medical school applicants who
62 might become competent practicing physicians in the state will
63 be sufficient to meet medical school capacity of the state's
64 medical schools. If appropriate, the Office of Physician
65 Workforce Assessment and Development, working with
66 representatives of appropriate governmental and nongovernmental
67 entities, shall develop strategies and recommendations and
68 identify best-practice programs that introduce health care as a
69 profession and strengthen skills needed for medical school
70 admission for elementary, middle, and high school students, and
71 improve premedical education at the K-12 and college level to
72 increase the state's potential pool of medical students.

73 (d) Assess strategies to ensure that graduates from the
74 state's public and private allopathic and osteopathic medical
75 schools are adequate to meet physician workforce needs, based on
76 the analysis of the physician workforce data, and strategies to
77 ensure that the state's medical schools are adequately funded to
78 provide a high quality medical education to students in a manner
79 that recognizes the uniqueness of each of the state's new and
80 existing medical schools.

81 (e) Pursue strategies and policies to create, expand, and
82 maintain graduate medical education positions in the state,
83 based on the analysis of the physician workforce data. Such
84 strategies and policies shall consider the impact of federal

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

85 funding limitations on the expansion and creation of graduate
86 medical education positions and shall develop options to address
87 such federal funding limitations. Options to provide direct
88 state funding for graduate medical education positions shall be
89 considered in a manner that addresses requirements and needs
90 relative to accreditation of graduate medical education
91 programs. Funding for residency positions should be targeted to
92 address needed physician specialty areas, rural and physician
93 shortage areas, areas of ongoing critical need, and otherwise
94 address the physician workforce needs of the state, based on the
95 analysis of ongoing physician workforce data.

96 (f) Develop strategies to maximize federal and state
97 programs that provide for the use of incentives to attract
98 physicians to the state or retain physicians in the state in
99 order to meet the state's physician workforce needs. Such
100 strategies should explore and maximize federal-state
101 partnerships available to provide for incentives for physicians
102 to practice in federally designated shortage areas. Strategies
103 shall also consider the use of state programs, such as the
104 Florida Health Service Corps established pursuant to s. 381.0302
105 and the Medical Education Reimbursement and Loan Repayment
106 Program pursuant to s. 1009.65, that provide for education loan
107 repayment or loan forgiveness to provide physicians monetary
108 incentives to relocate to underserved areas of the state.

109 (g) Coordinate and enhance activities relative to physician
110 workforce needs, undergraduate medical education, and graduate
111 medical education provided by the Division of Medical Quality
112 Assurance, the Community Hospital Education Program and the
113 Graduate Medical Education Committee established pursuant to s.
114 381.0403, the area health education center network established

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

15 pursuant to s. 381.0402, and other offices and programs within
116 the department as deemed by the secretary.

117 (h) Monitor, evaluate and quantify, on an ongoing basis,
118 the availability of critical physician services statewide and by
119 geographic area. Such critical physician services shall include,
120 but are not limited to, availability of and trends relating to
121 obstetric care and services, particularly delivery of babies;
122 radiological services, particularly performance of mammograms
123 and breast-imaging services; physician specialty services for
124 hospital emergency departments and trauma centers; and
125 additional items as may be determined by the department.

126 (i) Work in conjunction with and act as a coordinating body
127 for governmental and nongovernmental stakeholders to develop
128 strategies and recommendations regarding assessment and
129 development of Florida's physician workforce. The Office of
130 Physician Workforce Assessment and Development must report its
131 findings to the Governor, the President of the Senate, and the
132 Speaker of the House of Representatives by November 1 of each
133 year. The report shall include, at a minimum, a description of
134 the status of each item in this section, recommendations of
135 strategies needed to address each item, assessment of the
136 implementation of previous recommendations, and recommendations
137 relative to other alternative strategies or matters deemed
138 important by the department to ensure that Florida has an
139 adequate supply of well-trained physicians to meet the state's
140 future health care needs. Stakeholders that may serve as
141 resources may include, but are not limited to, the secretaries
142 or designees of the Department of Health, Department of
143 Education, and Agency for Healthcare Administration; the
144 Chancellor or designee of the Board of Governors; and, at the
145 discretion of the department, other representatives of state and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

146 local agencies involved in the assessment, education, training,
147 or provision of the state's current or future physician
148 workforce. Other stakeholders shall include, but are not limited
149 to, organizations representing the state's public and private
150 allopathic and osteopathic medical schools; organizations
151 representing hospitals and other healthcare-providing
152 institutions, particularly those that currently provide or have
153 an interest in providing accredited medical education and
154 graduate medical education to medical students and medical
155 residents in the state; organizations representing allopathic
156 and osteopathic practicing physicians, including organizations
157 representing physician specialties as needed to address items
158 requiring specific physician specialist expertise; and, at the
159 discretion of the department, representatives of other
160 organizations or entities involved in the assessment, education,
161 training, or provision of the state's current or future
162 physician workforce.

163 (j) Serve as a state liaison with other states and federal
164 agencies and programs to enhance resources available to the
165 state's physician workforce and medical education continuum.

166 (k) Act as a clearinghouse for collecting and
167 disseminating information regarding physician workforce and
168 medical education continuum issues in the state.

169 (4) DATA COLLECTION.--In order to collect the physician
170 workforce data described in subsection (3), the department must
171 develop a physician workforce survey instrument that must be
172 provided to each person who applies for licensure renewal as a
173 physician under chapter 458 or chapter 459 in conjunction with
174 the renewal of such license, under procedures adopted by the
175 department. Completion of the physician workforce survey
176 instrument shall be voluntary.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

77 (5) RULEMAKING.--The department shall adopt rules, pursuant
178 to ss. 120.536(1) and 120.54, necessary to implement this
179 section.

180 Section 2. This act shall take effect July 1, 2007.

181
182 ===== T I T L E A M E N D M E N T =====

183 Remove the entire title and insert:

184 A bill to be entitled

185 An act relating to physician workforce assessment and
186 development; creating s. 381.4018, F.S.; providing legislative
187 intent; creating the Office of Physician Workforce Assessment
188 and Development within the Department of Health; providing a
189 purpose; providing for functions of the office; requiring the
190 department to collect physician workforce data; providing rule-
191 making authority; providing an effective date.

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
2 Representative(s) Bean offered the following:

3
4 **Amendment to Amendment (strike-all) by Representative Homan**
5 **(with title amendment)**

6 Remove line 180 and insert:

7 Section 2. This act shall take effect only if a specific
8 appropriation is made in the General Appropriations Act for
9 fiscal year 2007-2008.

10
11 ===== T I T L E A M E N D M E N T =====

12 Remove line(s) 191 and insert:

13 making authority; providing a contingent effective date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. 877

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 Committee on Health Quality offered the following:

3
4 **Amendment**

5 Remove line 116 and insert:
6 graduate medical education provided by the Division of Medical
7

This amendment was adopted in HQ on 03/13/07 and is traveling with the bill and requires no further action. However, the new strike all will supercede the traveling amendment which is encompassed in the strike all.

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Healthcare
 Meeting Date: 4/10/07
 Place: Montz Hall
 Time: 9:00 AM

Bill Number: HM 889
 Date Received: _____
 Date Reported: _____
 Subject: state children's health insurance 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	Amendment #1							
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Anderson								
<input checked="" type="checkbox"/>		Ausley								
<input checked="" type="checkbox"/>		Ford								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		Gibson								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Hays								
<input checked="" type="checkbox"/>		Hooper								
<input checked="" type="checkbox"/>		Patronis								
<input checked="" type="checkbox"/>		Porth								
<input checked="" type="checkbox"/>		Schwartz								
<input checked="" type="checkbox"/>		Skidmore								
<input checked="" type="checkbox"/>		Taylor								
<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

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. 0889

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) Harrell offered the following:

3

4 **Amendment**

5 Remove line(s) 20 and insert:

6 currently has 1,388,520 children enrolled in the program, to be

7 an

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Healthcare
Meeting Date: 4/10/09
Place: Morris Hall
Time: 9:00 A.M.

Bill Number: HB 977
Date Received: _____
Date Reported: _____
Subject: Primary Care Access network

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>traveling</i>		2		3		4	
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
✓		Anderson								
✓		Ausley	<i>Mr B</i>		<i>✓</i>	<i>0</i>	<i>✓</i>	<i>0</i>	<i>✓</i>	<i>0</i>
✓		Ford	<i>action</i>		<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
✓		Galvano	<i>needed</i>							
✓		Garcia								
✓		Gibson								
✓		Harrell								
✓		Hays								
✓		Hooper								
✓		Patronis								
✓		Porth								
✓		Schwartz								
✓		Skidmore								
✓		Taylor								
✓		Zapata								
✓		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
16	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 977**

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 The Committee on Health Innovation offered the following:

3
 4 **Amendment (with title amendments)**
 5 Remove line(s) 43 and insert:

6
 7 Section 3. This act shall take effect July 1, 2007, only
 8 if a specific appropriation to the Agency for Health Care
 9 Administration to fund the pilot program is made in the General
 10 Appropriations Act for fiscal year 2007-2008.

11
 12
 13 ===== T I T L E A M E N D M E N T =====

14 Remove line(s) 12 and insert:
 15
 16 providing an appropriation; providing a contingent effective
 17 date.

This amendment was adopted in HI on 03/20/07 and is traveling 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 977

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) Galvano offered the following:

3
4 **Amendment (with directory and title amendments)**

5 Remove line(s) 39-42 and insert:

6 Section 2. The sum of \$3.5 million is appropriated from
7 the General Revenue Fund to the Agency for Health Care
8 Administration for the purpose of implementing this act during
9 the 2007-2008 fiscal year. Of the funds provided, the sum of
10 \$2.3 million shall be used for programs in Orange and Pasco
11 counties, and \$1.2 million shall be used for programs in
12 Manatee, Sarasota and DeSoto counties.

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. HB 977

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) Galvano offered the following:

3
4 **Amendment (with directory and title amendments)**
5 Remove line(s) 25 and insert:

6
7 and Pasco Counties, and a 1 year pilot program in Manatee,
8 Sarasota, and DeSoto counties to offer health care services
9 during the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. **HB 977**

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/Committee hearing bill: Healthcare Council

2 Representative(s) Galvano offered the following:

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

5 Remove line(s) 43 and insert:

7 Section 3. This act shall take effect July 1, 2007, only
8 if a specific appropriation to the Agency for Health Care
9 Administration is made in the General Appropriations Act for
10 fiscal year 2007-2008.

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

13 Remove line(s) 12 and insert:

15 providing an appropriation; providing a contingent
16 effective date.

000000

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Healthcare Bill Number: HB 1065
 Meeting Date: 4/10/07 Date Received: _____
 Place: Norman Hall Date Reported: _____
 Time: 9:00 AM Subject: stem cell research

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>Strike all by Flores</i>		<i>Sub. strike all by Sandoz</i>		1a		2a	
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
✓		Anderson								
✓		Ausley								
✓		Ford								
✓		Galvano								
✓		Garcia								
✓		Gibson								
✓		Harrell								
✓		Hays								
✓		Hooper								
✓		Patronis								
✓		Porth								
✓		Schwartz								
✓		Skidmore								
✓		Taylor								
✓		Zapata								
✓		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
16	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

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

Council/Committee: _____
 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	3a		4a		5a		6a	
			Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
Yea	Nay	Anderson	W/O		W/O		Failed		✓	
		Ausley							✓	
		Ford								✓
		Galvano								✓
		Garcia								✓
		Gibson								✓
		Harrell								✓
		Hays								✓
		Hooper								✓
		Patronis							✓	
		Porth							✓	
		Schwartz							✓	
		Skidmore							✓	
		Taylor							✓	
		Zapata								✓
		Bean, Chair								✓
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
									6	10

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

Pg 3 of 3

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

Council/Committee: _____
 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	NR							
			Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
		Anderson								
		Ausley								
		Ford								
		Galvano								
		Garcia								
		Gibson								
		Harrell								
		Hays								
		Hooper								
		Patronis								
		Porth								
		Schwartz								
		Skidmore								
		Taylor								
		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. (for drafter's use only)

Bill No. HB 1065

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) Flores offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

6 Section 1. Section 381.99, Florida Statutes, is created to
7 read:

8 381.99 Florida Hope Offered through Principled, Ethically
9 Sound Stem Cell Research Act.--

10 (1) SHORT TITLE.--This section may be cited as the
11 "Florida Hope Offered through Principled, Ethically Sound Stem
12 Cell Research Act."

13 (2) DEFINITIONS.--As used in this section, the term:

14 (a) "Adult stem cell" means a cell found within
15 differentiated tissue or an organ that can renew itself and give
16 rise to the major cell types of the tissue or organ. This
17 includes cells from the fetal to adult stages of development,
18 including bone marrow.

19 (b) "Amniotic stem cell" means a stem cell extracted from
20 human amniotic fluid.

21 (c) "Cord blood stem cell" means a stem cell extracted
22 from the umbilical cord.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 (d) "Placental stem cell" means a stem cell extracted from
24 the placenta.

25 (e) "Embryonic stem cell" means a stem cell obtained from
26 the undifferentiated inner mass of an early stage embryo.

27 (f) "Stem cell" means a cell that can renew itself and
28 retains the potential to generate some or all other cell types.

29 (3) STEM CELL RESEARCH AND ETHICS ADVISORY COUNCIL.—There
30 is created the Stem Cell Research and Ethics Advisory Council
31 within the Department of Health.

32 (a)1. The advisory council shall consist of the Secretary
33 of Health or his or her designee, who shall act as chair, and
34 six additional members, who shall be appointed as follows:

35 a. Two persons appointed by the Governor, one of whom
36 shall be an academic researcher in the field of stem cell
37 research and one of whom shall have a background in bioethics.

38 b. One person appointed by the President of the Senate,
39 who shall have a background in private-sector stem cell funding
40 and development or public-sector biomedical research and
41 funding.

42 c. One person appointed by the Speaker of the House of
43 Representatives, who shall have a background in private-sector
44 stem cell funding and development or public-sector biomedical
45 research and funding.

46 d. One person appointed by the President of the Senate,
47 who shall have a background and experience in either public-
48 sector or private-sector stem cell research and development.

49 e. One person appointed by the Speaker of the House of
50 Representatives, who shall be an executive of a biotech company,
51 or his or her designee.

52 2. All members must demonstrate knowledge and
53 understanding of the ethical, medical, and scientific

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

54 implications of stem cell research. Each member shall serve a
55 term of 2 years commencing on July 15, 2007. No member shall
56 serve for more than two consecutive 2-year terms; however, for
57 the purpose of providing staggered terms, of the initial
58 appointments, three members shall be appointed to a 1-year term
59 and three members shall be appointed to a 2-year term. Any
60 vacancy on the advisory council shall be filled in the same
61 manner as the original appointment. All initial appointments
62 shall be made by July 15, 2007. The first meeting shall take
63 place no later than August 15, 2007. All meetings are subject to
64 the call of the chair. Members shall meet at least twice a year
65 or as often as necessary to discharge their duties but shall
66 have no more than four meetings during any 12-month period.
67 Members shall serve without compensation but may
68 be reimbursed for per diem and travel expenses in accordance
69 with s. 112.061.

70 (b) The advisory council shall:

71 1. Develop a donated funds program for recommendation to
72 the Secretary of Health to encourage the development of funds
73 other than state appropriations for human adult, amniotic, cord
74 blood and placental stem cell research in the state.

75 2. Examine and identify specific ways to improve and
76 promote for-profit and not-for-profit human adult, amniotic,
77 cord blood and placental stem cell and related research in the
78 state, including, but not limited to, identifying both public
79 and private funding sources for such research, maintaining
80 existing human adult, amniotic, cord blood and placental stem
81 cell-related businesses, recruiting new human adult, amniotic,
82 cord blood and placental stem cell-related businesses to the
83 state, and recruiting scientists and researchers in such fields
84 to the state and state universities.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

85 3. Develop a biomedical research grant program for
86 recommendation to the Secretary of Health that shall provide
87 grants-in-aid to eligible state institutions for the advancement
88 of human adult, amniotic, cord blood and placental stem cell
89 research.

90 4. Develop, no later than September 15, 2007, an
91 application for grants-in-aid under this section for
92 recommendation to the Secretary of Health for the purpose of
93 conducting human adult, amniotic, cord blood and placental stem
94 cell research.

95 5. Review applications from eligible institutions for
96 grants-in-aid on and after September 15, 2007, and provide to
97 the Secretary of Health recommendations for grant awards.

98 6. Review the stem cell research conducted by eligible
99 institutions that receive such grants-in-aid.

100 7. The advisory council shall review all stem cell research
101 that is funded or supported in any manner through the Biomedical
102 Research Trust Fund to ensure the adherence to ethical and
103 safety guidelines and procedures as set forth by federal ethical
104 standards established by the United States Department of Health
105 and Human Services.

106 (c) The advisory council shall submit an annual progress
107 report on the status of biomedical research in the state to the
108 Florida Center for Universal Research to Eradicate Disease and
109 to the Governor, the Secretary of Health, the President of the
110 Senate, and the Speaker of the House of Representatives by June
111 30. The report must include:

112 1. The amount of grants-in-aid awarded to eligible
113 institutions from the Biomedical Research Trust Fund.

114 2. The names of the recipients of such grants-in-aid.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

115 3. The current status and progress of stem cell research
116 in the state.

117 4. A list of research projects supported by grants-in-aid
118 awarded under the program.

119 5. A list of publications in peer-reviewed journals
120 involving research supported by grants-in-aid awarded under the
121 program.

122 6. The total amount of biomedical research funding
123 currently flowing into the state.

124 7. New grants for biomedical research that were funded
125 based on research supported by grants-in-aid awarded under the
126 program.

127 8. All other materials the advisory council deems
128 advisable to include.

129 (d) Advisory council members shall disclose any conflict
130 of interest or potential conflict of interest to the Secretary
131 of Health.

132 (e) The Department of Health shall provide administrative
133 staff to assist the advisory council in developing the
134 application for the grants-in-aid, reviewing the applications,
135 preparing the written consent form described in paragraph
136 (5)(b), and performing other administrative functions as the
137 advisory council requires.

138 (4) BIOMEDICAL RESEARCH TRUST FUND AND GRANTS-IN-AID.--

139 (a) The Secretary of Health shall make grants-in-aid from
140 the Biomedical Research Trust Fund in accordance with the
141 provisions of this section.

142 (b) The Department of Health shall require any applicant
143 for a grant-in-aid under this section, for the purpose of
144 conducting stem cell research, to submit a complete description
145 of the applicant's organization, the applicant's plans for stem

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

146 cell research, the applicant's proposed funding for such
147 research from sources other than the state, and the applicant's
148 proposed arrangements concerning financial benefits to the state
149 as a result of any patent, royalty payment, or similar right
150 resulting from any stem cell research made possible by the
151 awarding of the grant-in-aid. The Stem Cell Research and Ethics
152 Advisory Council shall provide recommendations to the Secretary
153 of Health with respect to the awarding such grants-in-aid.

154 (c) Beginning with the 2007-2008 fiscal year, and for 10
155 consecutive years thereafter, not less than \$20 million shall be
156 made available annually from the Biomedical Research Trust Fund
157 within the Department of Health for grants-in-aid to eligible
158 institutions for the purpose of conducting adult, amniotic, cord
159 blood, and placental stem cell research pursuant to this
160 section. Any unexpended funds not used for grants-in-aid during
161 the current fiscal year shall be carried forward for the
162 following fiscal year to fund the grants-in-aid.

163 (5) USE OF FUNDS; REQUIREMENTS AND RESTRICTIONS.--

164 (a) Funds provided under this section may only be used for
165 research involving:

166 1. Human adult stem cells. Funding for research may be
167 given for human adult stem cells derived from postmortem
168 tissues, other than from medically induced abortions. Funds may
169 be used for studies of human adult stem cells obtained from
170 either normal or transformed tissues.

171 2. Amniotic stem cells extracted from human amniotic fluid
172 that are otherwise discarded after birth.

173 3. Cord blood stem cells extracted from a human umbilical
174 cord that are otherwise discarded after birth.

175 4. Placental stem cells extracted from the placenta that
176 are otherwise discarded after birth.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

177 (b) Adult, amniotic, cord blood and placental stem cell
178 material may only be donated for research purposes with the
179 informed consent of the donor.

180 (c) No funds shall be used for research with human
181 embryonic stem cells that are derived by a process entailing the
182 donor embryo's death or destruction.

183 (d) Funds provided under this section may only be used for
184 research that is conducted in facilities located in Florida.

185 (6) CONTINUING APPROPRIATION.--Beginning in fiscal year
186 2007-2008, the sum of \$20 million is appropriated annually from
187 recurring funds in the General Revenue Fund to the Biomedical
188 Research Trust Fund within the Department of Health for the
189 purpose of carrying out the provisions of this section. The
190 amount of funds appropriated shall not exceed \$200 million for
191 the 10-year period beginning in fiscal year 2007-2008 and ending
192 in fiscal year 2016-2017.

193 Section 2. Paragraph (h) of subsection (1) of section
194 20.435, Florida Statutes, is amended to read:

195 20.435 Department of Health; trust funds.--

196 (1) The following trust funds are hereby created, to be
197 administered by the Department of Health:

198 (h) Biomedical Research Trust Fund.

199 1. Funds to be credited to the trust fund shall consist of
200 funds deposited pursuant to ss. ~~215.5601, 288.955, and 381.99~~
201 and any other funds appropriated by the Legislature. Funds shall
202 be used for the purposes of the James and Esther King Biomedical
203 Research Program, and the William G. "Bill" Bankhead, Jr., and
204 David Coley Cancer Research Program, and the Florida Hope
205 Offered through Principled, Ethically Sound Stem Cell Research
206 Act as specified in ss. 215.5602, 288.955, and 381.922, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

207 381.99. The trust fund is exempt from the service charges
208 imposed by s. 215.20.

209 2. Notwithstanding the provisions of s. 216.301 and
210 pursuant to s. 216.351, any balance in the trust fund at the end
211 of any fiscal year shall remain in the trust fund at the end of
212 the year and shall be available for carrying out the purposes of
213 the trust fund. The department may invest these funds
214 independently through the Chief Financial Officer or may
215 negotiate a trust agreement with the State Board of
216 Administration for the investment management of any balance in
217 the trust fund.

218 3. Notwithstanding s. 216.301 and pursuant to s. 216.351,
219 any balance of any appropriation from the Biomedical Research
220 Trust Fund which is not disbursed but which is obligated
221 pursuant to contract or committed to be expended may be carried
222 forward for up to 3 years following the effective date of the
223 original appropriation.

224 4. The trust fund shall, unless terminated sooner, be
225 terminated on July 1, 2008.

226 Section 3. Subsection (1) of section 381.86, Florida
227 Statutes, is amended to read:

228 381.86 Institutional Review Board.—

229 (1) The Institutional Review Board is created within the
230 Department of Health in order to satisfy federal requirements
231 under 45 C.F.R. part 46 and 21 C.F.R. parts 50 and 56 that an
232 institutional review board review all biomedical and behavioral
233 research on human subjects which is funded or supported in any
234 manner by the department, except that a separate Stem Cell
235 Research and Ethics Advisory Council shall be appointed under s.
236 381.99.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

237 Section 4. (1) The Department of Health shall prepare an
238 educational publication that includes objective information
239 regarding:

240 (a) The medical processes involved in the collection of
241 umbilical cord blood;

242 (b) The medical risks to the mother and her newborn child
243 of umbilical cord blood collection;

244 (c) The options available to a mother relating to stem
245 cells that are contained in the umbilical cord blood after the
246 delivery of her newborn, including:

247 1. Discarding the stem cells;

248 2. Donating the stem cells to a public umbilical cord blood
249 bank;

250 3. Storing the stem cells in a family or private umbilical
251 cord blood bank for use by family members; or

252 4. Storing the stem cells for family use through a family
253 or sibling donor banking program that provides free collection,
254 processing, and storage where there is a medical need;

255 (d) The current and potential future medical uses, risks,
256 and benefits of umbilical cord blood collection to a mother, her
257 newborn child, and her biological family;

258 (e) The current and potential future medical uses, risks,
259 and benefits of umbilical cord blood collection to persons who
260 are not biologically related to a mother or her newborn child;

261 (f) Any costs that may be incurred by a pregnant woman who
262 chooses to make an umbilical cord blood donation;

263 (g) Options for ownership and future use of the donated
264 material; and

265 (h) The average cost of public and private umbilical cord
266 blood banking.

267 (2) The department shall update the publication as

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

268 necessary.

269 (3) The department shall distribute the pamphlet free
270 of charge to physicians and health care institutions on
271 request and shall make the pamphlet available on its web site
272 in printable format.

273 (4) The department shall encourage health and maternal
274 care professionals providing health care services to a
275 pregnant woman, when those health care services are directly
276 related to her pregnancy, to provide the pregnant woman with
277 the publication by the end of her second trimester.

278 Section 5. This act shall take effect July 1, 2007.

279

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

281 Remove the entire title and insert:

282 A bill to be entitled

283 An act relating to stem cell research; creating s. 381.99, F.S.;

284 providing a short title; providing definitions; creating the

285 Stem Cell Research and Ethics Advisory Council within the

286 Department of Health; providing for membership and terms;

287 providing duties and responsibilities; requiring the Secretary

288 of Health to make grants-in-aid from the Biomedical Research

289 Trust Fund for stem cell research; providing requirements

290 relating to applications for and awards of such grants-in-aid;

291 providing specifications for moneys to be made available from

292 the trust fund for stem cell research grants-in-aid; providing

293 restrictions and requirements for uses of funds from such

294 grants-in-aid; providing an appropriation; amending s. 20.435,

295 F.S.; revising references; amended s. 381.86, F.S.; providing an

296 exception to the Institutional Review Board for Stem Cell

297 Research and Ethics Advisory Council; requiring the Department

298 of Health to prepare and distribute a publication regarding

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

299 the process, otions, medical uses, risks, and benefits of
300 umbilical cord blood collection; providing an effective date.

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
2 Representative(s) ~~Bean~~ offered the following:

Zafata

4 **Amendment to Amendment (01 strike-all) by Representative**
5 **Flores (with title amendment)**

6 Remove line(s) 138-162 and insert:

7 (4) BIOMEDICAL RESEARCH TRUST FUND AND GRANTS-IN-AID.-

8 (a) The Secretary of Health shall make grants-in-aid from
9 the Biomedical Research Trust Fund in accordance with the
10 provision of this section, subject to a specific appropriation
11 in the General Appropriations Act.

12 (b) The Department of Health shall require any applicant
13 for a grant-in-aid under this section, for the purpose of
14 conducting stem cell research, to submit a complete description
15 of the applicant's organization, the applicant's plans for stem
16 cell research, the applicant's proposed funding for such
17 research from sources other than the state, and the applicant's
18 proposed arrangements concerning financial benefits to the state
19 as a result of any patent, royalty payment, or similar right
20 resulting from any stem cell research made possible by the
21 awarding of the grant-in-aid. The Stem Cell Research and Ethics
22 Advisory Council shall provide recommendation to the Secretary
23 of Health with respect to the as warding such grants-in-aid.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES
Amendment No. 1a (for drafter's use only)

24

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

26 Remove line 289 and insert:

27 Trust Fund for stem cell research subject to a specific
28 appropriation in the General Appropriations Act; providing
29 requirements

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
2 Representative(s) ~~Bean~~ offered the following:

Zapata

4 Amendment to Amendment (01 strike-all) by Representative
5 Flores (with title amendment)

6 Remove line(s) 185-192.

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

10 Remove line(s) 294 and insert:
11 grants-in-aid; amending s. 20.435,

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
2 Representative(s) ~~Bean~~ offered the following:

Zafata

3
4 Amendment to Amendment (01 strike-all) by Representative
5 Flores (with title amendments)

6 Insert before the period at the end of line 69:

7 , subject to a specific appropriation in the General
8 Appropriations Act

9
10
11
12
13
14
15

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

Remove line(s) 287 and insert:

providing duties and responsibilities; providing per diem
and travel expenses, subject to a specific appropriation;
providing requirements

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

2 Representative(s) ~~Bean~~ offered the following:

Zafets

4 Amendment to Amendment (01 strike-all) by Representative
5 Flores (with title amendments)

6 Remove line 238 and insert:

7 Educational publication, subject to a specific
8 appropriation in the General Appropriations Act, that includes
9 objective information

10
11
12
13
14
15

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

Remove line(s) 298 and insert:

Health to prepare and distribute, subject to a specific
appropriation, a publication regarding the process,

Amendment No. (for drafter's use only)

5a

Bill No. 1065

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) Ausley, Taylor, and Skidmore offered the
 3 following:

4
 5 ~~Substitute~~ ^b Amendment for Amendment (1) by Representative
 6 Flores

7 Remove line(s) 180-182.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 1065

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	—	

Ruled out of order

Council/Committee hearing bill: Healthcare Council
Representative(s) Sands offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (h) of subsection (1) of section 20.435, Florida Statutes, is amended to read:

20.435 Department of Health; trust funds.--

(1) The following trust funds are hereby created, to be administered by the Department of Health:

(h) Biomedical Research Trust Fund.

1. Funds to be credited to the trust fund shall consist of funds deposited pursuant to ss. ~~s.~~ 215.5601, 288.955, and 381.99, and any other funds appropriated by the Legislature.

Funds shall be used for the purposes of the James and Esther King Biomedical Research Program, and the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, and the Florida Better Quality of Life and Biomedical Research Act as specified in ss. 215.5602, 288.955, ~~and~~ 381.922, and 381.99. The trust fund is exempt from the service charges imposed by s. 215.20.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 2. Notwithstanding the provisions of s. 216.301 and
23 pursuant to s. 216.351, any balance in the trust fund at the end
24 of any fiscal year shall remain in the trust fund at the end of
25 the year and shall be available for carrying out the purposes of
26 the trust fund. The department may invest these funds
27 independently through the Chief Financial Officer or may
28 negotiate a trust agreement with the State Board of
29 Administration for the investment management of any balance in
30 the trust fund.

31 3. Notwithstanding s. 216.301 and pursuant to s. 216.351,
32 any balance of any appropriation from the Biomedical Research
33 Trust Fund which is not disbursed but which is obligated
34 pursuant to contract or committed to be expended may be carried
35 forward for up to 3 years following the effective date of the
36 original appropriation.

37 4. The trust fund shall, unless terminated sooner, be
38 terminated on July 1, 2008.

39 Section 2. Subsection (2) of section 381.86, Florida
40 Statutes, is amended to read:

41 381.86 Institutional Review Board.--

42 (2) Consistent with federal requirements, the Secretary of
43 Health shall determine and appoint the membership of the board
44 and designate its chair, except that a separate Stem Cell
45 Research Advisory Council shall be appointed pursuant to s.
46 381.99 for the sole purpose of reviewing research funded under
47 that section.

48 Section 3. Section 381.99, Florida Statutes, is created to
49 read:

50 381.99 Florida Better Quality of Life and Biomedical
51 Research Act.--

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

52 (1) SHORT TITLE.--This section may be cited as the
53 "Florida Better Quality of Life and Biomedical Research Act."

54 (2) DEFINITIONS.--As used in this section, the term:

55 (a) "Adult stem cell" means an undifferentiated cell found
56 among differentiated cells in a tissue or an organ that can
57 renew itself and can differentiate to yield the major
58 specialized cell types of the tissue or organ.

59 (b) "Amniotic stem cell" means a cell extracted from human
60 amniotic fluid or a placenta.

61 (c) "Embryonic stem cell" means a cell obtained from the
62 undifferentiated inner mass of an early stage embryo.

63 (d) "Human reproductive cloning" means the practice of
64 creating or attempting to create a human being by transferring
65 the nucleus from a human cell into an egg cell from which the
66 nucleus has been removed for the purpose of implanting the
67 resulting product in a uterus or a substitute for a uterus to
68 initiate a pregnancy.

69 (e) "In vitro fertilization" means a technique by which
70 oocytes are fertilized by sperm outside of a woman's body
71 resulting in organisms that are not genetically identical to any
72 one existing human.

73 (f) "Stem cell" means an undifferentiated cell that
74 retains the potential to differentiate into some or all other
75 cell types.

76 (3) STEM CELL RESEARCH ADVISORY COUNCIL.--There is created
77 the Stem Cell Research Advisory Council.

78 (a) The advisory council shall consist of the Secretary of
79 Health or his or her designee, who shall act as chair, and six
80 additional members, who shall be appointed as follows:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

81 1. Two persons appointed by the Governor, one of whom
82 shall be an academic researcher in the field of stem cell
83 research and one of whom shall have a background in bioethics.

84 2. One person appointed by the President of the Senate,
85 who shall have a background in private sector stem cell funding
86 and development and public sector biomedical research and
87 funding.

88 3. One person appointed by the Speaker of the House of
89 Representatives, who shall have a background in private sector
90 stem cell funding and development and public sector biomedical
91 research and funding.

92 4. One person appointed by the Minority Leader of the
93 Senate, who shall have a background and experience in either
94 public sector or private sector stem cell research and
95 development.

96 5. One person appointed by the Minority Leader of the
97 House of Representatives, who shall have a background and
98 experience in business and financial investments.

99
100 Each member shall serve a term of 2 years commencing on October
101 1, 2007. No member shall serve for more than two consecutive 2-
102 year terms; however, for the purpose of providing staggered
103 terms, of the initial appointments, three members shall be
104 appointed to a 1-year term and three members shall be appointed
105 to a 2-year term. No member shall serve for more than two
106 consecutive terms. Any vacancy on the council shall be filled in
107 the same manner as the original appointment. All initial
108 appointments must be made by October 1, 2007. The first meeting
109 shall take place no later than November 1, 2007. All meetings
110 are subject to the call of the chair. Members shall meet at
111 least twice a year or as often as necessary to discharge their

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

12 duties but shall have no more than four meetings during any 12-
13 month period. Members shall serve without compensation but may
14 be reimbursed for per diem and travel expenses in accordance
15 with s. 112.061.

16 (b) The advisory council shall:

17 1. Develop a donated funds program for recommendation to
18 the Secretary of Health to encourage the development of funds
19 other than state appropriations for embryonic, amniotic, and
20 human adult stem cell research in the state.

21 2. Examine and identify specific ways to improve and
22 promote for-profit and not-for-profit embryonic, amniotic, and
23 human adult stem cell and related research in the state,
24 including, but not limited to, identifying both public and
25 private funding sources for such research, maintaining existing
26 embryonic, amniotic, and human adult stem cell related
27 businesses, recruiting new embryonic, amniotic, and human adult
28 stem cell related businesses to the state, and recruiting
29 scientists and researchers in such fields to the state and state
30 universities.

31 3. Develop a biomedical research grant program for
32 recommendation to the Secretary of Health, which shall provide
33 grants-in-aid to eligible institutions for the advancement of
34 embryonic, amniotic, or human adult stem cell research.

35 4. Develop, no later than December 1, 2007, an application
36 for grants-in-aid under this section for recommendation to the
37 Secretary of Health for the purpose of conducting embryonic,
38 amniotic, or human adult stem cell research.

39 5. Review applications from eligible institutions for
40 grants-in-aid on and after December 1, 2007, and provide to the
41 Secretary of Health recommended grant awards.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

142 6. Review the stem cell research conducted by eligible
143 institutions that receive such grants-in-aid.

144 (c) The advisory council shall submit an annual progress
145 report on the status of biomedical research in the state to the
146 Florida Center for Universal Research to Eradicate Disease and
147 to the Governor, the Secretary of Health, the President of the
148 Senate, and the Speaker of the House of Representatives by June
149 30. The report must include:

150 1. The amount of grants-in-aid awarded to eligible
151 institutions from the Biomedical Research Trust Fund.

152 2. The names of the recipients of such grants-in-aid.

153 3. The current status and progress of stem cell research
154 in the state.

155 4. A list of research projects supported by grants-in-aid
156 awarded under the program.

157 5. A list of publications in peer-reviewed journals
158 involving research supported by grants-in-aid awarded under the
159 program.

160 6. The total amount of biomedical research funding
161 currently flowing into the state.

162 7. New grants for biomedical research that were funded
163 based on research supported by grants-in-aid awarded under the
164 program.

165 8. All other materials the council deems advisable to
166 include.

167 (d) Advisory council members shall disclose any conflict
168 of interest or potential conflict of interest to the Secretary
169 of Health.

170 (e) The Department of Health shall provide administrative
171 staff to assist the advisory council in developing the
172 application for the grants-in-aid, reviewing the applications,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

173 preparing the written consent form described in paragraph
174 (6)(b), and performing other administrative functions as the
175 advisory council requires.

176 (4) BIOMEDICAL ETHICS ADVISORY COUNCIL.--There is created
177 within the Department of Health the Biomedical Ethics Advisory
178 Council, which shall review the research conducted under s.
179 381.99.

180 (a) The advisory council shall consist of the Secretary of
181 Health or his or her designee, who shall act as chair, and six
182 additional members, who shall be appointed as follows:

183 1. Two persons appointed by the Governor.

184 2. One person appointed by the President of the Senate.

185 3. One person appointed by the Speaker of the House of
186 Representatives.

187 4. One person appointed by the Minority Leader of the
188 Senate.

189 5. One person appointed by the Minority Leader of the
190 House of Representatives.

191
192 All members must demonstrate knowledge and understanding of the
193 ethical, medical, and scientific implications of embryonic,
194 amniotic, and adult stem cell research and should also
195 demonstrate knowledge of related fields, including, but not
196 limited to, genetics, cellular biology, and embryology. Each
197 member shall serve a term of 4 years commencing on October 1,
198 2007; however, for the purpose of providing staggered terms, of
199 the initial appointments, three members shall be appointed to a
200 2-year term and three members shall be appointed to a 4-year
201 term. No member shall serve for more than two consecutive terms.
202 Any vacancy on the council shall be filled in the same manner as
203 the original appointment. All initial appointments must be made

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

204 by October 1, 2007. The first meeting shall take place no later
205 than November 1, 2007. All meetings are subject to the call of
206 the chair. Members shall meet at least twice a year or as often
207 as necessary to discharge their duties but shall have no more
208 than one meeting per month during any 12-month period. Members
209 shall serve without compensation but may be reimbursed for per
210 diem and travel expenses in accordance with s. 112.061.

211 (b) The council shall review all embryonic, amniotic, or
212 human adult stem cell research that is funded or supported in
213 any manner through the Biomedical Research Trust Fund to ensure
214 the adherence to ethical and safety guidelines and procedures as
215 laid out by federal ethical standards established by the United
216 States Department of Health and Human Services.

217 (5) BIOMEDICAL RESEARCH TRUST FUND AND GRANTS-IN-AID.--

218 (a) The Secretary of Health shall make grants-in-aid from
219 the Biomedical Research Trust Fund in accordance with the
220 provisions of this section.

221 (b) The Department of Health shall require any applicant
222 for a grant-in-aid under this section, for the purpose of
223 conducting stem cell research, to submit a complete description
224 of the applicant's organization, the applicant's plans for stem
225 cell research, the applicant's proposed funding for such
226 research from sources other than the state, and the applicant's
227 proposed arrangements concerning financial benefits to the state
228 as a result of any patent, royalty payment, or similar right
229 resulting from any stem cell research made possible by the
230 awarding of the grant-in-aid. The Stem Cell Research Advisory
231 Council shall provide recommendations to the Secretary of Health
232 with respect to awarding such grants-in-aid after considering
233 the recommendations of the Biomedical Ethics Advisory Council.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

234 (c) Beginning with the 2007-2008 fiscal year, and for 10
235 consecutive years thereafter, not less than \$20 million shall be
236 made available from the Biomedical Research Trust Fund within
237 the Department of Health for grants-in-aid to eligible
238 institutions for the purpose of conducting embryonic, amniotic,
239 or human adult stem cell research pursuant to this section. Up
240 to 15 percent of the funds may be used for administrative costs.
241 Any unexpended funds not used for grants-in-aid during the
242 current fiscal year shall be carried forward for the following
243 fiscal year to fund the grants-in-aid.

244 (6) USE OF FUNDS; REQUIREMENTS AND RESTRICTIONS REGARDING
245 DISPOSITION OF HUMAN EMBRYOS FOLLOWING INFERTILITY TREATMENT.--

246 (a) Funds provided under this section may only be used for
247 research involving:

248 1. Human adult stem cells, including, but not limited to,
249 adult stem cells derived from umbilical cord blood and bone
250 marrow.

251 2. Human embryonic stem cells taken from donated leftover
252 embryos from in vitro fertilization treatments that would
253 otherwise be thrown away or destroyed.

254 3. Amniotic stem cells extracted from human amniotic fluid
255 or placentas, which are otherwise discarded after birth.

256 (b) A physician or other health care provider treating a
257 patient for infertility shall provide the patient with timely,
258 relevant, and appropriate information sufficient to allow the
259 person to make an informed and voluntary choice regarding the
260 disposition of any human embryos that remain following
261 infertility treatment. The person to whom the information is
262 provided:

263 1. Shall be presented with the option of storing any
264 unused embryos remaining after receiving in vitro fertilization,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

265 donating the remaining embryos to another person, donating the
266 remaining embryos for research purposes, or selecting other
267 means of disposition of the remaining embryos.

268 2. Who elects to donate, for research purposes, any
269 embryos remaining after receiving infertility treatment shall
270 provide written consent for that donation on a consent form
271 provided by the Department of Health and made available to the
272 public on the department's Internet website.

273 3. May not knowingly, for material or financial gain,
274 purchase, sell, or otherwise transfer or obtain, or promote the
275 sale or transfer of, embryonic fetal tissue for research
276 purposes pursuant to this section. Embryonic, amniotic, and
277 adult stem cell material may only be donated for research
278 purposes with the informed consent of the donor. A person who
279 violates any provision of this subparagraph commits a felony of
280 the second degree, punishable as provided in s. 775.082, s.
281 775.083, or s. 775.084.

282 (7) HUMAN REPRODUCTIVE CLONING; PROHIBITION; PENALTIES.--

283 (a) It is unlawful for any person to knowingly:

284 1. Perform or attempt to perform human reproductive
285 cloning;

286 2. Participate or assist in an attempt to perform human
287 reproductive cloning; or

288 3. Ship or receive for any purpose an embryo produced by
289 human reproductive cloning or any product derived from such
290 embryo.

291 (b) A person who violates any provision of paragraph (a)
292 commits a felony of the second degree, punishable as provided in
293 s. 775.082, s. 775.083, or s. 775.084.

294 (8) CONTINUING APPROPRIATION.--Beginning in fiscal year
295 2007-2008, the sum of \$20 million is appropriated annually from

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

296 recurring funds in the General Revenue Fund to the Biomedical
297 Research Trust Fund within the Department of Health for the
298 purposes of carrying out the provisions of this section. The
299 amount of funds appropriated shall not exceed \$200 million for
300 the 10-year period beginning in fiscal year 2007-2008 and ending
301 in fiscal year 2016-2017.

302 Section 4. This act shall take effect July 1, 2007.

303
304 ===== T I T L E A M E N D M E N T =====

305 Remove the entire title and insert:

306 An act relating to biomedical research; amending s.
307 20.435, F.S.; revising uses for funds credited to the
308 Biomedical Research Trust Fund; amending s. 381.86, F.S.;
309 providing that the Institutional Review Board within the
310 Department of Health shall not review certain research
311 within the jurisdiction of the Stem Cell Research Advisory
312 Council; creating s. 381.99, F.S.; creating the Florida
313 Better Quality of Life and Biomedical Research Act;
314 providing a short title; providing definitions; creating
315 the Stem Cell Research Advisory Council; providing for
316 appointment, terms, and duties of members; authorizing
317 reimbursement for per diem and travel expenses; requiring
318 a report; requiring the Department of Health to provide
319 administrative support; creating the Biomedical Ethics
320 Advisory Council to regulate research procedures and
321 enforce ethical guidelines; providing for appointment,
322 terms, and duties of members; authorizing reimbursement
323 for per diem and travel expenses; providing duties of the
324 council; providing for a grants-in-aid program for the
325 purpose of conducting embryonic, amniotic, or human adult
326 stem cell research; providing that grants-in-aid shall be

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

327 provided through funds in the Biomedical Research Trust
328 Fund; restricting the use of such funds for research on
329 certain stem cells; providing requirements with respect to
330 the disposition of human embryos following infertility
331 treatment; requiring the Department of Health to develop
332 and maintain on its Internet website a consent form for
333 the donation of certain embryos; prohibiting purchase or
334 sale of embryonic fetal tissue for research purposes;
335 prohibiting certain acts relating to human reproductive
336 cloning; providing penalties; providing a continuing
337 appropriation; providing an effective date.

338
339 WHEREAS, an estimated 130 million Americans suffer from
340 acute, chronic, and degenerative diseases and there is enormous
341 potential for lifesaving treatment and therapy as a result of
342 recent advances in biomedical research, and

343 WHEREAS, Florida is unique among all states because of the
344 size of the projected net population increase within the next 20
345 years which raises significant health care concerns as a new
346 generation of retirees moves to Florida, resulting in a
347 corresponding rise in the number of persons suffering from
348 illnesses such as cancer, heart disease, Alzheimer's Disease,
349 Parkinson's Disease, cerebral palsy, juvenile diabetes,
350 atherosclerosis, Amyotrophic Lateral Sclerosis, AIDS, spinal
351 cord injuries, severe burns, osteoporosis, osteoarthritis,
352 cystic fibrosis, muscular dystrophy, multiple sclerosis, macular
353 degeneration, diabetic retinopathy, retinitis pigmentosa,
354 cirrhosis of the liver, motor neuron disease, brain trauma,
355 stroke, sickle cell anemia, and intestinal diseases, and

356 WHEREAS, in order to maintain a high quality of life for
357 all Floridians, research into stem cell regenerative therapies

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

358 and treatment should be supported to give hope and relief to the
359 millions of citizens who suffer from degenerative and crippling
360 diseases, and

361 WHEREAS, to reduce the burden on the health care
362 infrastructure, the state must shift its health care objectives
363 from costly long-term maintenance toward prevention and cures,
364 and

365 WHEREAS, to bolster and advance Florida's burgeoning
366 biotechnology industry, the state should provide funds and
367 incentives for private research companies to work in the state,
368 and

369 WHEREAS, the state should advance the goal of scientific
370 and academic discourse in its universities and help bring its
371 public and private universities to the forefront in biomedical
372 research and technology, and

373 WHEREAS, it will benefit the economy of the state to create
374 a wide array of new projects and high-paying jobs relating to
375 biomedical research, and

376 WHEREAS, it will benefit the state to foster cooperation
377 between the state's universities and private sector research in
378 terms of jobs, resources, and academic discourse relating to
379 biomedical research, and

380 WHEREAS, the public funds provided under the Florida Better
381 Quality of Life and Biomedical Research Act are intended to spur
382 innovation and development in Florida's biomedical technology
383 sector, which will be used to treat debilitating chronic
384 diseases, NOW, THEREFORE,

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

Council/Committee: Healthcare
 Meeting Date: 4/10/07
 Place: Morris Hall
 Time: 9:00 AM

Bill Number: HB 1111
 Date Received: _____
 Date Reported: _____
 Subject: Fiscal Intermediary
Service Organization

Council/Committee Action:

- | | |
|--|---|
| <input checked="" 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	Round 1		Round 2					
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"/>	Ford								
<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"/>	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"/>	Patronis								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Porth								
<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"/>	Taylor								
<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
16	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 1111

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) Kendrick offered the following:

3
4 **Amendment (with directory and title amendments)**

5 Remove line(s) 35 and insert:

6
7 health service organization licensed under chapter 636, a not-
8 for-profit corporation which provides health care services
9 directly to patients through employed, salaried physicians and
10 that is affiliated with an accredited hospital licensed in this
11 state, a health

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. HB 1111

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) Galvano offered the following:

3
4 **Amendment (with directory and title amendments)**

5 Between line(s) 29-30 insert:

6
7 (4) A fiscal intermediary services organization, as
8 described in subsection (3), shall secure and maintain a surety
9 bond on file with the office, naming the intermediary as
10 principal. The bond must be obtained from a company authorized
11 to write surety insurance in the state, and the office shall be
12 obligee on behalf of itself and third parties. The penal sum of
13 the bond may not be less than 5 percent of the funds handled by
14 the intermediary in connection with its fiscal and fiduciary
15 services during the prior year or \$250,000, whichever is less.
16 The minimum bond amount must be \$10,000. The condition of the
17 bond must be that the intermediary shall register with the
18 office and shall not misappropriate funds within its control or
19 custody as a fiscal intermediary or fiduciary. The aggregate
20 liability of the surety for any and all breaches of the
21 conditions of the bond may not exceed the penal sum of the bond.

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

22 The bond must be continuous in form, must be renewed annually by
23 a continuation certificate, and may be terminated by the surety
24 upon its giving 30 days' written notice of termination to the
25 office. This subsection does not apply to a fiscal intermediary
26 services organization that is owned, operated, or controlled by
27 a third-party administrator holding a certificate of authority
28 under part VII of chapter 626.

29

30 ===== D I R E C T O R Y A M E N D M E N T =====

31 Remove line(s) 13-14 and insert:

32

33 Section 1. Paragraph (b) of subsection (2), subsection
34 (4), and subsection (6) of section 641.316, Florida Statutes,
35 are amended to read:

36

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

38 Remove line(s) 6 and insert:

39

40 the business affairs of health care professionals;
41 providing an exception from the requirement to obtain a
42 bond;

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

Council/Committee: Healthcare
 Meeting Date: 4/10/07
 Place: House Hall
 Time: 9:00 AM

Bill Number: HB 1115
 Date Received: _____
 Date Reported: _____
 Subject: Health Care Clinic Act

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	<u>Amend</u>							
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
✓		Anderson								
✓		Ausley								
✓		Ford								
✓		Galvano								
✓		Garcia								
✓		Gibson								
✓		Harrell								
✓		Hays								
✓		Hooper								
✓		Patronis								
✓		Porth								
✓		Schwartz								
✓		Skidmore								
✓		Taylor								
✓		Zapata								
✓		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
16	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. 1115

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) Kreegel offered the following:

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

5 Between lines 18 and 19, insert:

6 (a) Entities licensed or registered by the state under
7 chapter 395; or entities licensed or registered by the state and
8 providing only health care services within the scope of services
9 authorized under their respective licenses granted under ss.
10 383.30-383.335, chapter 390, chapter 394, chapter 397, this
11 chapter except part X, chapter 429, chapter 463, chapter 465,
12 chapter 466, chapter 478, part I of chapter 483, chapter 484, or
13 chapter 651; end-stage renal disease providers authorized under
14 42 C.F.R. part 405, subpart U; or providers certified under 42
15 C.F.R. part 485, subpart B or subpart H; or any entity that
16 provides neonatal or pediatric hospital-based health care
17 services or other health care services by licensed practitioners
18 solely within a hospital licensed under chapter 395.

19
20 ===== D I R E C T O R Y A M E N D M E N T =====

21 Remove line(s) 10 and 11 and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

22 Section 1. Paragraph (a) of subsection (4) of section 400.9905,
23 Florida Statutes, is amended, and paragraph (1) is added to that
24 subsection, to read:

25

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

27 Remove line(s) 3 and insert:

28 400.9905, F.S.; revising the definition of the term "clinic" to
29 exclude an entity that provides certain neonatal or pediatric
30 health care services from licensure requirements; providing that
31 pt. X of ch. 400, F.S.,

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

Council/Committee: Healthcare
 Meeting Date: 4/10/07
 Place: Monte Hall
 Time: 9:00 AM

Bill Number: HB 1361
 Date Received: _____
 Date Reported: _____
 Subject: Emergency services

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>Traveling strike all</i>		<i>Substitute strike all</i>		Yea	Nay	Yea	Nay
Yea	Nay		Yea	Nay	Yea	Nay				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Anderson								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ausley	<i>Se</i>		<i>W</i>					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ford								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Galvano	<i>Substitute</i>		<i>Se</i>					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Garcia								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Gibson								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Harrell								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hays								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hooper								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Patronis								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Porth								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Schwartz								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Skidmore								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Taylor								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Zapata								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
16	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 1361

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 Substitute

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

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 Section 1. Subsection (8) is added to section 395.1041,
 8 Florida Statutes, to read:

395.1041 Access to emergency services and care.--

10 (8) Off-premises emergency departments.--Hospitals may
 11 apply for a license to operate an emergency department at a
 12 location off the hospital's premises and the agency shall
 13 approve such license provided that the application complies with
 14 all of the requirements of this section. Off-premises emergency
 15 departments must provide emergency services and care for any
 16 emergency medical condition that is within the service
 17 capability of the hospital seeking a license for an off-premises
 18 emergency department. Criteria for licensure of off-premises
 19 emergency departments are as follows:

20 (a) In counties of more than 200,000 persons, an off-
 21 premises emergency department may not be located within a 10

This amendment was adopted in HI on 03/20/07 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)

22 mile radius of the nearest licensed Class 1 general hospital.
23 In counties of less than 200,000 persons, an off-premises
24 emergency department may not be located within a 20 mile radius
25 of the nearest licensed Class 1 general hospital. The distance
26 requirements of this sub-paragraph shall be determined as of the
27 date of initial licensure of the off-premises emergency
28 department and shall not be applicable to any off-premises
29 emergency department licensed prior to the effective date of
30 this act.

31 (b) The off-premises emergency department must ensure that
32 the same types of medical specialties as are available on the
33 premises of the hospital are available to consult with patients
34 of the off-premises emergency department.

35 (c) The license holder must provide for the transport of
36 patients between the off-premises emergency department and its
37 licensed hospital. The Department of Health shall determine
38 whether statewide transport protocols should be developed with
39 respect to off-premises emergency departments and shall report
40 its findings to the Speaker of the House, President of the
41 Senate, and the Governor no later than January 31, 2008.

42 (d) Off-premises emergency departments must be directed by
43 a designated physician who is a member of the organized medical
44 staff.

45 (e) Off-premises emergency departments shall treat all
46 patients with an emergency medical condition without regard to
47 ability to pay.

48 (f) Off-premises emergency departments must comply with
49 all adopted rule standards governing emergency care.

This amendment was adopted in HI on 03/20/07 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)

50 (g) If the main hospital is accredited, the off-premises
51 emergency departments must be accredited by the same accrediting
52 organization.

53 (h) Off-premises emergency departments must meet all
54 physical plant requirements, including electrical, architectural
55 and mechanical, of an onsite emergency department as specified
56 in the Florida Building Code. These facilities must also meet
57 the requirements for Definitive Emergency Care, as described in
58 the Guidelines for the Design and Construction of Health Care
59 Facilities, 2006 edition incorporated by reference in Section
60 419.2.1.2 of the Florida Building Code.

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

62
63 ===== T I T L E A M E N D M E N T =====

64 Remove the entire title and insert:

65
66 A bill to be entitled
67 An act relating to emergency services; amending s.
68 395.1041, F.S.; providing for hospitals to apply for a
69 license to operate off-premises emergency departments;
70 providing licensure criteria; providing an effective date.

This amendment was adopted in HI on 03/20/07 and is traveling with the bill and requires no further action.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. HB 1361

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) Galvano offered the following:

3
4 **Substitute Amendment for Amendment (1) by the Committee**
5 **on Health Innovation (with directory and title amendments)**

6 Remove everything after the enacting clause and insert:

7
8 Section 1. Subsection (1) of section 395.003, Florida
9 Statutes, is amended to read:

10 395.003 Licensure; issuance, renewal, denial,
11 modification, suspension, and revocation.--

12 (1) (a) A person may not establish, conduct, or maintain a
13 hospital, ambulatory surgical center, or mobile surgical
14 facility in this state without first obtaining a license under
15 this part.

16 (b)1. It is unlawful for a person to use or advertise to
17 the public, in any way or by any medium whatsoever, any facility
18 as a "hospital," "ambulatory surgical center," or "mobile
19 surgical facility" unless such facility has first secured a
20 license under the provisions of this part.

21 2. This part does not apply to veterinary hospitals or to
22 commercial business establishments using the word "hospital,"

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

23 "ambulatory surgical center," or "mobile surgical facility" as a
24 part of a trade name if no treatment of human beings is
25 performed on the premises of such establishments.

26 ~~3. Until July 1, 2006, additional emergency departments~~
27 ~~located off the premises of licensed hospitals may not be~~
28 ~~authorized by the agency.~~

29 (c) A hospital may apply for a license to operate an
30 emergency department at a location off the hospital's premises
31 and the agency shall approve such license if the hospital
32 complies with all of the following criteria:

33 1. The off-premises emergency department must provide
34 emergency services and care for any emergency medical condition
35 that is within the service capability of the hospital seeking
36 the license.

37 2. The off-premises emergency department must ensure that
38 the same types of medical specialties that are available to the
39 hospital seeking the license are available for consultations to
40 patients of the off-premises emergency department.

41 3. The licenseholder must provide for the transport of
42 patients between the off-premises emergency department and its
43 licensed hospital consistent with chapter 401. The department
44 shall determine whether statewide transport and transfer
45 protocols should be developed with respect to off-premises
46 emergency departments and shall report its findings to the
47 Governor, the President of the Senate, and the Speaker of the
48 House of Representatives by January 31, 2008.

49 4. The off-premises emergency department must be directed
50 by a designated physician who is a member of the organized
51 medical staff.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

52 5. The off-premises emergency department must treat all
53 patients who have an emergency medical condition without regard
54 to ability to pay.

55 6. The off-premises emergency departments must comply with
56 all adopted rules governing emergency care.

57 7. If the main hospital is accredited, the off-premises
58 emergency department must be accredited by the same accrediting
59 organization.

60 8. The off-premises emergency department must meet all
61 physical plant requirements, including electrical,
62 architectural, and mechanical of an onsite emergency department
63 as specified in the Florida Building Code. The facility must
64 also meet the requirements for Definitive Emergency Care, as
65 described in the Guidelines for the Design and Construction of
66 Health Care Facilities, 2006 edition, incorporated by reference
67 in Section 419.2.1.2 of the Florida Building Code.

68 Section 2. An off-premises emergency department of a
69 hospital operating as of July 1, 2007, may continue to operate
70 in accordance with the licensure criteria under which it was
71 originally approved by the agency. A hospital that has received
72 a letter of nonreviewability from the agency for an off-premises
73 emergency department and has had Stage 2 architectural plans
74 approved by July 1, 2007, is subject to the licensure criteria
75 in existence before July 1, 2007.

76 Section 3. This act shall take effect July 1, 2007.
77

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

79 Remove the entire title and insert:

80 A bill to be entitled

81 An act relating to hospitals; amending s. 395.003, F.S.;

82 authorizing hospitals to operate an off-premises emergency

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

83 department; requiring a license; providing criteria;
84 providing that all off-premises emergency departments
85 operating as of a certain date may continue to operate in
86 accordance with the criteria in effect at the time of
87 approval and that an off-premises emergency department
88 that has had architectural plans approved by a certain
89 date is subject to the license criteria in effect at the
90 time of submission; providing an effective date.

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Healthcare
 Meeting Date: 4/10/07
 Place: Movie Hall
 Time: 9:00 AM

Bill Number: HB 1477
 Date Received: _____
 Date Reported: _____
 Subject: forensic mental health services

- 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	Traveling around		Strike all around		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"/>	Ford								
<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"/>	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"/>	Patronis								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Porth								
<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"/>	Taylor								
<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
16	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. 1477

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) Ausley offered the following:

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Criminal Justice, Mental Health, and Substance
7 Abuse Reinvestment Grant Program.--

8 (1) There is created within the Department of Children and
9 Family Services the Criminal Justice, Mental Health, and
10 Substance Abuse Reinvestment Grant Program. The purpose of the
11 program is to provide funding to counties with which they can
12 plan, implement, or expand initiatives that increase public
13 safety, avert increased spending on criminal justice, and
14 improve the accessibility and effectiveness of treatment
15 services for adults and juveniles who have a mental illness,
16 substance use disorder, or co-occurring mental health and
17 substance use disorder and who are in, or at risk of entering,
18 the criminal or juvenile justice system.

19 (2) The Florida Substance Abuse and Mental Health
20 Corporation created in s. 394.655, shall create a statewide
21 grant review subcommittee. The subcommittee shall include:

22 (a) Five current members or appointees of the corporation;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

23 (b) One representative of the Department of Children and
24 Family Services;

25 (c) One representative of the Department of Corrections;

26 (d) One representative of the Department of Juvenile
27 Justice;

28 (e) One representative of the Department of Elderly
29 Affairs; and

30 (f) One representative of the State Courts Administrator.

31
32 To the extent possible, the members of the subcommittee shall
33 have expertise in grant writing, grant reviewing, and grant
34 application scoring.

35 (3) (a) A county may apply for a 1-year planning grant or a
36 3-year implementation or expansion grant. The purpose of the
37 grants are to demonstrate that investment in treatment efforts
38 related to mental illness, substance abuse disorders, or co-
39 occurring mental health and substance abuse disorders results in
40 reduced demand on the resources of the judicial, corrections,
41 juvenile detention, or health and social services systems.

42 (b) To be eligible to receive a 1-year planning grant or a
43 3-year implementation or expansion grant, a county applicant
44 must have a county planning committee that is in compliance with
45 the membership requirements set forth in this section.

46 (4) The grant review subcommittee shall notify the
47 Department of Children and Family Services in writing of the
48 applicants who have been selected by the subcommittee to receive
49 a grant. Contingent upon the availability of funds and upon
50 notification by the review committee of those applicants
51 approved to receive planning, implementation, or expansion
52 grants, the Department of Children and Family Services may

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

53 transfer funds appropriated for the grant program to any county
54 awarded a grant.

55 Section 2. County planning councils or committees.--

56 (1) Each board of county commissioners shall use its
57 public safety coordinating council established in s. 951.26,
58 another criminal or juvenile justice mental health and substance
59 abuse council or committee designated or established by the
60 board of county commissioners as the planning council. The
61 public safety coordinating council or other designated criminal
62 or juvenile justice mental health and substance abuse council or
63 committee, in coordination with the county offices of planning
64 and budget, shall make a formal recommendation to the board of
65 county commissioners regarding how the Criminal Justice, Mental
66 Health, and Substance Abuse Reinvestment Grant Program may best
67 be implemented within a community. The board of county
68 commissioners may assign any entity to prepare the application
69 on behalf of the county administration for submission to the
70 corporation for review. A county may join with one or more
71 counties to form a consortium and use a regional public safety
72 coordinating council or another county-designated regional
73 criminal or juvenile justice mental health and substance abuse
74 planning council or committee for the geographic area
75 represented by the member counties.

76 (2)(a) For the purposes of this section, the membership of
77 a designated planning council or committee must include:

78 1. The state attorney, or an assistant state attorney
79 designated by the state attorney.

80 2. The public defender, or an assistant public defender
81 designated by the public defender.

82 3. A circuit judge designated by the chief judge of the
83 circuit.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

84 4. A county court judge designated by the chief judge of
85 the circuit.

86 5. The chief correctional officer.

87 6. The sheriff, or a person designated by the sheriff if
88 the sheriff is not the chief correctional officer.

89 7. A police chief or a person designated by the local
90 police chief's association.

91 8. The state probation circuit administrator, or a person
92 designated by the state probation circuit administrator.

93 9. The local court administrator or the court
94 administrator's designee.

95 10. The chairperson of the board of county commissioners,
96 or another county commissioner designated by the chairperson, or
97 if the planning council is a consortium of counties, a county
98 commissioner or designee from each member county.

99 11. The director of any county probation or pretrial
100 intervention program, if the county has such a program.

101 12. The director of a local substance abuse treatment
102 program, or a person designated by the director.

103 13. The director of a community mental health agency, or a
104 person designated by the director.

105 14. A representative of the substance abuse and mental
106 health program office of the Department of Children and Family
107 Services, selected by the substance abuse and mental health
108 program supervisor of the district in which the county is
109 located.

110 15. A primary consumer of mental health services, selected
111 by the substance abuse and mental health program supervisor of
112 the district in which the primary consumer resides. If multiple
113 counties apply together, a primary consumer may be selected to
114 represent each county.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

115 16. A primary consumer of substance abuse services,
116 selected by the substance abuse and mental health program
117 supervisor of the district in which the county is located. If
118 the planning council is a consortium of counties, a primary
119 consumer may be selected to represent each county.

120 17. A family member of a primary consumer of community-
121 based treatment services, selected by the abuse and mental
122 health program supervisor of the district in which the family
123 member resides.

124 18. A representative from an area homeless program or a
125 supportive housing program.

126 19. The director or designee of the detention facility of
127 the Department of Juvenile Justice.

128 20. The chief probation officer of the Department of
129 Juvenile Justice, or an employee designated by the chief
130 probation officer.

131 (b) The chairperson of the board of county commissioners
132 or another county commissioner, if designated, shall serve as
133 the chairperson of the council or committee until a chairperson
134 is elected from the membership.

135 (c) All meetings of the planning council or committee, as
136 well as its records, books, documents, and papers, shall be open
137 and available to the public in accordance with ss. 119.07 and
138 286.011.

139 (3)(a) If a public safety coordinating council established
140 in s. 951.26, is used as the planning council, its membership
141 must include all persons listed in subparagraphs (2)(a)1-20.

142 (b) A public safety coordinating council that is acting as
143 the planning council must include an assessment of the
144 availability of mental health programs in addition to the
145 assessments required in s. 951.26(2).

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

146 Section 3. Criminal Justice, Mental Health, and Substance
147 Abuse Reinvestment Grant Program requirements.--

148 (1) The Substance Abuse and Mental Health Corporation
149 Statewide Grant Review Committee, in collaboration with the
150 Department of Children and Family Services, the Department of
151 Corrections, the Department of Juvenile Justice, the Department
152 of Elderly Affairs, and the State Courts Administrator's office,
153 shall establish criteria to be used by the corporation to review
154 submitted applications and to select the county that will be
155 awarded a 1-year planning grant or a 3-year implementation or
156 expansion grant. A planning, or implementation or expansion,
157 grant may not be awarded unless the application of the county
158 meets the established criteria.

159 (a) The application criteria for a 1-year planning grant
160 must include a requirement that the applicant county or counties
161 have a strategic plan to initiate systemic change to identify
162 and treat individuals who have mental illnesses, substance abuse
163 disorders, or co-occurring mental health and substance abuse
164 disorders who are in, or at risk of entering, the justice
165 system. The 1-year planning grant must be used to develop
166 effective collaboration efforts among participants in affected
167 governmental agencies, including the criminal, juvenile, and
168 civil justice systems, mental health and substance abuse
169 treatment service providers, transportation programs, and
170 housing assistance programs. The collaboration efforts shall be
171 the basis for developing a problem-solving model and strategic
172 plan for treating adults and juveniles who are in or at risk of
173 entering the criminal or juvenile justice system and doing so at
174 the earliest point of contact, taking into consideration public
175 safety. The planning grant shall include strategies to divert
176 individuals from judicial commitment to community-based service

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

177 programs offered by the Department of Children and Family
178 Services, in accordance with ss. 916.13 and 916.17.

179 (b) The application criteria for a 3-year implementation
180 or expansion grant shall require information from a county that
181 demonstrates its completion of a well-established collaboration
182 plan that includes public-private partnership models and the
183 application of evidence-based practices. The implementation or
184 expansion grants may support programs and diversion initiatives
185 that include, but need not be limited to:

- 186 1. Mental health courts;
- 187 2. Diversion programs;
- 188 3. Alternative prosecution and sentencing programs;
- 189 4. Crisis-intervention teams;
- 190 5. Treatment accountability services;
- 191 6. Specialized training for criminal justice, juvenile
192 justice, and treatment services professionals;
- 193 7. Service delivery of collateral services such as
194 housing, transitional housing, and supported employment; and
- 195 8. Reentry services to create or expand mental health and
196 substance abuse and support services for affected persons.

197 (c) Each county application must include the following
198 information:

- 199 1. An analysis of the current population of the jail and
200 juvenile detention center in the county, which includes:
 - 201 a. The screening and assessment process that the county
202 uses to identify an adult or juvenile who has a mental illness,
203 substance abuse problem, or co-occurring disorder;
 - 204 b. The percentage of each category of persons admitted to
205 the jail and juvenile detention center which represents people
206 who have a mental illness, substance abuse problem, or co-
207 occurring disorder; and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

208 c. An analysis of observed contributing factors that
209 affect population trends in the county jail and juvenile
210 detention center.

211 2. A description of the strategies the county intends to
212 use to serve one or more clearly defined subsets of the
213 population of the jail and juvenile detention center who have a
214 mental illness or to serve those at risk of arrest and
215 incarceration. The proposed strategies may include identifying
216 the population designated to receive the new interventions, a
217 description of the services and supervision methods to be
218 applied to that population, and the goals and measurable
219 objectives of the new interventions. The interventions a county
220 may use with the target population may include, but are not
221 limited to:

222 a. Specialized responses by law enforcement agencies;

223 b. Centralized receiving facilities for individuals
224 evidencing behavioral difficulties;

225 c. Post-booking alternatives to incarceration;

226 d. New court programs, including pretrial services and
227 specialized dockets;

228 e. Specialized diversion programs;

229 f. Intensified transition services that are directed to
230 the designated populations while they are in jail or juvenile
231 detention to facilitate the person's transition to the
232 community;

233 g. Specialized probation processes;

234 h. Day-reporting centers;

235 i. Linkages to community-based, evidence-based treatment
236 programs for adults and juveniles who have mental illness or
237 substance abuse problems; and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

238 j. Community services and programs designed to prevent
239 criminal justice or juvenile justice involvement of high-risk
240 populations.

241 3. The projected effect the proposed initiatives will have
242 on the population of the jail and juvenile detention center and
243 the budget of the jail and juvenile detention center. The
244 information must include:

245 a. The county's estimate of how the initiative will reduce
246 the expenditures associated with the incarceration of adults and
247 the detention of juveniles who have a mental illness;

248 b. The methodology that the county intends to use to
249 measure the defined outcomes, and the corresponding savings or
250 averted costs;

251 c. The county's estimate of how the cost savings or
252 averted costs will sustain or expand the mental health and
253 substance abuse treatment services and supports needed in the
254 community; and

255 d. How the county's proposed initiative will reduce the
256 number of individuals judicially committed to a state mental
257 health treatment facility.

258 4. The proposed strategies that the county intends to use
259 to preserve and enhance its community mental health and
260 substance abuse system, which serves as the local behavioral
261 health safety net for low-income and uninsured individuals.

262 5. The proposed strategies that the county intends to use
263 to continue the implemented or expanded programs and initiatives
264 that have resulted from the grant funding.

265 (2)(a) As used in this subsection, the term "available
266 resources" includes in-kind contributions from participating
267 counties.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

268 (b) A 1-year planning grant may not be awarded unless the
269 applicant county makes available resources in an amount equal to
270 the total amount of the grant. A planning grant may not be used
271 to supplant funding for existing programs. For fiscally
272 constrained counties, the available resources may be at 50
273 percent of the total amount of the grant.

274 (c) A 3-year implementation or expansion grant may not be
275 awarded unless the applicant county or consortium of counties
276 makes available resources equal to the total amount of the
277 grant. For fiscally constrained counties, the available
278 resources may be at 50 percent of the total amount of the grant.
279 This match shall be used for expansion of services and may not
280 supplant existing funds for services. An implementation or
281 expansion grant must support the implementation of new services
282 or the expansion of services and may not be used to supplant
283 existing services.

284 (3) Using the criteria adopted by rule, the county
285 designated or established criminal justice, juvenile justice,
286 mental health, and substance abuse planning council or committee
287 shall prepare the county or counties' application for the 1-year
288 planning or 3-year implementation or expansion grant. The county
289 shall submit the completed application to the corporation
290 statewide grant review committee.

291 Section 4. Criminal Justice, Mental Health, and Substance
292 Abuse Technical Assistance Center.--

293 (1) There is created a Criminal Justice, Mental Health,
294 and Substance Abuse Technical Assistance Center at the Louis de
295 la Parte Florida Mental Health Institute at the University of
296 South Florida which shall:

297 (a) Provide technical assistance to counties in preparing
298 a grant application.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

299 (b) Assist an applicant county in projecting the effect of
300 the proposed intervention on the population of the county
301 detention facility.

302 (c) Assist an applicant county in monitoring the effect of
303 the effect of a grant award on the criminal justice system in
304 the county.

305 (d) Disseminate and share evidence-based practices and
306 best practices among grantees.

307 (e) Act as a clearinghouse for information and resources
308 related to criminal justice, juvenile justice, mental health,
309 and substance abuse.

310 (f) Coordinate and organize the process of the state
311 interagency justice, mental health, and substance abuse work
312 group with the outcomes of the local grant projects for state
313 and local policy and budget developments and system planning.

314 (2) The Substance Abuse and Mental Health Corporation and
315 the Criminal Justice, Mental Health, and Substance Abuse
316 Technical Assistance Center shall submit an annual report to the
317 Governor, the President of the Senate, and the Speaker of the
318 House of Representatives by January 1 of each year, beginning on
319 January 1, 2009. The report must include:

320 (a) A detailed description of the progress made by each
321 grantee in meeting the goals described in the application;

322 (b) A description of the effect the grant-funded
323 initiatives have had on meeting the needs of adults and
324 juveniles who have mental illness, substance use disorders, or
325 co-occurring mental health and substance use disorders,
326 therefore reducing the number of forensic commitments to state
327 mental health treatment facilities;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

328 (c) A summary of the effect of the grant program on the
329 growth and expenditures of the jail, juvenile detention center,
330 and prison;

331 (d) A summary of the initiative's effect on the
332 availability and accessibility of effective community-based
333 mental health and substance abuse treatment services for adults
334 and juveniles who have mental illnesses, substance use
335 disorders, or co-occurring mental health and substance use
336 disorders. The summary must describe how the expanded community
337 diversion alternatives have reduced incarceration and
338 commitments to state mental health treatment facilities; and

339 (e) A summary of how the local matching funds provided by
340 the county or consortium leveraged additional funding to further
341 the goals of the grant program.

342 Section 5. Administrative costs and number of grants
343 awarded.--

344 (1) The administrative costs for each applicant county or
345 consortium of counties may not exceed 10 percent of the total
346 funding received for any grant.

347 (2) The number of grants awarded shall be based on funding
348 appropriated for that purpose.

349 Section 6. Subsection (12) is added to section 394.655,
350 Florida Statutes, to read:

351 394.655 The Substance Abuse and Mental Health Corporation;
352 powers and duties; composition; evaluation and reporting
353 requirements.--

354 (12)(a) There is established a Criminal Justice, Mental
355 Health, and Substance Abuse Policy Council within the Florida
356 Substance Abuse and Mental Health Corporation. The members of
357 the council are:

358 1. The chairperson of the corporation;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

359 2. The Secretary of Children and Family Services;

360 3. The Secretary of Corrections;

361 4. The Secretary of Health Care Administration;

362 5. The Secretary of Juvenile Justice;

363 6. The Secretary of Elderly Affairs; and

364 7. The State Courts Administrator.

365 (b) The purpose of the council shall be to align policy
366 initiatives in the criminal justice, juvenile justice, and
367 mental health systems to ensure the most effective use of
368 resources and to coordinate the development of legislative
369 proposals and budget requests relating to the shared needs of
370 adults and juveniles who have mental illnesses, substance abuse
371 disorders, and co-occurring disorders who are in, or at risk of
372 entering, the criminal justice system.

373 (c) The council shall work in conjunction with the local
374 grantees to ensure that effective strategies identified by local
375 grantees are disseminated statewide and to create a feedback
376 loop for purposes of policy and budget development and system
377 change and improvement. The council shall coordinate its efforts
378 with the Criminal Justice, Mental Health, and Substance Abuse
379 Technical Assistance Center.

380 (d) Each member agency of the council shall designate an
381 agency liaison to assist in the work of the policy council.

382 Section 7. This act shall take effect July 1, 2007, only
383 if a specific appropriation to fund the provisions of the act is
384 made in the General Appropriations Act for fiscal year 2007-
385 2008.

386
387
388 ===== T I T L E A M E N D M E N T =====

389 Remove the entire title and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

390 An act relating to forensic mental health; creating the Criminal
391 Justice, Mental Health, and Substance Abuse Reinvestment Grant
392 Program within the Department of Children and Family Services;
393 providing for the purpose of the grant program; requiring the
394 Substance Abuse and Mental Health Corporation to establish a
395 statewide justice and mental health reinvestment grant review
396 committee; providing for membership on the review committee;
397 authorizing counties to apply for a planning grant or an
398 implementation or expansion grant; requiring each county
399 applying for a grant to have a planning council committee;
400 providing for membership on the planning council or committee;
401 requiring that all records and meetings be open to the public;
402 requiring the corporation, in collaboration with others, to
403 develop criteria to be used in reviewing submitted applications
404 and selecting counties to be awarded a planning, or
405 implementation or expansion, grant; requiring counties to
406 include certain specified information when submitting the grant
407 application; prohibiting a county from using grant funds to
408 supplant existing funding; creating the Criminal Justice, Mental
409 Health, and Substance Abuse Technical Assistance Center;
410 providing for certain functions to be performed by the technical
411 assistance center; requiring the technical assistance center to
412 submit an annual report to the Governor, the President of the
413 Senate, and the Speaker of the House of Representatives by a
414 specified date; specifying the information to be included in the
415 annual report; limiting the administrative costs a county may
416 charge to the grant funds; amending s. 394.655, F.S.; creating
417 the Criminal Justice, Mental Health, and Substance Abuse Policy
418 Council in the Florida Substance Abuse and Mental Health
419 Corporation; providing for membership; providing for the purpose

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

420 of the council; providing an effective date, subject to
421 appropriation.

422

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 1477

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 Committee on Healthy Families offered the following:

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

5 Remove line 397 and insert:

6 Section 5. This act shall take effect July 1, 2007, only if
7 a specific appropriation to fund the provisions of the act is
8 made in the General Appropriations Act for fiscal year 2007-
9 2008.

10
11

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

13 Remove line 37 and insert:

14 effective date, subject to an appropriation.

This amendment was adopted in HF on 03/20/07 and is traveling with the bill and requires no further action. However, the new strike all will supercede the traveling amendment which is encompassed in the strike all.

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

Council/Committee: Healthcare
 Meeting Date: 4/10/09
 Place: Movie Hall
 Time: 9:00 AM

Bill Number: HB 1009
 Date Received: _____
 Date Reported: _____
 Subject: physician assistants

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	Recommended Council Subst.		Strike all					
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
✓		Anderson								
✓		Ausley								
✓		Ford								
✓		Galvano								
✓		Garcia								
✓		Gibson								
✓		Harrell								
✓		Hays								
✓		Hooper								
✓		Patronis								
✓		Porth								
✓		Schwartz								
✓		Skidmore								
✓		Taylor								
✓		Zapata								
✓		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
16	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 1007

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 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. Paragraph (e) of subsection (4) of section
7 458.347, Florida Statutes, is amended to read:

8 458.347 Physician assistants.--

9 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

10 (e) A supervisory physician may delegate to a fully
11 licensed physician assistant the authority to prescribe or
12 dispense any medication used in the supervisory physician's
13 practice unless such medication is listed on the formulary
14 created pursuant to paragraph (f). A fully licensed physician
15 assistant may only prescribe or dispense such medication under
16 the following circumstances:

17 1. A physician assistant must clearly identify to the
18 patient that he or she is a physician assistant. Furthermore,
19 the physician assistant must inform the patient that the patient
20 has the right to see the physician prior to any prescription
21 being prescribed or dispensed by the physician assistant.

This amendment was adopted in HQ on 03/13/07 and a council
substitute is recommended to council.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

22 2. The supervisory physician must notify the department of
23 his or her intent to delegate, on a department-approved form,
24 before delegating such authority and notify the department of
25 any change in prescriptive privileges of the physician
26 assistant. Authority to dispense may be delegated only by a
27 supervising physician who is registered as a dispensing
28 practitioner in compliance with s. 465.0276.

29 3. The physician assistant must file with the department,
30 before commencing to prescribe or dispense, evidence that he or
31 she has completed a continuing medical education course of at
32 least 3 classroom hours in prescriptive practice, conducted by
33 an accredited program approved by the boards, which course
34 covers the limitations, responsibilities, and privileges
35 involved in prescribing medicinal drugs, or evidence that he or
36 she has received education comparable to the continuing
37 education course as part of an accredited physician assistant
38 training program.

39 4. The physician assistant must file with the department,
40 before commencing to prescribe or dispense, evidence that the
41 physician assistant has a minimum of 3 months of clinical
42 experience in the specialty area of the supervising physician.

43 5. The physician assistant must file with the department a
44 signed affidavit that he or she has completed a minimum of 10
45 continuing medical education hours in the specialty practice in
46 which the physician assistant has prescriptive privileges with
47 each licensure renewal application.

48 6. The department shall issue a license and a prescriber
49 number to the physician assistant granting authority for the
50 prescribing of medicinal drugs authorized within this paragraph
51 upon completion of the foregoing requirements. The physician

This amendment was adopted in HQ on 03/13/07 and a council
substitute is recommended to council.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

52 assistant shall not be required to independently register
53 pursuant to s. 465.0276.

54 7. The prescription must be written in a form that
55 complies with chapter 499 and must contain, in addition to the
56 supervisory physician's name, address, and telephone number, the
57 physician assistant's prescriber number. Unless it is a drug or
58 drug sample dispensed by the physician assistant, the
59 prescription must be filled in a pharmacy permitted under
60 chapter 465 and must be dispensed in that pharmacy by a
61 pharmacist licensed under chapter 465. The appearance of the
62 prescriber number creates a presumption that the physician
63 assistant is authorized to prescribe the medicinal drug and the
64 prescription is valid.

65 8. The physician assistant must note the prescription or
66 dispensing of medication in the appropriate medical record, and
67 the supervisory physician must review and sign each notation.
68 For dispensing purposes only, the failure of the supervisory
69 physician to comply with these requirements does not affect the
70 validity of the prescription.

71 9. This paragraph does not prohibit a supervisory
72 physician from delegating to a physician assistant the authority
73 to order medication for a hospitalized patient of the
74 supervisory physician.

75
76 This paragraph does not apply to facilities licensed pursuant to
77 chapter 395.

78 Section 2. Paragraph (e) of subsection (4) of section
79 459.022, Florida Statutes, is amended to read:

80 459.022 Physician assistants.--

81 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

This amendment was adopted in HQ on 03/13/07 and a council
substitute is recommended to council.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

82 (e) A supervisory physician may delegate to a fully
83 licensed physician assistant the authority to prescribe or
84 dispense any medication used in the supervisory physician's
85 practice unless such medication is listed on the formulary
86 created pursuant to s. 458.347. A fully licensed physician
87 assistant may only prescribe or dispense such medication under
88 the following circumstances:

89 1. A physician assistant must clearly identify to the
90 patient that she or he is a physician assistant. Furthermore,
91 the physician assistant must inform the patient that the patient
92 has the right to see the physician prior to any prescription
93 being prescribed or dispensed by the physician assistant.

94 2. The supervisory physician must notify the department of
95 her or his intent to delegate, on a department-approved form,
96 before delegating such authority and notify the department of
97 any change in prescriptive privileges of the physician
98 assistant. Authority to dispense may be delegated only by a
99 supervisory physician who is registered as a dispensing
100 practitioner in compliance with s. 465.0276.

101 3. The physician assistant must file with the department,
102 before commencing to prescribe or dispense, evidence that she or
103 he has completed a continuing medical education course of at
104 least 3 classroom hours in prescriptive practice, conducted by
105 an accredited program approved by the boards, which course
106 covers the limitations, responsibilities, and privileges
107 involved in prescribing medicinal drugs, or evidence that she or
108 he has received education comparable to the continuing education
109 course as part of an accredited physician assistant training
110 program.

This amendment was adopted in HQ on 03/13/07 and a council substitute is recommended to council.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

111 4. The physician assistant must file with the department,
112 before commencing to prescribe or dispense, evidence that the
113 physician assistant has a minimum of 3 months of clinical
114 experience in the specialty area of the supervising physician.

115 5. The physician assistant must file with the department a
116 signed affidavit that she or he has completed a minimum of 10
117 continuing medical education hours in the specialty practice in
118 which the physician assistant has prescriptive privileges with
119 each licensure renewal application.

120 6. The department shall issue a license and a prescriber
121 number to the physician assistant granting authority for the
122 prescribing of medicinal drugs authorized within this paragraph
123 upon completion of the foregoing requirements. The physician
124 assistant shall not be required to independently register
125 pursuant to s. 465.0276.

126 7. The prescription must be written in a form that
127 complies with chapter 499 and must contain, in addition to the
128 supervisory physician's name, address, and telephone number, the
129 physician assistant's prescriber number. Unless it is a drug or
130 drug sample dispensed by the physician assistant, the
131 prescription must be filled in a pharmacy permitted under
132 chapter 465, and must be dispensed in that pharmacy by a
133 pharmacist licensed under chapter 465. The appearance of the
134 prescriber number creates a presumption that the physician
135 assistant is authorized to prescribe the medicinal drug and the
136 prescription is valid.

137 8. The physician assistant must note the prescription or
138 dispensing of medication in the appropriate medical record, and
139 the supervisory physician must review and sign each notation.
140 For dispensing purposes only, the failure of the supervisory

This amendment was adopted in HQ on 03/13/07 and a council
substitute is recommended to council.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

141 physician to comply with these requirements does not affect the
142 validity of the prescription.

143 9. This paragraph does not prohibit a supervisory
144 physician from delegating to a physician assistant the authority
145 to order medication for a hospitalized patient of the
146 supervisory physician.

147

148 This paragraph does not apply to facilities licensed pursuant to
149 chapter 395.

150 Section 3. This act shall take effect July 1, 2007.

151

152

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

154 Remove the entire title and insert:

155

A bill to be entitled

156

An act relating to physician assistants; amending ss.

157

458.347 and 459.022, F.S.; requiring that a prescription

158

be filled in a pharmacy unless it is a drug dispensed by a

159

physician assistant; providing that authority to dispense

160

may be delegated only by supervisory physicians registered

161

as dispensing practitioners; providing an effective date.

This amendment was adopted in HQ on 03/13/07 and a council
substitute is recommended to council.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. 1007

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) Baxley offered the following:
3

4 **Substitute Amendment for Amendment (1) by Committee on**
5 **Health Quality (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Effective July 1, 2007, Paragraph (e) of
8 subsection (4) of section 458.347, Florida Statutes, is amended
9 to read:

10 458.347 Physician assistants.--

11 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

12 (e) A supervisory physician may delegate to a fully
13 licensed physician assistant the authority to prescribe any
14 medication used in the supervisory physician's practice unless
15 such medication is listed on the formulary created pursuant to
16 paragraph (f). A fully licensed physician assistant may only
17 prescribe such medication under the following circumstances:

18 1. A physician assistant must clearly identify to the
19 patient that he or she is a physician assistant. Furthermore,
20 the physician assistant must inform the patient that the patient
21 has the right to see the physician prior to any prescription
22 being prescribed by the physician assistant.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

23 2. The supervisory physician must notify the department of
24 his or her intent to delegate, on a department-approved form,
25 before delegating such authority and notify the department of
26 any change in prescriptive privileges of the physician
27 assistant.

28 3. The physician assistant must file with the department,
29 before commencing to prescribe, evidence that he or she has
30 completed a continuing medical education course of at least 3
31 classroom hours in prescriptive practice, conducted by an
32 accredited program approved by the boards, which course covers
33 the limitations, responsibilities, and privileges involved in
34 prescribing medicinal drugs, or evidence that he or she has
35 received education comparable to the continuing education course
36 as part of an accredited physician assistant training program.

37 4. The physician assistant must file with the department,
38 before commencing to prescribe, evidence that the physician
39 assistant has a minimum of 3 months of clinical experience in
40 the specialty area of the supervising physician.

41 5. The physician assistant must file with the department a
42 signed affidavit that he or she has completed a minimum of 10
43 continuing medical education hours in the specialty practice in
44 which the physician assistant has prescriptive privileges with
45 each licensure renewal application.

46 6. The department shall issue a license and a prescriber
47 number to the physician assistant granting authority for the
48 prescribing of medicinal drugs authorized within this paragraph
49 upon completion of the foregoing requirements.

50 7. The prescription must be written in a form that
51 complies with chapter 499 and must contain, in addition to the
52 supervisory physician's name, address, and telephone number, the
53 physician assistant's prescriber number. A physician assistant

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

54 may dispense drugs provided that the supervising physician is a
55 dispensing physician. However, unless it is a drug ~~sample~~
56 dispensed by the physician assistant, the prescription must be
57 filled in a pharmacy permitted under chapter 465 and must be
58 dispensed in that pharmacy by a pharmacist licensed under
59 chapter 465. The appearance of the prescriber number creates a
60 presumption that the physician assistant is authorized to
61 prescribe the medicinal drug and the prescription is valid.

62 8. The physician assistant must note the prescription in
63 the appropriate medical record, and the supervisory physician
64 must review and sign each notation. For dispensing purposes
65 only, the failure of the supervisory physician to comply with
66 these requirements does not affect the validity of the
67 prescription.

68 9. This paragraph does not prohibit a supervisory
69 physician from delegating to a physician assistant the authority
70 to order medication for a hospitalized patient of the
71 supervisory physician.

72
73 This paragraph does not apply to facilities licensed pursuant to
74 chapter 395.

75 Section 2. Section 465.014, Florida Statutes, is amended
76 to read:

77 465.014 Pharmacy technician.--

78 (1) A ~~No~~ person other than a licensed pharmacist or
79 pharmacy intern may not engage in the practice of the profession
80 of pharmacy, except that a licensed pharmacist may delegate to
81 nonlicensed pharmacy technicians registered pursuant to this
82 section those duties, tasks, and functions which do not fall
83 within the purview of s. 465.003(13). All such delegated acts
84 shall be performed under the direct supervision of a licensed

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

85 pharmacist who shall be responsible for all such acts performed
86 by persons under his or her supervision. A registered pharmacy
87 technician, under the supervision of a pharmacist, may initiate
88 or receive communications with a practitioner or his or her
89 agent, on behalf of a patient, regarding refill authorization
90 requests. ~~A No~~ licensed pharmacist may not shall supervise more
91 than one registered pharmacy technician unless otherwise
92 permitted by the guidelines adopted by the board. The board
93 shall establish guidelines to be followed by licensees or
94 permittees in determining the circumstances under which a
95 licensed pharmacist may supervise up to four registered ~~more~~
96 ~~than one but not more than three~~ pharmacy technicians, at least
97 one of whom shall be certified through the Pharmacy Technician
98 Certification Board or any other nationally accredited
99 certifying body approved by the board.

100 (2) Any person who wishes to work as a pharmacy technician
101 in this state must register by filing an application with the
102 board on a form adopted by rule of the board. The board shall
103 register each applicant who has remitted a registration fee set
104 by the board, not to exceed \$50 biennially; has completed the
105 application form and remitted a nonrefundable application fee
106 set by the board, not to exceed \$50; and is at least 16 years of
107 age.

108 (3) A person whose license to practice pharmacy has been
109 denied, suspended, or restricted for disciplinary purposes is
110 not eligible to be registered as a pharmacy technician.

111 (4) Notwithstanding the requirements of this section or
112 any other provision of law, a pharmacy technician student may be
113 placed in a pharmacy for the purpose of obtaining practical
114 training required by the body accrediting the pharmacy
115 technician training program. A pharmacy technician student shall

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

116 wear identification that indicates his or her student status
117 when performing the functions of a pharmacy technician, and
118 registration under this section is not required.

119 (5) Notwithstanding the requirements of this section or
120 any other provision of law, a person licensed by the state as a
121 pharmacy intern may be employed as a registered pharmacy
122 technician without paying a registration fee or filing an
123 application with the board to register as a pharmacy technician.

124 (6) As a condition of registration renewal, a pharmacy
125 technician shall complete 20 hours biennially of continuing
126 education courses approved by the board or the Accreditation
127 Council for Pharmaceutical Education, of which 4 hours must be
128 via live presentation and 2 hours must be related to the
129 prevention of medication errors and pharmacy law.

130 (7) The board shall adopt rules that require each
131 registration issued by the board under this section to be
132 displayed in such a manner as to make it available to the public
133 and to facilitate inspection by the department and such other
134 rules as necessary to administer the provisions of this section.

135 (8) If the board finds that an applicant for registration
136 as a pharmacy technician or that a registered pharmacy
137 technician has committed an act that constitutes grounds for
138 discipline as set forth in s. 456.072(1) or has committed an act
139 that constitutes grounds for denial of a license or disciplinary
140 action as set forth in this chapter, including an act that
141 constitutes a substantial violation of s. 456.072(1) or a
142 violation of this chapter which occurred before the applicant or
143 registrant was registered as a pharmacy technician, the board
144 may enter an order imposing any of the penalties specified in s.
145 456.072(2) against the applicant or registrant.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

146 (9) The board shall adopt rules requiring and specifying
147 the manner in which a pharmacy shall notify the board when a
148 registered technician is employed or ceases employment with the
149 pharmacy.

150 (10) The board shall maintain a current directory of
151 registered pharmacy technicians indicating their place of
152 employment and which must be published on the Internet.

153 Section 3. Paragraph (d) is added to subsection (3) of
154 section 465.015, Florida Statutes, to read:

155 465.015 Violations and penalties.--

156 (3)

157 (d) It is unlawful for a person who is not registered as a
158 pharmacy technician under this chapter, or who is not otherwise
159 exempt from the requirement to register as a pharmacy
160 technician, to perform the functions of a registered pharmacy
161 technician or hold himself or herself out to others as a person
162 who is registered to perform the functions of a registered
163 pharmacy technician in this state.

164 Section 4. Subsection (5) of section 465.019, Florida
165 Statutes, is amended to read:

166 465.019 Institutional pharmacies; permits.--

167 (5) All institutional pharmacies shall be under the
168 professional supervision of a consultant pharmacist, and the
169 compounding and dispensing of medicinal drugs shall be done only
170 by a licensed pharmacist. Every institutional pharmacy that
171 employs or otherwise utilizes registered pharmacy technicians
172 shall have a written policy and procedures manual specifying
173 those duties, tasks, and functions which a pharmacy technician
174 is allowed to perform.

175 Section 5. Section 465.0196, Florida Statutes, is amended
176 to read:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

177 465.0196 Special pharmacy permits.--Any person desiring a
178 permit to operate a special pharmacy shall apply to the
179 department for a special pharmacy permit. If the board certifies
180 that the application complies with the applicable laws and rules
181 of the board governing the practice of the profession of
182 pharmacy, the department shall issue the permit. No permit shall
183 be issued unless a licensed pharmacist is designated to
184 undertake the professional supervision of the compounding and
185 dispensing of all drugs dispensed by the pharmacy. The licensed
186 pharmacist shall be responsible for maintaining all drug records
187 and for providing for the security of the area in the facility
188 in which the compounding, storing, and dispensing of medicinal
189 drugs occurs. The permittee shall notify the department within
190 10 days of any change of the licensed pharmacist responsible for
191 such duties. Every permittee that employs or otherwise utilizes
192 pharmacy technicians shall have a written policy and procedures
193 manual specifying those duties, tasks, and functions which a
194 registered pharmacy technician is allowed to perform.

195 Section 6. Subsection (1) of section 465.0197, Florida
196 Statutes, is amended to read:

197 465.0197 Internet pharmacy permits.--

198 (1) Any person desiring a permit to operate an Internet
199 pharmacy shall apply to the department for an Internet pharmacy
200 permit. If the board certifies that the application complies
201 with the applicable laws and rules of the board governing the
202 practice of the profession of pharmacy, the department shall
203 issue the permit. No permit shall be issued unless a licensed
204 pharmacist is designated as the prescription department manager
205 for dispensing medicinal drugs to persons in this state. The
206 licensed pharmacist shall be responsible for maintaining all
207 drug records and for providing for the security of the area in

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

208 the facility in which the compounding, storing, and dispensing
209 of medicinal drugs to persons in this state occurs. The
210 permittee shall notify the department within 30 days of any
211 change of the licensed pharmacist responsible for such duties.
212 Every permittee that employs or otherwise utilizes registered
213 pharmacy technicians shall have a written policy and procedures
214 manual specifying those duties, tasks, and functions which a
215 registered pharmacy technician is allowed to perform.

216 Section 7. Except as otherwise provided herein, this act
217 shall take effect January 1, 2009.

218

219

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

221 Remove the entire title and insert:

222 An act relating to pharmaceuticals; amending s. 458.347,
223 F.S.; requiring that a prescription be filled in a
224 pharmacy unless it is a drug dispensed by a physician
225 assistant; amending s. 465.014, F.S.; providing for the
226 registration of pharmacy technicians; requiring the Board
227 of Pharmacy to set fees and rules to register pharmacy
228 technicians; providing qualification requirements;
229 providing a limitation; exempting pharmacy technician
230 students and licensed pharmacy interns from certain
231 registration requirements; providing continuing education
232 requirements for registration renewal; requiring the board
233 to adopt rules; providing grounds for denial, suspension,
234 or revocation of registration or other disciplinary
235 action; authorizing the board to impose certain penalties;
236 requiring the board to adopt rules requiring a pharmacy to
237 notify the board when employing technicians; requiring the
238 board to maintain a directory of technicians and publish

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

239 the directory on the Internet; amending s. 465.015, F.S.;

240 prohibiting a person who is not registered as a pharmacy

241 technician from performing certain functions or holding

242 himself or herself out to others as a pharmacy technician;

243 amending ss. 465.019, 465.0196, and 465.0197, F.S.;

244 conforming references; providing effective dates.

245

246

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Healthcare
 Meeting Date: 4/10/07
 Place: Movie Hall
 Time: 9:00 AM

Bill Number: PCB HCC 07-16
 Date Received: _____
 Date Reported: _____
 Subject: cardiac care

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input checked="" type="checkbox"/> Favorable w/ <u>1</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	<i>Strike all around</i>		<i>Amend to strike 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"/>	Ford								
<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"/>	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"/>	Patronis								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Porth								
<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"/>	Taylor								
<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
16	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. PCB HCC 07-16

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Healthcare Council
 2 Representative(s) Garcia offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (9) of section 395.003, Florida Statutes, is amended to read:

395.003 Licensure; issuance, renewal, denial, modification, suspension, and revocation.--

(9) A hospital may not be licensed or relicensed if:

(a) The diagnosis-related groups for 65 percent or more of the discharges from the hospital, in the most recent year for which data is available to the Agency for Health Care Administration pursuant to s. 408.061, are for diagnosis, care, and treatment of patients who have:

1. Cardiac-related diseases and disorders classified as diagnosis-related groups in major diagnostic category 5 103-145, 478-479, 514-518, or 525-527;

2. Orthopedic-related diseases and disorders classified as diagnosis-related groups in major diagnostic category 8 209-256, 471, 491, 496-503, or 519-520;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

23 3. Cancer-related diseases and disorders classified as
24 discharges in which the principal diagnosis is neoplasm or
25 carcinoma or is for an admission for radiotherapy or
26 antineoplastic chemotherapy or immunotherapy diagnosis-related
27 groups 64, 82, 172, 173, 199, 200, 203, 257-260, 274, 275, 303,
28 306, 307, 318, 319, 338, 344, 346, 347, 363, 366, 367, 400-414,
29 473, or 492; or

30 4. Any combination of the above discharges.

31 (b) The hospital restricts its medical and surgical
32 services to primarily or exclusively cardiac, orthopedic,
33 surgical, or oncology specialties.

34 Section 2. Subsections (2), (3), and (4) of section
35 408.0361, Florida Statutes, are amended to read:

36 408.0361 Cardiovascular ~~Cardiology~~ services and burn unit
37 licensure.--

38 (2) Each provider of adult cardiovascular ~~interventional~~
39 ~~cardiology~~ services or operator of a burn unit shall comply with
40 rules adopted by the agency that establish licensure standards
41 that govern the provision of adult cardiovascular ~~interventional~~
42 ~~cardiology~~ services or the operation of a burn unit. Such rules
43 shall consider, at a minimum, staffing, equipment, physical
44 plant, operating protocols, the provision of services to
45 Medicaid and charity care patients, accreditation, licensure
46 period and fees, and enforcement of minimum standards. The
47 certificate-of-need rules for adult cardiovascular
48 ~~interventional cardiology~~ services and burn units in effect on
49 June 30, 2004, are authorized pursuant to this subsection and
50 shall remain in effect and shall be enforceable by the agency
51 until the licensure rules are adopted. Existing providers and
52 any provider with a notice of intent to grant a certificate of
53 need or a final order of the agency granting a certificate of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

54 need for adult cardiovascular ~~interventional cardiology~~ services
55 or burn units shall be considered grandfathered and receive a
56 license for their programs effective on the effective date of
57 this act. The grandfathered licensure shall be for at least 3
58 years or until July 1, 2008 ~~a period specified in the rule,~~
59 whichever is longer, but shall be required to meet licensure
60 standards applicable to existing programs for every subsequent
61 licensure period.

62 (3) In establishing rules for adult cardiovascular
63 ~~interventional cardiology~~ services, the agency shall include
64 provisions that allow for:

65 (a) Establishment of two hospital program licensure
66 levels: a Level I program authorizing the performance of adult
67 percutaneous cardiac intervention without onsite cardiac surgery
68 and a Level II program authorizing the performance of
69 percutaneous cardiac intervention with onsite cardiac surgery.

70 (b) For a hospital seeking a Level I program,
71 demonstration that, for the most recent 12-month period as
72 reported to the agency, it has provided a minimum of 300 adult
73 inpatient and outpatient diagnostic cardiac catheterizations or,
74 for the most recent 12-month period, has discharged or
75 transferred at least 300 inpatients with the principal diagnosis
76 of ischemic heart disease and that it has a formalized, written
77 transfer agreement with a hospital that has a Level II program,
78 including written transport protocols to ensure safe and
79 efficient transfer of a patient within 60 minutes.

80 (c) For a hospital seeking a Level II program,
81 demonstration that, for the most recent 12-month period as
82 reported to the agency, it has performed a minimum of 1,100
83 adult inpatient and outpatient cardiac catheterizations, of
84 which at least 400 must be therapeutic catheterizations, or, for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

85 the most recent 12-month period, has discharged at least 800
86 patients with the principal diagnosis of ischemic heart disease.

87 (d) Compliance with the most recent guidelines of the
88 American College of Cardiology and American Heart Association
89 guidelines for staffing, physician training and experience,
90 operating procedures, equipment, physical plant, and patient
91 selection criteria to ensure patient quality and safety.

92 (e) Establishment of appropriate hours of operation and
93 protocols to ensure availability and timely referral in the
94 event of emergencies.

95 (f) Demonstration of a plan to provide services to
96 Medicaid and charity care patients.

97 (4)(a) The agency shall establish a technical advisory
98 panel to develop procedures and standards for measuring outcomes
99 of adult cardiovascular services ~~interventional cardiac~~
100 ~~programs~~. Members of the panel shall include representatives of
101 the Florida Hospital Association, the Florida Society of
102 Thoracic and Cardiovascular Surgeons, the Florida Chapter of the
103 American College of Cardiology, and the Florida Chapter of the
104 American Heart Association and others with experience in
105 statistics and outcome measurement. Based on recommendations
106 from the panel, the agency shall develop and adopt rules for the
107 adult cardiovascular services ~~interventional cardiac programs~~
108 that include at least the following:

109 ~~(a) A standard data set consisting primarily of data~~
110 ~~elements reported to the agency in accordance with s. 408.061.~~

111 1.(b) A risk adjustment procedure that accounts for the
112 variations in severity and case mix found in hospitals in this
113 state.

114 2.(e) Outcome standards specifying expected levels of
115 performance in Level I and Level II adult cardiovascular

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

116 ~~interventional cardiology~~ services. Such standards may include,
117 but shall not be limited to, in-hospital mortality, infection
118 rates, nonfatal myocardial infarctions, length of stay,
119 postoperative bleeds, and returns to surgery.

120 3.(d) Specific steps to be taken by the agency and
121 licensed hospitals that do not meet the outcome standards within
122 specified time periods, including time periods for detailed case
123 reviews and development and implementation of corrective action
124 plans.

125 (b) Hospitals licensed for Level I or Level II adult
126 cardiovascular services shall participate in clinical outcome
127 reporting systems operated by the American College of Cardiology
128 and the Society for Thoracic Surgeons.

129 Section 3. This act shall take effect July 1, 2007.
130

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

132 Remove the entire title and insert:

133 A bill to be entitled

134 An act relating to hospitals; amending s. 395.003, F.S.;
135 revising provisions designating disease classes; amending
136 s. 408.0361, F.S.; revising provisions relating to
137 licensing standards for adult cardiovascular services;
138 revising period of validity for certain grandfathered
139 licenses; revising criteria for adoption of rules by the
140 Agency for Health Care Administration; requiring certain
141 hospitals to participate in clinical outcome reporting
142 systems operated by the American College of Cardiology and
143 the Society for Thoracic Surgeons for purposes of such
144 rule criteria; removing a requirement that the agency
145 include specified data in rules; providing an effective
146 date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. **PCB HCC 07-16**

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) Garcia offered the following:

3
 4 **Amendment to Amendment 1 by Rep. Garcia (with directory and**
 5 **title amendments)**

6 Remove line(s) 30 and insert:

7
 8 4. Any combination of the above discharges. Any hospital
 9 classified as an exempt cancer center hospital pursuant to 42
 10 CFR 412.23(f) as of December 31, 2005, is exempt from the
 11 licensure restrictions of this subsection.

12
 13 ===== T I T L E A M E N D M E N T =====

14 Remove line(s) 135 and insert:

15
 16 revising provisions designating disease classes; exempting
 17 certain cancer center hospitals from licensure restrictions;
 18 amending

000000

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Healthcare
 Meeting Date: 4/10/07
 Place: Monroe Hall
 Time: 9:00 AM

Bill Number: PCB HCC 07-17
 Date Received: _____
 Date Reported: _____
 Subject: Home health care

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 checked="" 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								
		Ford								
		Galvano								
		Garcia								
		Gibson								
		Harrell								
		Hays								
		Hooper								
		Patronis								
		Porth								
		Schwartz								
		Skidmore								
		Taylor								
		Zapata								
		Bean, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE