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TARGET AUDIENCE: Florida residents

Week in Review | Session Week 2 (January 21-24, 2020)

Week 2 of the Regular Session of the Florida Legislature opened Tuesday after state legislators joined the nation on Monday in observing the legacy of Martin Luther King Jr.

On Wednesday, the House of Representatives convened and passed several measures. Among these, the body approved a joint resolution to abolish the Constitution Revision Commission, currently one of five ways to amend the Florida Constitution.

The once-every-20-year commission last met in 2018. It has been scrutinized for the way members were appointed and for bundling unrelated topics into single ballot items. If the Legislature passes the ban, voters will ultimately have the final say on abolishing the Constitution Revision Commission.

In committees, lawmakers approved conservative policies to help Floridians overcome barriers to health care and cut through red tape that prevents skilled people from working, among other issues. The following briefs highlight several of those measures, and more.

House Select Committee on the Integrity of Research Institutions holds initial meeting

When news broke that the Moffitt Cancer Center's Research may have been compromised by the Chinese government, Speaker Jose Oliva took swift action by appointing a special committee dedicated to investigating the issue. On Tuesday, the House Select Committee on the Integrity of Research Institutions convened for the first time to discuss goals and review evidence.

Under the leadership of Chairman Chris Sprowls, committee members shared that at least two Florida research institutions have been targeted for their research by Chinese-government backed organizations: Moffitt Cancer Center and the University of Florida. As the committee investigates these cases – and any others that arise – the members will be looking for evidence of diversion and theft of intellectual property; sharing of confidential information; and nondisclosure of ties to substantial organizations, including foreign governments.



While other research institutions have been the target of foreign attacks, Sprowls said, this is the first time a state legislature has taken action and responsibility to do what it can to correct problems and prevent future ones. In the coming weeks, the Select Committee will invite members from the Moffitt Cancer Center and University of Florida to testify – answering key questions about their internal procedures, how they failed, and why they failed.

House Health Quality Subcommittee votes to make medical records more accessible

The Florida House Health Quality Subcommittee approved a bill Tuesday to ensure that Floridians gain access to their medical records in a standardized, timely manner. **HB 1147** sets the timeframe that health care providers and facilities must produce or allow inspection of records and empowers patients to control their records in the form most convenient for them.

Requesting medical records should be a straightforward process; however, it is often inconsistent, confusing, and subject to repeated delays. **HB 1147** ensures that, regardless of provider type, each practitioner and facility must produce all requested records in their possession within 14 working days and allow inspection of all records in their possession within 10 working days. Furthermore, providers and facilities must produce the records in the form the patient selects.

A patient will receive treatment from many health care providers throughout their life, and each provider will create and maintain a record of that treatment. It is crucial that the patient and each of his or her current and future providers have prior treatment records for the patient to receive the best care.

House Health Market Reform Subcommittee votes to end surprise medical billing

This week the Florida House Health Market Reform Subcommittee approved a bill that protects Floridians from surprise medical billing.

Costs associated with health care services and procedures have the potential to result in significant medical debt for patients, and even bankruptcy. Even if medical costs do not result in bankruptcy, they can weigh heavily on patients. Past legislative efforts have helped patients get more information on health care costs prior to care, but more needs to be done to empower patients and protect them from unfair billing practices.

HB 959 empowers and protects patients by requiring health care facilities to provide good-faith estimates of charges for nonemergency medical services to patients and prohibiting facilities from charging any more than the estimate plus 10% — except if in unforeseen circumstances. The bill also increases medical debt collection consumer protections.



HOUSE MAJORITY OFFICE

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REPRESENTATIVE DANE EAGLE, MAJORITY LEADER

Current law requires all hospitals, ambulatory surgical centers, and urgent care centers to provide each patient an estimate of charges prior to providing any nonemergency medical services – but only upon patient request. **HB 959** makes these estimates mandatory and binding unless unforeseen circumstances or additional services result in the need for additional charges. If so, those charges must be explained in writing.

HB 959 increases certainty regarding the costs of recommended treatments and medical procedures, and protects patients from unfair billing practices.

House Health Market Reform Subcommittee votes for open, transparent access to health care information

Health care providers have some flexibility in discussing costs with patients, but there may be cases when a provider's contract with an insurer limits communication related to costs of care. Florida House Health Market Reform Subcommittee members approved a bill Tuesday to ensure open communication.

HB 1205 prohibits a health insurer or Health Maintenance Organization (HMO) from limiting the ability of any provider to discuss pricing information with a patient, ensures that insured patients do not pay more than an uninsured patient for a health care service, and safeguards a patient's right to open communication with providers regarding costs of care.

As health care costs continue to rise, many health insurers are asking consumers to take on a greater share of their costs by increasing premiums and out-of-pocket expenses. Patients should have the information they need to be able to choose less expensive health care services – or even pay for a service themselves, rather than using insurance, if it's less expensive.

House Local, Federal & Veterans Affairs Subcommittee votes to improve government transparency

Members of the Florida House Local, Federal & Veterans Subcommittee approved a bill Tuesday to ensure that local governments are responsible and transparent stewards of taxpayer dollars.

HB 1149 helps residents gain access to important information, including voting records related to tax increases and the issuance of tax-supported debt. The bill also enhances access to tax history and property tax information, expands public meetings and notice requirements, and requires local governments to conduct and consider a debt affordability analysis before approving the issuance of new long-term, tax-supported debt.



Under current law, most local governments are required to have an annual financial audit. **HB 1149** requires the auditor to report whether the local government is in compliance with the provisions of the new act created by the bill. Local governments not in compliance must provide evidence that corrective action has been initiated within 45 days and completed within 180 days.

HB 1149 ensures that Floridians have open, easy access to the information they need to be more engaged with their local government.

Florida House subcommittee seeks to bring transparency to commercial service airports

Florida is home to 20 commercial service airports, four of which are considered large-hub. These airports serve Florida's visitors and residents, but they also have an annual impact of \$144 billion on Florida's economy. On Wednesday, the Transportation & Tourism Appropriations Subcommittee voted to approve a bill to increase oversight, transparency, and accountability of these economic drivers.

HB 915 includes several provisions to enhance transparency and accountability for commercial service airports. Specifically, the bill requires the Auditor General, at least once every five years, to conduct operational and financial audits of the state's large-hub commercial service airports. It requires the members of the governing bodies of large-hub commercial service airports to submit a more detailed financial disclosure to the Commission on Ethics. Under the bill, each commercial service airport must post certain information about its airport operations online, including meeting notices, agendas, and certain documents it submits to the Federal Aviation Administration.

Among many other accountability measures, **HB 915** codifies the ethics standards for the governing body and employees of commercial service airports and requires annual ethics training. The bill requires each commercial service airport to comply with state procurement laws and public record and open meeting laws and to annually verify such compliance to the state. Ultimately, the bill holds commercial service airports accountable to all Floridians.

Florida House subcommittee votes to protect public employees

On Wednesday, the Oversight, Transparency & Public Management Subcommittee voted on legislation to tighten the regulation and oversight of unions.

HB 1 requires a public employee who desires to join a union sign a membership authorization form that says Florida is a right to work state and union membership is not required as a condition of employment. The authorization form must also provide that membership and payment of dues and assessments is voluntary. Among other protections, **HB 1** prohibits unions and employers from asking an employee to provide a reason for leaving the union.



The bill makes clear any dues and uniform assessments may not be deducted from an employee's salary until the employer receives signed authorization from the bargaining agent and confirms with the employee that he or she, in fact, authorized it. Authorization for dues deductions must be reauthorized annually.

House Committee votes to expand Sunrise Review process for regulated industries

When excessive regulation goes unchecked, working Floridians and small businesses suffer. This week, the House Business & Professions Subcommittee passed **HB 1155**, which strengthens Florida's Sunrise Act in order to ensure that proposed regulations of professions are necessary to protect the public's health, safety, and welfare.

Florida's Sunrise Act requires a formal review of proposed regulations of professions that includes a cost-benefit analysis. Currently, it only applies to legislation that proposes regulation of an unregulated profession. **HB 1155** expands the scope of the Sunrise Act by requiring a formal review for legislation that expands the scope of a regulated profession to include currently unregulated activities.

This bill helps ensure that Florida residents, businesses, and industries can thrive in a healthy regulatory environment that promotes the free market.

Florida House Committee passes Occupational Freedom and Opportunity Act

Excessive regulations can hinder economic growth and act as barriers to workforce entry for many Floridians who are trying to make a living. This week, the House Business & Professions Subcommittee passed **HB 1193** to free workers from redundant licensure and training requirements.

For barbers and cosmetology specialists, **HB 1193** reduces the excessive hours of training required to obtain a license to work. For occupations where a license is simply unnecessary, such as commercial interior designers and hair braiders, **HB 1193** would eliminate the state licensing requirement. The bill also expands license reciprocity measures for several professions.

Many of the deregulated professions in the bill already have industry standards in place, so continuing to require a license for those professions beyond what preserves the public health, safety, and welfare is unnecessary.



Public Integrity & Ethics Committee approves ethics reform package

Public servants should be intentional about ethics and careful to avoid any inappropriate personal benefit from their role or status. To that end, the House Public Integrity & Ethics Committee on Thursday approved a bill to help strengthen rules for ethical behavior in government.

To this end, **HB 1185** would help weed out conflicts of interest by banning some actions and requiring that public servants report new information. Among many reforms included in the bill, statewide elected officials are prohibited from taking a job offered as a result of their official duties or political status. Additionally, state workers cannot seek a job at an organization regulated by their employer agency, and statewide elected officials must report salary increases or new posts if they work for an organization that receives state dollars.

HB 1185 advances the Florida House of Representative's commitment to eliminating corruption, fraud, and abuse in government.

Public Integrity & Ethics Committee votes to keep government accountable

Floridians deserve governments that are transparent and accountable to them and held to the highest ethical standards. The House Public Integrity & Ethics Committee on Thursday approved a bill to advance this idea.

HB 1111 promotes integrity in government by identifying and eliminating government waste, fraud, abuse, mismanagement, and misconduct. Among many reforms, the bill creates a "Florida Integrity Office" with the sole purpose of ensuring accountability among state and local governments. The state's chief financial officer would be responsible for sending suggestions from Florida's "Get Lean" hotline to the new Integrity office for review. **HB 1111** also helps motivate state employees to report cases of misconduct or abuse in government by authorizing financial incentives.

Floridians are better served when their state and local governments are committed to being transparent and accountable to taxpayers.

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