



Health & Human Services Quality Subcommittee

Action Packet

**Tuesday, January 31, 2012
12:30 PM – 3:00 PM
Reed Hall (102 HOB)**

**Dean Cannon
Speaker**

**John Wood
Chair**

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee
1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

Summary:

Health & Human Services Quality Subcommittee

Tuesday January 31, 2012 12:30 pm

HB 425	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 771813	Adopted Without Objection	
HB 751	Favorable With Committee Substitute	Yeas: 14	Nays: 0
	Amendment 503453	Adopted Without Objection	
HB 787	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 681137	Adopted Without Objection	
CS/HB 935	Favorable	Yeas: 14	Nays: 0
HB 1019	Favorable With Committee Substitute	Yeas: 14	Nays: 0
	Amendment 539685	Adopted Without Objection	
HB 1081	Favorable With Committee Substitute	Yeas: 13	Nays: 1
	Amendment 225199	Adopted Without Objection	
	Amendment 427415	Adopted	Yeas: 10 Nays: 3
PCB HSQS 12-03	Favorable With Amendments	Yeas: 8	Nays: 7
	Amendment PCB HSQS 12-03 a1	Adopted	Yeas: 11 Nays: 3
	Amendment PCB HSQS 12-03 a2	Failed to Adopt	Yeas: 6 Nays: 8
	Amendment PCB HSQS 12-03 a3	Failed to Adopt	Yeas: 6 Nays: 8
	Amendment PCB HSQS 12-03 a4	Adopted	Yeas: 8 Nays: 6
	Amendment PCB HSQS 12-03 a5	Adopted	Yeas: 8 Nays: 6
	Amendment PCB HSQS 12-03 a6	Adopted	Yeas: 9 Nays: 6
	Amendment PCB HSQS 12-03 a7	Adopted	Yeas: 8 Nays: 7
PCS for HB 1419	Favorable	Yeas: 14	Nays: 0

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
John Wood (Chair)	X		
Larry Ahern	X		
Jim Boyd	X		
Clay Ford	X		
Eduardo Gonzalez	X		
Matt Hudson	X		
Mia Jones	X		
Jeanette Nuñez	X		
Jose Oliva	X		
Ari Porth	X		
Scott Randolph	X		
Betty Reed	X		
Ronald Renuart	X		
Patrick Rooney, Jr.	X		
Elaine Schwartz	X		
Totals:	15	0	0

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

HB 425 : Surgical Technology

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern			X		
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva			X		
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 425 Amendments

Amendment 771813

Adopted Without Objection

Appearances:

Nuland, Christopher (Lobbyist) - Waive In Support

Florida Chapter American College of Physicians, Florida Chapter American College of Surgeons
 1000 Riverside Ave #115
 Jacksonville FL 32204
 Phone: (904)355-1555

Surgical Technology

McNaron, (Mary E) Libby (General Public) - Proponent
 Florida State Assembly Association of Surgical Technologists
 2004A Firetower Road
 Chipley Fl 32428
 Phone: (850)814-6675

Surgical Technology

Obando, G. (Max) - Proponent
 Association of Surgical Technologist
 14758 Silvergrain Drive
 Jacksonville FL 32258
 Phone: (904)838-8127

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Quality Subcommittee
 3 Representative Renuart offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (2) of section 395.0191, Florida Statutes, is amended to read:

395.0191 Staff membership and clinical privileges.—

(2)(a) Each licensed facility shall establish rules and procedures for consideration of an application for clinical privileges submitted by an advanced registered nurse practitioner licensed and certified under part I of chapter 464, in accordance with the provisions of this section. No licensed facility shall deny such application solely because the applicant is licensed under part I of chapter 464 or because the applicant is not a participant in the Florida Birth-Related Neurological Injury Compensation Plan.

Amendment No. 1

19 (b) An advanced registered nurse practitioner who is
20 certified as a registered nurse anesthetist licensed under part
21 I of chapter 464 shall administer anesthesia under the onsite
22 medical direction of a professional licensed under chapter 458,
23 chapter 459, or chapter 466, and in accordance with an
24 established protocol approved by the medical staff. The medical
25 direction shall specifically address the needs of the individual
26 patient.

27 (c) Each licensed facility shall establish rules and
28 procedures for consideration of an application for clinical
29 privileges submitted by a physician assistant licensed pursuant
30 to s. 458.347 or s. 459.022. Clinical privileges granted to a
31 physician assistant pursuant to this subsection shall
32 automatically terminate upon termination of staff membership of
33 the physician assistant's supervising physician.

34 (d) Each hospital shall meet the requirements of the
35 Medicare and Medicaid Conditions of Participation for Hospitals
36 under 42 C.F.R. s. 482.51(a)(3) as they apply to registered
37 nurses performing circulating duties in the operating room and
38 as provided in the interpretive guidelines provided by the
39 United States Department of Health and Human Services. A
40 circulating nurse shall be present in the operating room for the
41 duration of a surgical procedure.

42 (e) Each hospital shall establish policies and procedures
43 for employment of persons who may perform surgical technology
44 functions in an operating room. The hospital shall only
45 consider a person who successfully completed a nationally
46 accredited educational program for surgical technologist. Such a

Amendment No. 1

47 person must hold the credential of certified surgical
 48 technologist within 6 months from the date of hire. Persons who
 49 are currently employed by a specific hospital or hospital system
 50 are exempt from this provision as long said employment is
 51 maintained and not terminated. A persons who is licensed
 52 pursuant to chapter 458, chapter 459, chapter 464, or who is an
 53 intern or resident on a surgical rotation, is exempt from the
 54 provisions of this paragraph. The agency shall accept, in lieu
 55 of its own periodic inspections for licensure, the survey or
 56 inspection of an accrediting organization, providing the
 57 accreditation of the licensed facility is not provisional and
 58 provided the licensed facility authorizes release of, and the
 59 agency receives the report of, the accrediting organization to
 60 ensure compliance with this subsection.

61 Section 2. This act shall take effect October 1, 2012.

62 -----
63 -----

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

65 Remove the entire title and insert:

66 A bill to be entitled
 67 An act relating to surgical technology; amending s. 395.0191,
 68 F.S., requiring hospitals to establish rules and procedures for
 69 consideration of an application submitted by a person who may
 70 perform surgical technology functions in an operating room;
 71 provide educational and licensure requirements for the person;
 72 provide a timeline for employees to acquire the licensure
 73 requirement; provide exemption to certain persons; provides the
 74 agency authority to accept the survey or inspection conducted by

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 425 (2012)

Amendment No. 1

75 | an accrediting agency as documentation of compliance; providing
76 | an effective date.

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

HB 751 : Prescription Drug Wholesale Regulations

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
Total Yeas: 14		Total Nays: 0			

HB 751 Amendments

Amendment 503453

Adopted Without Objection

Appearances:

Pharma Manufacturing
 Suskey, Alan J (Lobbyist) - Waive In Support
 Dermazone Solutions
 201 South Monroe St Suite 201
 Tallahassee FL
 Phone: (727)248-7010

HB 751
 Cerio, Tim (Lobbyist) - Waive In Support
 Watson Pharmaceuticals
 301 S Bronough St
 Tallahassee FL 32311

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Quality Subcommittee
 3 Representative Brandes offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 Section 1. Subsections (17), (19), (20) and (43) of
 8 section 499.003, Florida Statutes, are amended to read:
 9 499.003 Definitions of terms used in this part.—As used in this
 10 part, the term:

11 (17) "Distribute" or "distribution" means to sell; offer
 12 to sell; give away; transfer, whether by passage of title,
 13 physical movement, or both; deliver; or offer to deliver. The
 14 term does not mean to administer or dispense, and it does not
 15 include the billing and invoicing activities that commonly
 16 follow a wholesale distribution transaction.

17 (19) "Drug" means an article that is:

18 (a) Recognized in the current edition of the United States
 19 Pharmacopoeia and National Formulary, official Homeopathic

Amendment No.

20 Pharmacopoeia of the United States, or any supplement to any of
21 those publications;

22 (b) Intended for use in the diagnosis, cure, mitigation,
23 treatment, therapy, or prevention of disease in humans or other
24 animals;

25 (c) Intended to affect the structure or any function of the
26 body of humans or other animals; or

27 (d) Intended for use as a component of any article
28 specified in paragraph (a), paragraph (b), or paragraph (c), and
29 includes active pharmaceutical ingredient, but does not include
30 devices or their components, parts, or accessories. For
31 purposes of this paragraph, an "active pharmaceutical
32 ingredient" includes any substance or mixture of substances
33 intended, represented, or labeled for use in drug manufacturing
34 that furnishes or is intended to furnish in a finished dosage
35 form any pharmacological activity or other direct effect in the
36 diagnosis, cure, mitigation, treatment, therapy, or prevention
37 of disease in humans or other animals, or to affect the
38 structure or any function of the body of humans or other
39 animals.

40 (20) "Establishment" means a place of business which is at
41 one general physical location, and may extend to one or more
42 contiguous suites, units, floors, or buildings operated and
43 controlled exclusively by entities under common operation and
44 control. Where multiple buildings are under common exclusive
45 ownership, operation, and control, an intervening thoroughfare
46 does not affect the contiguous nature of the buildings. For

Amendment No.

47 purposes of permitting, each suite, unit, floor, or building
48 must be identified in the most recent permit application.

49 (43) "Prescription drug" means a prescription, medicinal,
50 or legend drug, including, but not limited to, finished dosage
51 forms or active pharmaceutical ingredients subject to, defined
52 by, or described by s. 503(b) of the Federal Food, Drug, and
53 Cosmetic Act or s. 465.003(8), s. 499.007(13), or subsection
54 (11), subsection (46), or subsection (53), except that an active
55 pharmaceutical ingredient is a prescription drug only if
56 substantially all finished dosage forms in which it may be
57 lawfully dispensed or administered in Florida are also
58 prescription drugs.

59 Section 2. Paragraphs (c) and (e) of subsection (2) of
60 section 499.01, Florida Statutes, are amended, and subsection
61 (3) of section 499.01, Florida Statutes, is created to read:

62 499.01 Permits.-

63 (2) The following permits are established:

64 (c) Nonresident prescription drug manufacturer permit.-A
65 nonresident prescription drug manufacturer permit is required
66 for any person that is a manufacturer of prescription drugs,
67 unless permitted as a third party logistics provider, located
68 outside of this state or outside the United States and that
69 engages in the wholesale distribution in this state of such
70 prescription drugs. Each such manufacturer must be permitted by
71 the department and comply with all of the provisions required of
72 a wholesale distributor under this part, except s. 499.01212.

73 1. A person that distributes prescription drugs for which
74 the person is not the manufacturer must also obtain an out-of-

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 751 (2012)

Amendment No.

75 state prescription drug wholesale distributor permit or third
76 party logistics provider permit pursuant to this section to
77 engage in the wholesale distribution of such prescription drugs.
78 This subparagraph does not apply to a manufacturer as defined in
79 s. 499.003(31)(e).

80 2. Any such person must comply with the licensing or
81 permitting requirements of the jurisdiction in which the
82 establishment is located and the federal act, and any product
83 wholesaled into this state must comply with this part. If a
84 person intends to import prescription drugs from a foreign
85 country into this state, the nonresident prescription drug
86 manufacturer must provide to the department a list identifying
87 each prescription drug it intends to import and document
88 approval by the United States Food and Drug Administration for
89 such importation.

90 ~~3. A nonresident prescription drug manufacturer permit is~~
91 ~~not required for a manufacturer to distribute a prescription~~
92 ~~drug active pharmaceutical ingredient that it manufactures to a~~
93 ~~prescription drug manufacturer permitted in this state in~~
94 ~~limited quantities intended for research and development and not~~
95 ~~for resale, or human use other than lawful clinical trials and~~
96 ~~biostudies authorized and regulated by federal law. A~~
97 ~~manufacturer claiming to be exempt from the permit requirements~~
98 ~~of this subparagraph and the prescription drug manufacturer~~
99 ~~purchasing and receiving the active pharmaceutical ingredient~~
100 ~~shall comply with the recordkeeping requirements of s.~~
101 ~~499.0121(6), but not the requirements of s. 499.01212. The~~
102 ~~prescription drug manufacturer purchasing and receiving the~~

503453 - h751-strike.docx

Published On: 1/31/2012 8:48:08 AM

Amendment No.

103 ~~active pharmaceutical ingredient shall maintain on file a record~~
104 ~~of the FDA registration number, the out of state license,~~
105 ~~permit, or registration number; and, if available, a copy of the~~
106 ~~most current FDA inspection report, for all manufacturers from~~
107 ~~whom they purchase active pharmaceutical ingredient under this~~
108 ~~section. The department shall specify by rule the allowable~~
109 ~~number of transactions within a given period of time and the~~
110 ~~amount of active pharmaceutical ingredient that qualify as~~
111 ~~limited quantities for purposes of this exemption. The failure~~
112 ~~to comply with the requirements of this subparagraph, or rules~~
113 ~~adopted by the department to administer this subparagraph, for~~
114 ~~the purchase of prescription drug active pharmaceutical~~
115 ~~ingredients is a violation of s. 499.005(14).~~

116 (e) Out-of-state prescription drug wholesale distributor
117 permit.—An out-of-state prescription drug wholesale distributor
118 is a wholesale distributor located outside this state which
119 engages in the wholesale distribution of prescription drugs into
120 this state and which must be permitted by the department and
121 comply with all the provisions required of a wholesale
122 distributor under this part. An out-of-state prescription drug
123 wholesale distributor that applies to the department for a new
124 permit or the renewal of a permit must submit a bond of
125 \$100,000, or other equivalent means of security acceptable to
126 the department, such as an irrevocable letter of credit or a
127 deposit in a trust account or financial institution, payable to
128 the Florida Drug, Device, and Cosmetic Trust Fund. The purpose
129 of the bond is to secure payment of any administrative penalties
130 imposed by the department and any fees and costs incurred by the

503453 - h751-strike.docx

Published On: 1/31/2012 8:48:08 AM

Amendment No.

131 department regarding that permit which are authorized under
132 state law and which the permittee fails to pay 30 days after the
133 fine or costs become final. The department may make a claim
134 against such bond or security until 1 year after the permittee's
135 license ceases to be valid or until 60 days after any
136 administrative or legal proceeding authorized in this part which
137 involves the permittee is concluded, including any appeal,
138 whichever occurs later.

139 1. The out-of-state prescription drug wholesale
140 distributor must maintain at all times a license or permit to
141 engage in the wholesale distribution of prescription drugs in
142 compliance with laws of the state in which it is a resident.

143 ~~2. An out of state prescription drug wholesale distributor~~
144 ~~permit is not required for an intracompany sale or transfer of a~~
145 ~~prescription drug from an out of state establishment that is~~
146 ~~duly licensed as a prescription drug wholesale distributor, in~~
147 ~~its state of residence, to a licensed prescription drug~~
148 ~~wholesale distributor in this state, if both wholesale~~
149 ~~distributors conduct wholesale distributions of prescription~~
150 ~~drugs under the same business name. The recordkeeping~~
151 ~~requirements of ss. 499.0121(6) and 499.01212 must be followed~~
152 ~~for this transaction.~~

153 (3) Exemptions.-

154 (a) A permit issued under this part is not required to
155 distribute prescription drug active pharmaceutical ingredient
156 from an establishment located in the United States to an
157 establishment located in this state permitted as a prescription
158 drug manufacturer under this part for use by the recipient in

503453 - h751-strike.docx

Published On: 1/31/2012 8:48:08 AM

Amendment No.

159 preparing, deriving, processing, producing, or fabricating a
160 prescription drug finished dosage form at the establishment in
161 this state where the product is received under an approved and
162 otherwise valid New Drug Approval, Abbreviated New Drug
163 Approval, New Animal Drug Approval, or Therapeutic Biologic
164 Application, provided that the application, active
165 pharmaceutical ingredient, or finished dosage form has not been
166 withdrawn or removed from the U.S. market for public health
167 reasons.

168 1. Any distributor claiming exemption from permitting
169 requirements pursuant to this paragraph shall maintain a
170 license, permit or registration to engage in the wholesale
171 distribution of prescription drugs under the laws of the state
172 from which the product is distributed.

173 2. Any distributor claiming exemption from permitting
174 requirements pursuant to this paragraph and the prescription
175 drug manufacturer purchasing and receiving the active
176 pharmaceutical ingredient shall comply with the recordkeeping
177 requirements of s. 499.0121(6), but not the requirements of s.
178 499.01212.

179 (b) A permit issued under this part is not required to
180 distribute limited quantities of a prescription drug that has
181 not been repackaged from an establishment located in the United
182 States to an establishment located in this state permitted as a
183 prescription drug manufacturer under this part for research and
184 development or to a holder of a letter of exemption issued by
185 the department under s. 499.03(4) for research, teaching, or
186 testing. The department shall define "limited quantities" by

503453 - h751-strike.docx

Published On: 1/31/2012 8:48:08 AM

Amendment No.

187 rule, and may include the allowable number of transactions
188 within a given period of time and the amounts of prescription
189 drugs distributed into the state for purposes of this exemption.

190 1. Any distributor claiming exemption from permitting
191 requirements pursuant to this paragraph shall maintain a
192 license, permit or registration to engage in the wholesale
193 distribution of prescription drugs under the laws of the state
194 from which the product is distributed.

195 2. All purchasers and recipients of any prescription drugs
196 distributed pursuant to this paragraph shall ensure that the
197 products are not resold or used, directly or indirectly, on
198 humans except in lawful clinical trials and biostudies
199 authorized and regulated by federal law.

200 3. Any distributor claiming exemption from permitting
201 requirements pursuant to this paragraph, and the purchaser and
202 recipient of the prescription drug, shall comply with the
203 recordkeeping requirements of s. 499.0121(6), but not the
204 requirements of s. 499.01212.

205 4. The immediate package or container of any active
206 pharmaceutical ingredient distributed into the state intended
207 for teaching, testing, research, and development shall bear a
208 label prominently displaying the statement "Caution: Research,
209 Teaching, or Testing Only - Not for Manufacturing, Compounding,
210 or Resale."

211 (c) An out-of-state prescription drug wholesale distributor
212 permit is not required for an intracompany sale or transfer of a
213 prescription drug from an out-of-state establishment that is
214 duly licensed as a prescription drug wholesale distributor, in

Amendment No.

215 its state of residence, to a licensed prescription drug
216 wholesale distributor in this state, if both wholesale
217 distributors conduct wholesale distributions of prescription
218 drugs under the same business name. The recordkeeping
219 requirements of ss. 499.0121(6) and 499.01212 must be followed
220 for such transactions.

221 (d) Persons receiving prescription drugs from a source
222 claimed to be exempt from permitting requirements under this
223 subsection shall maintain on file a record of the FDA
224 establishment registration number, if any; the resident state
225 prescription drug wholesale distribution license, permit, or
226 registration number; and a copy of the most recent resident
227 state or FDA inspection report, for all distributors and
228 establishments whom they purchase or receive prescription drugs
229 under this subsection.

230 (e) All persons claiming exemption from permitting
231 requirements pursuant to this subsection who engage in the
232 distribution of prescription drugs in or into the state are
233 subject to this part, including ss. 499.005 and 499.0051, and
234 shall make available, within 48 hours, to the department on
235 request all records related to any prescription drugs
236 distributed under this subsection, including those records
237 described in s. 499.051(4), regardless of the location where the
238 records are stored.

239 (f) A person purchasing and receiving a prescription drug
240 from a person claimed to be exempt from licensing requirements
241 pursuant to this subsection shall report to the department in
242 writing within 14 days of receiving any product that is

503453 - h751-strike.docx

Published On: 1/31/2012 8:48:08 AM

Amendment No.

243 misbranded or adulterated or that fails to meet minimum
244 standards set forth in the official compendium or state or
245 federal good manufacturing practices for identity, purity,
246 potency, or sterility, regardless of whether the product is
247 thereafter rehabilitated, quarantined, returned, or destroyed.

248 (g) The department may adopt rules to administer this
249 subsection, which rules are necessary for the protection of the
250 public health, safety, and welfare. The failure to comply with
251 the requirements of this subsection, or rules adopted by the
252 department to administer this subsection, is a violation of s.
253 499.005(14), and a knowing failure is a violation of s.
254 499.0051(4).

255 (h) This subsection does not relieve any person from any
256 requirement prescribed by law with respect to controlled
257 substances as defined in the applicable federal and state laws.

258 Section 3. This act shall take effect on July 1, 2012.

259

260

261

262

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

263

Remove the entire title and insert:

264

A bill to be entitled

265

an act relating to prescription drug wholesale regulations;

266

amending s. 499.003, F.S.; revising the definitions of

267

"distribute" or "distribution", "drug", "establishment", and

268

"prescription drug"; amending s. 499.01, F.S.; deleting

269

reference to exemption from nonresident prescription drug

270

manufacturer permit in certain circumstances; deleting reference

503453 - h751-strike.docx

Published On: 1/31/2012 8:48:08 AM

Amendment No.

271 to exemption from out-of-state prescription drug wholesale
272 distributor permit for intracompany sale or transfer of
273 prescription drugs in certain circumstances; creating s.
274 499.01(3), F.S.; providing exemption from permit to distribute
275 prescription drug active pharmaceutical ingredient in certain
276 circumstances; requiring distributor claiming exemption under
277 subsection to maintain valid license, permit or registration in
278 state from which prescription drug was distributed; requiring
279 compliance with recordkeeping requirements; exempting compliance
280 with pedigree paper requirement; providing exemption from permit
281 requirement for distribution of limited quantities of non-
282 repackaged prescription drug for research and development or to
283 a holder of a letter of exemption issued by the Department of
284 Business and Professional Regulation for research, teaching, or
285 testing; granting the Department of Business and Professional
286 Regulation authority to define "limited quantities" and limited
287 the number of transactions and amount of prescription drug
288 distributed in the state; requiring a distributor claiming
289 exemption under this subsection to maintain a valid license,
290 permit, or registration in state from which the prescription
291 drug was distributed; requiring all purchasers and recipients of
292 prescription drugs to ensure products are not resold or used on
293 humans except in lawful clinical trials and biostudies;
294 requiring compliance with recordkeeping requirements; exempting
295 from pedigree paper requirements; establishing labeling
296 requirements for active pharmaceutical ingredient distributed in
297 state for teaching, testing, research and development; exempting
298 from out-of-state prescription drug wholesale distributor permit

503453 - h751-strike.docx

Published On: 1/31/2012 8:48:08 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 751 (2012)

Amendment No.

299 requirement intracompany transaction or sale of prescription
300 drug from out-of-state distributor to Florida distributor if
301 using same business name; requiring compliance with
302 recordkeeping and pedigree paper requirements; requiring
303 recipient of prescription drug under exemption to maintain FDA
304 registration number, resident state distributor license or
305 permit number, and most recent resident state or FDA inspection
306 report for all distributors who purchase or receive prescription
307 drugs; confirming that persons claiming exemption under section
308 must comply with part I of chapter 499, F.S.; requiring persons
309 claiming exemption under section to make all records regarding
310 prescription drug distribution available to Department of
311 Business and Professional Regulation within 48 hours of request;
312 requiring submission of a report of mishandled or adulterated
313 prescription drugs within 14 days of receipt; granting
314 rulemaking authority; making a failure to comply with law a
315 violation of s. 499.005(14), F.S.; making a knowing failure to
316 comply with law a violation of s. 499.0051(4), F.S.; stating
317 that the section does not provide relief from all applicable
318 federal and state laws to any person; providing an effective
319 date.

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

HB 787 : Nursing Home Facilities

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd			X		
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nufiez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 787 Amendments

Amendment 681137

Adopted Without Objection

Appearances:

HB 787

Harbison, Rheb (Lobbyist) - Waive In Support
 SantaFe Senior Living, Inc
 4300 NW 89th Blvd
 Gainesville FL 32606
 Phone: (850)224-1585

HB 787

Rigsby, Peggy (Lobbyist) - Waive In Support
 Florida Health Care Association
 307 W Park Ave
 Tallahassee FL 32301
 Phone: (850)224-3907

HB 787

Berkowitz, Carol (Lobbyist) - Waive In Support
 Leading Age Fla (Formerly FAHSA)
 1812 Riggins Rd
 Tallahassee FL 32308
 Phone: (850) 671-3700

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 787 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Quality Subcommittee
3 Representative Trujillo offered the following:

Amendment (with title amendment)

6 Remove lines 220-228

10 -----

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

12 Remove lines 20-23 and insert:
13 services; amending s.

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

CS/HB 935 : Child Support Enforcement

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd			X		
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

HB 1019 : Treatment Programs for Impaired Professionals

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
Total Yeas: 14 Total Nays: 0					

HB 1019 Amendments

Amendment 539685

Adopted Without Objection

Appearances:

HB 1019

Rivenbark, M.D., Judy (General Public) - Information Only
 PRN of FL
 P.O. Box 1020
 Fernandina Beach FL 32035
 Phone: 800-888-8776

Treatment Program for Impaired Professionals
 Winn, Stephen (Lobbyist) - Waive In Support
 Florida Osteopathic Medical Association
 2007 Apalachee Pky
 Tallahassee FL 32301
 Phone: (850)878-7364

Nobo, Ralph - Waive In Support
 FL Medical Association
 333 W Main St
 Bartow FL 33830
 Phone: (850) 224-6496

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Quality Subcommittee
 3 Representative Renuart offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Section 401.466, Florida Statutes, is created to
 8 read:

9 401.466 Treatment program for impaired emergency medical
 10 technicians and paramedics.—An emergency medical technician or
 11 paramedic who is certified or has applied to be certified under
 12 this part may be subject to s. 456.076 at the election of an
 13 impaired practitioner consultant; however, associated costs may
 14 not be charged to the department.

15 Section 2. Subsection (2), paragraph (d) of subsection
 16 (3), and paragraph (b) of subsection (7) of section 456.076,
 17 Florida Statutes, are amended, and subsection (8) is added to
 18 that section, to read:

19 456.076 Treatment programs for impaired practitioners.—

Amendment No. 1

20 (2) (a) The department shall retain one or more impaired
21 practitioner consultants who are each licensees. ~~The consultant~~
22 ~~shall be a licensee~~ under the jurisdiction of the Division of
23 Medical Quality Assurance within the department and who must be:

24 1. A practitioner or recovered practitioner licensed under
25 chapter 458, chapter 459, or part I of chapter 464;⁷ or

26 2. An entity employing a medical director who must be a
27 ~~practitioner~~ physician or recovered ~~practitioner~~ physician
28 licensed under ~~chapter 458,~~ or chapter 459. For an entity that
29 solely treats nurses, the entity may employ an executive
30 director who is a registered nurse or nurse practitioner
31 licensed under ~~or~~ part I of chapter 464 ~~in lieu of a medical~~
32 director.

33 3. For the treatment of any other practitioner, an entity
34 employing a medical director who is a physician licensed under
35 chapter 458, or chapter 459.

36 (b) An entity that is retained as a consultant under this
37 section and employs a medical director or registered nurse as an
38 executive director is not required to be licensed as a substance
39 abuse provider or mental health treatment provider under chapter
40 394, chapter 395, or chapter 397 in order to operate as a
41 consultant under this section if the entity employs or contracts
42 with licensed professionals to perform or appropriately
43 supervise any specific treatment or evaluation that requires
44 individual licensing or supervision.

45 (c) The consultant shall assist the probable cause panel
46 and department in carrying out the responsibilities of this
47 section. This includes ~~shall include~~ working with department

539685 - h1019-strike.docx

Published On: 1/30/2012 5:19:48 PM

Amendment No. 1

48 | investigators to determine whether a practitioner is, in fact,
49 | impaired. The consultant may contract for services to be
50 | provided, for appropriate compensation, if requested by a the
51 | school or program, for students enrolled in a school ~~schools~~ for
52 | licensure as allopathic physicians or physician assistants under
53 | chapter 458, osteopathic physicians or physician assistants
54 | under chapter 459, nurses under chapter 464, or pharmacists
55 | under chapter 465 who are alleged to be impaired as a result of
56 | the misuse or abuse of alcohol or drugs, or both, or due to a
57 | mental or physical condition.

58 | (d) The department is not responsible under any
59 | circumstances for paying the costs of care provided by approved
60 | treatment providers, and the department is not responsible for
61 | paying the costs of consultants' services provided for such
62 | students.

63 | (e) A medical school accredited by the Liaison Committee
64 | on Medical Education of the Commission on Osteopathic College
65 | Accreditation, or another ~~other~~ school providing for the
66 | education of students enrolled in preparation for licensure as
67 | allopathic physicians under chapter 458 or osteopathic
68 | physicians under chapter 459, which school is governed by
69 | accreditation standards requiring notice and the provision of
70 | due process procedures to students, is not liable in any civil
71 | action for referring a student to the consultant retained by the
72 | department or for disciplinary actions that adversely affect the
73 | status of a student when the disciplinary actions are instituted
74 | in reasonable reliance on the recommendations, reports, or
75 | conclusions provided by such consultant, if the school, in

Amendment No. 1

76 referring the student or taking disciplinary action, adheres to
77 the due process procedures adopted by the applicable
78 accreditation entities and if the school committed no
79 intentional fraud in carrying out the provisions of this
80 section.

81 (3)

82 (d) Whenever the department receives a legally sufficient
83 complaint alleging that a licensee or applicant is impaired as
84 described in paragraph (a) and no complaint against the licensee
85 or applicant other than impairment exists, the appropriate
86 board, the board's designee, or the department shall forward all
87 information in its possession regarding the impaired licensee or
88 applicant to the consultant. For the purposes of this section, a
89 suspension from hospital staff privileges due to the impairment
90 does not constitute a complaint.

91 (7)

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

539685 - h1019-strike.docx

Published On: 1/30/2012 5:19:48 PM

Amendment No. 1

104 perform such intervention when such act or omission arises out
105 of and in the scope of the consultant's duties under its
106 contract with the department.

107 (8) An impaired practitioner consultant is the official
108 custodian of records concerning any impaired licensee monitored
109 by that consultant. The consultant may not, except to the extent
110 necessary for carrying out the consultant's duties under this
111 section, disclose to the impaired licensee or his or her
112 designee any information that is disclosed to or obtained by the
113 consultant and is confidential under paragraph (5) (a). The
114 department, and any other entity to which the consultant
115 contracts, shall have direct administrative control over the
116 consultant to the extent necessary to receive disclosures from
117 the consultant as allowed by federal law. If a disciplinary
118 proceeding is pending, an impaired licensee may obtain such
119 information from the department under s. 456.073(10).

120 Section 3. Section 468.315, Florida Statutes, is created
121 to read:

122 468.315 Treatment program for impaired radiological
123 personnel.—A radiologic technologist who is certified or who has
124 applied to be certified under this part may be subject to s.
125 456.076 at the election of an impaired practitioner consultant.

126 Section 4. This act shall take effect July 1, 2012.

127 -----

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

129 Remove the entire title and insert:

130 A bill to be entitled

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1019 (2012)

Amendment No. 1

131 | An act relating to treatment programs for impaired
132 | professionals; creating s. 401.466, F.S.; providing
133 | that an emergency medical technician or paramedic who
134 | is certified or has applied to be certified may be
135 | subject to a treatment program for impaired
136 | practitioners at the election of the impaired
137 | practitioner consultant; prohibiting charging the
138 | associated costs to the Department of Health; amending
139 | s. 456.076, F.S.; exempting an entity retained by the
140 | Department of Health as an impaired practitioner
141 | consultant from certain licensing requirements if the
142 | entity employs or contracts with licensed
143 | professionals; authorizing the Department of Health to
144 | refer an applicant for licensure to the consultant;
145 | clarifying requirements for an impaired practitioner
146 | consultant to maintain as confidential certain
147 | information concerning an impaired practitioner;
148 | authorizing the department and certain other entities
149 | to have administrative control over the impaired
150 | practitioner consultant to the extent necessary to
151 | receive disclosures; creating s. 468.315, F.S.;
152 | providing that a radiologic technologist who is
153 | certified or who has applied to be certified may be
154 | subject to a treatment program for impaired
155 | practitioners at the election of an impaired
156 | practitioner consultant; providing an effective date.

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

HB 1081 : Controlled Substances

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd			X		
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones		X			
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
Total Yeas: 13		Total Nays: 1			

HB 1081 Amendments

Amendment 225199

Adopted Without Objection

Amendment 427415

Adopted

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd			X		
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson		X			
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart		X			
Patrick Rooney, Jr.	X				
Elaine Schwartz			X		
John Wood (Chair)		X			

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

HB 1081 : Controlled Substances (continued)

Amendment 427415

Adopted

Total Yays: 10

Total Nays: 3

Appearances:

HB 1081

Allen, Terry - Proponent

Florida D.A.R.E. Officer's Association

#1537

Sorrento FL 32776

Phone: (352)455-6113

HB 1081

Jones, Frederick - Proponent

Florida D.A.R.E. Officer's Association

#1537

Sorrento FL 32776

Phone: (352)223-8122

Opoid Drug Interchange

Jackson, Michael (Lobbyist) - Opponent

Florida Pharmacy Association

610 N Adams St

Tallahassee FL 32301

Phone: (850)222-2400

HB 1081

Becker, Geoffrey (Lobbyist) - Proponent

ENDO Pharmaceuticals

403 East Park Ave

Tallahassee FL 32301

Phone: (850)528-3717

Tamper-resistant technology

Cerio, Tim (Lobbyist) - Proponent

Watson Laboratories

301 S Bronough St

Tallahassee FL 32311

Phone: (850)577-9090

HB 1081 -Proponent amendment 2

Book, Ronald (Lobbyist) - Proponent

Teva Pharmaceuticals, USA

444 N Capitol St NW Ste 399

Rogers AR 72758

Phone: (305)935-1866

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

HB 1081 : Controlled Substances (continued)

Appearances: (continued)

Controlled Substances

Cordial, Gail (Lobbyist) - Waive In Support

Florida Partners in Crisis, Inc

175 Marlin Dr

Merritt Island FL 32952

Phone: (321)453-8825

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1081 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Quality Subcommittee

3 Representative McBurney offered the following:

Amendment (with title amendment)

6 Remove lines 50-52 and insert:

7 8. Knowingly use a Schedule II controlled substance,
 8 intended by the prescriber to be administered orally, in another
 9 manner.

11 -----
 12 **T I T L E A M E N D M E N T**

13 Remove lines 3-6 and insert:

14 893.13, F.S.; prohibiting the knowing use of a Schedule II
 15 controlled substance intended to be administered orally, in
 16 another manner; providing criminal

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1081 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

Roll call
10/31

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Quality Subcommittee
3 Representative Gonzalez offered the following:

Amendment

Remove lines 243-296 and insert:

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

PCB HSQS 12-03 : Health Care Coverage Mandates

Favorable With Amendments

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones		X			
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth		X			
Scott Randolph		X			
Betty Reed		X			
Ronald Renuart		X			
Patrick Rooney, Jr.		X			
Elaine Schwartz		X			
John Wood (Chair)	X				
Total Yeas: 8		Total Nays: 7			

PCB HSQS 12-03 Amendments

Amendment PCB HSQS 12-03 a1

Adopted

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth		X			
Scott Randolph		X			
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz		X			
John Wood (Chair)	X				
Total Yays: 11		Total Nays: 3			

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Amendment PCB HSQS 12-03 a2

Failed to Adopt

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd		X			
Clay Ford		X			
Eduardo Gonzalez		X			
Matt Hudson		X			
Mia Jones	X				
Jeanette Nuñez		X			
Jose Oliva		X			
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.		X			
Elaine Schwartz	X				
John Wood (Chair)		X			
Total Yays: 6		Total Nays: 8			

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Amendment PCB HSQS 12-03 a3

Failed to Adopt

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd		X			
Clay Ford		X			
Eduardo Gonzalez		X			
Matt Hudson		X			
Mia Jones	X				
Jeanette Nufiez		X			
Jose Oliva		X			
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.		X			
Elaine Schwartz	X				
John Wood (Chair)		X			
Total Yays: 6		Total Nays: 8			

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Amendment PCB HSQS 12-03 a4

Adopted

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd		X			
Clay Ford	X				
Eduardo Gonzalez		X			
Matt Hudson		X			
Mia Jones	X				
Jeanette Nufiez		X			
Jose Oliva		X			
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)		X			
Total Yays: 8		Total Nays: 6			

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Amendment PCB HSQS 12-03 a5

Adopted

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd		X			
Clay Ford	X				
Eduardo Gonzalez		X			
Matt Hudson		X			
Mia Jones	X				
Jeanette Nuñez		X			
Jose Oliva		X			
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)		X			
Total Yays: 8		Total Nays: 6			

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Amendment PCB HSQS 12-03 a6

Adopted

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern		X			
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez		X			
Matt Hudson		X			
Mia Jones	X				
Jeanette Nuñez		X			
Jose Oliva		X			
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)		X			
Total Yays: 9		Total Nays: 6			

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee
1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Amendment PCB HSQS 12-03 a7

Adopted

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern		X			
Jim Boyd		X			
Clay Ford	X				
Eduardo Gonzalez		X			
Matt Hudson		X			
Mia Jones	X				
Jeanette Nufiez		X			
Jose Oliva		X			
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)		X			
Total Yays: 8		Total Nays: 7			

Appearances:

PCB HSQS 12-03
Diaz, Pablo (Lobbyist) - Waive In Support
National Federation of Independent Business

PCB HSQS 12-03
Bragdon, Tarren - Proponent
Foundation for Government Accountability
15275 Collier Blvd Ste 201-279
Naples FL 34119
Phone: (239)244-8839

PCB HSQS 12-03
Sanford, Paul (Lobbyist) - Proponent
FIC
106 S Monroe St
Tallahassee FL 32301
Phone: (850) 222-7200

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

AMENDED

Location: Reed Hall (102 HOB)

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Appearances: (continued)

Health Care Coverage Mandates

Gonzalez, Jose (Lobbyist) (General Public) - Proponent

Associated Industries of Florida

516 N. Adams Street

Tallahassee FL 32301

Phone: (850) 224-7173

PCB HSQS 12-03

Jim Akin - Opponent

National Association of Social Workers Fla Chapter

1931 Dellwood Drive

Tallahassee FL 32303

Phone: (850)224-2400

Health Insurance Mandates

Hull, Paul (Lobbyist) - Opponent

American Cancer Society, Florida Division, Inc

3709 W Jetton Ave

Tampa FL 33629

Phone: (813)382-9235

Health Care Mandates

O'Hara, Rebecca (Lobbyist) - Waive In Opposition

FL Medical Association

331 E College Ave.

Tallahassee FL 32302

Phone: (850) 339-6211

Coverage Mandates

Hart, David (Lobbyist) - Proponent

Executive Vice President, Florida Chamber

136 S Bronough

Tallahassee FL 32301

Phone: 850-521-1200

PCB HSQS 12-03

Jeff Sadler (At Request Of Chair) - Proponent

NAIFA - Florida

8601 Sandy Plains Drive

Riverview FL 33578

Phone: (813)774-0667

PCB HSQS 12-03 / Proponent amendment 2

Karen Flood (Lobbyist) - Information Only

Florida Hospital

2400 Bedford Road

Orlando FL 32803

Phone: (407)303-7943

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

AMENDED

Location: Reed Hall (102 HOB)

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Appearances: (continued)

Bone Marrow Transplant - Proponent amendment 2

Jamie Wilson (Lobbyist) - Information Only

Moffitt Cancer Center

12902 Magnolia Dr.

Tampa FL 33612

Phone: (813)745-1521

Insurance Mandates

Garner, Michael (Lobbyist) - Proponent

Florida Association of Health Plans, Inc

200 W College Ave Ste 104

Tallahassee FL 32301

Phone: (850)386-2904

Bone Marrow Transplant - Proponent amendment 2

Gorrie, Jan (Lobbyist) - Opponent

Safety Net Hospital Alliance of Florida

101 N Gadsden St

Tallahassee FL 32301

Phone: (813)222-8139

Bone Marrow Transplant

Cary, Zina (Lobbyist) - Information Only

Leukemia & Lymphonia Society

332 State Street Apt 3R

Albany NY 12210

Phone: (202)257-5558

Support Podiatry

Hansen, Christopher (Lobbyist) - Opponent

Florida Podiatric Medical Association

410 N Gadsden St

Tallahassee FL 32301-1242

Phone: (850)577-9090

Mandate Removal

Piller, Melinda (Lobbyist) - Waive In Opposition

Florida Association of Marriage and Family Therapy

860 E Park Ave

Tallahassee FL 32301

Phone: (850)894-1491

optional Mandate Coverage Alcohol & Substance Abuse Repealer /Proponent amendment 7

Fontaine, Mark (Lobbyist) - Information Only

Florida Alcohol & Drug Abuse Association, Inc

2868 Mahan Dr Ste 1

Tallahassee FL 32308

Phone: (850)878-2196

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

AMENDED

Location: Reed Hall (102 HOB)

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Appearances: (continued)

Health Insurance Mandates / Proponent amendment 6

Snow, Alisa (Lobbyist) - Opponent

Alliance for Pediatric Therapies

1030 E Lafayette St

Tallahassee FL 32308

Phone: (850)443-1319

Mandates / Proponent amendment 6

Watson, Ronald (Lobbyist) - Opponent

Florida Dental Association

118 E. Jefferson St.

Tallahassee FL 32301

Phone: (850) 224-1089

Insurance Mandates - Autism proponent amendment 6

Larry Gonzalez (Lobbyist) - Opponent

Florida Occupational Therapy Assn

223 S Gadsen St

Tallahassee FL 32301

Phone: (850)222-0465

Autism in Repeal /Proponent amendment 6

Victoria Zepp - Opponent

Parent Advocate

2111 Ellicott Dr

Tallahassee FL 32308

Phone: (850)241-6309

Repeal of Autism Ins. Comapct Coverage /Proponent amendment 6

Goldstein, Susan (Lobbyist) - Opponent

Dan Marino Foundation

215 W College Ave #41

Tallahassee FL 32301

Phone: (954)830-6300

Against Bill - Against repeal of Steven A Geller Autism Treatment Act

Senator Steve Geller (retired) (Lobbyist) - Opponent

Self

100 West Cypress Creek Rd #700

Ft. Lauderdale FL 33304

Phone: (954)491-1120

Cleft Lip/ Palate Insurance Coverage /Proponent amendment 5, 4

Wharton, Paul (Lobbyist) - Opponent

Flagler Hospital / Broward Children's Center

2356 Jose Circle North

Jacksonville FL 32217

Phone: 904-563-0627

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

AMENDED

Location: Reed Hall (102 HOB)

PCB HSQS 12-03 : Health Care Coverage Mandates (continued)

Appearances: (continued)

Health Care Mandates / Proponent amendment 5

Hart, Joe Ann (Lobbyist) - Information Only

Florida Dental Association

118 E. Jefferson St.

Tallahassee FL 32301

Phone: (850)224-1089

Amendment 5

Mike Huey - Opponent

FL Society of Oral & Maxillofacial Surgeons

301 S Bronough

Tallahassee FL 32301

Phone: (850)577-9090

Amendment 4 -Proponent

Sam Bell (Lobbyist) - Opponent

Florida Pediatric Society

1298 Millstone

Tallahassee FL 32312

Phone: (850)222-3533

Removal of Statute 627.42395 - amendment 4

Melissa Perez - Information Only

My Son Mayer (6 Yrs old) PKU Child

2960 Compton Way

Tallahassee FL 32309

Phone: (850)339-1500

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB HSQS 12-03 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>Y</u>	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*Roll call
11/4 3N*

1 Committee/Subcommittee hearing PCB: Health & Human Services
2 Quality Subcommittee
3 Representative Wood offered the following:

Amendment (with title amendment)

Remove lines 49-50 and insert:

7 Section 1. Subsections (3) and (4) of section 627.419, Florida
8 Statutes, are amended, and subsequent subsections are
9 renumbered, to read:

10 627.419 Construction of policies.-

11 (3) Notwithstanding any other provision of law, when any
12 health insurance policy, health care services plan, or other
13 contract provides for the payment for procedures specified in
14 the policy or contract which are within the scope of an
15 optometrist's ~~or podiatric physician's~~ professional license,
16 such policy shall be construed to include payment to an
17 optometrist ~~or podiatric physician~~ who performs such procedures.
18 ~~In the case of podiatric services, such payments shall be made~~

PCB HSQS 12-03 a1

Published On: 1/31/2012 8:55:39 AM

Amendment No. 1

19 ~~in accordance with the coverage now provided for medical and~~
20 ~~surgical benefits.~~

21 ~~(4) Notwithstanding any other provision of law, when any~~
22 ~~health insurance policy, health care services plan, or other~~
23 ~~contract provides for the payment for medical expense benefits~~
24 ~~or procedures, such policy, plan, or contract shall be construed~~
25 ~~to include payment to a chiropractic physician who provides the~~
26 ~~medical service benefits or procedures which are within the~~
27 ~~scope of a chiropractic physician's license. Any limitation or~~
28 ~~condition placed upon payment to, or upon services, diagnosis,~~
29 ~~or treatment by, any licensed physician shall apply equally to~~
30 ~~all licensed physicians without unfair discrimination to the~~
31 ~~usual and customary treatment procedures of any class of~~
32 ~~physicians.~~

33
34
35
36
37 -----
38 **T I T L E A M E N D M E N T**

39 Remove line 3 and insert:
40 amending s. 627.419(3) and (4), F.S.; relating to
41

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB HSQS 12-03 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	<u>Y</u>	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*Roll Call
6Y 8N*

1 Committee/Subcommittee hearing PCB: Health & Human Services
2 Quality Subcommittee
3 Representative Randolph offered the following:

Amendment

Remove lines 92-93

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB HSQS 12-03 (2012)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	<u>Y</u>	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*Roll call
64 SW*

1 Committee/Subcommittee hearing PCB: Health & Human Services
2 Quality Subcommittee
3 Representative Randolph offered the following:

Amendment

Remove lines 51-52

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB HSQS 12-03 (2012)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

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

Roll Call
84 6N

1 Committee/Subcommittee hearing PCB: Health & Human Services
2 Quality Subcommittee
3 Representative Jones offered the following:

Amendment

Remove lines 53-54

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB HSQS 12-03 (2012)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>Y</u>	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

Roll Call
8Y 6N

1 Committee/Subcommittee hearing PCB: Health & Human Services
2 Quality Subcommittee
3 Representative Randolph offered the following:

Amendment

Remove lines 59-60

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB HSQS 12-03 (2012)

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

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

Roll call
94 6N

1 Committee/Subcommittee hearing PCB: Health & Human Services
2 Quality Subcommittee
3 Representative Randolph offered the following:

Amendment

Remove lines 81-82

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB HSQS 12-03 (2012)

Amendment No. 7

<u>COMMITTEE/SUBCOMMITTEE ACTION</u>	
ADOPTED	<u>Y</u> (Y/N)
ADOPTED AS AMENDED	<u>—</u> (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>

*Roll call
84 TN*

1 Committee/Subcommittee hearing PCB: Health & Human Services
2 Quality Subcommittee
3 Representative Schwartz offered the following:

4
5 **Amendment**

6 Remove lines 75-76
7

COMMITTEE MEETING REPORT
Health & Human Services Quality Subcommittee

1/31/2012 12:30:00PM

Location: Reed Hall (102 HOB)

AMENDED

PCS for HB 1419 : Health Care Facilities

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern			X		
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph	X				
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
Total Yeas: 14 Total Nays: 0					

Appearances:

Clinical Laboratories
 Cerio, Timothy (Lobbyist) - Waive In Support
 Millennium Laboratories, Inc
 16981 Via Tazon Ste F
 San Diego CA 92127
 Phone: (850)577-9090

Committee meeting was reported out: Tuesday, January 31, 2012 8:26:13PM