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## HNF Stories

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# Which Bills Crashed & Burned?

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By **CAROL GENTRY**

Some people wanted the big bill of the 2014 legislative session to be Medicaid expansion, accepting federal funds to cover the low-income uninsured. Indeed, interfaith groups were still running phone banks and staging demonstrations up to Friday, the last day of the session.

But it was clear even before the 2014 Florida Legislature opened two months ago the measure would be ignored. Instead, lawmakers spent a lot of time debating ways to stretch the supply of primary-care providers as demand increases.



Most of those major health bills came to a crashing halt in the final two days of the session, including one that would have given nurse practitioners more autonomy. But its sponsor, Rep. Cary Pigman, R-Sebring, said he isn't disappointed.

"Oh golly, no! My expectation at the start of the legislative session was that we would (only) get heard in a couple of committees," he said. "Realistically, it was never going to pass the Senate. It did far better than I could ever have estimated a year ago."

Pigman, an emergency room physician, saw his bill pass the entire House as part of a health care "train" that included some other major issues. The Senate started picking apart the bill as soon as it got there, and derailed the entire effort, right down to the caboose.

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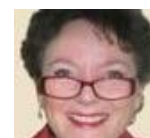
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"These important issues that change things remarkably always take multiple years to pass," Pigman said. If he is re-elected, he said, he'll keep trying.

Here is a round-up of some of the health-related bills that also didn't make it:

**Trauma Centers:** HB 7105/**SB 1276** was a compromise bill intended to allow HCA Healthcare to keep open three disputed hospital trauma centers at the center of a three-year-old lawsuit. A judge has ruled that the Department of Health was wrong to issue the trauma centers licenses, and a decision is still on appeal. The bill would have imposed a moratorium on any more such centers opening for a year while an advisory group studied the issue.

Also, an attempt to cap trauma center fees at \$15,000 failed. That effort emerged after the Tampa Bay Times ran a series **Insult to Injury**, reporting on price-gouging by trauma centers, especially those owned by HCA.

Though HCA had lobbyists working the bill, lawmakers said they didn't want to see the loss of jobs at the trauma centers in Ocala, Bradenton and Pasco County. Also, they said they were tired of spending large sums of taxpayers' money on lawyers defending DOH's action.

The trauma center measure died on Friday night when the House, tried to amend it onto a Senate bill on another health topic. The Senate just let the entire enterprise die and went home. For more, see "**Trauma Deal Fails in Final Minutes.**"

**Nurse Practitioners** -- **HB 7071** by the House Select Committee on Health Care Workforce Innovation would have greatly expanded the scope of practice for nurses with at least two years of post-college instruction, enabling some to go into independent practice without physician direct supervision.

Pigman, who has served in war zones overseas with nurse practitioners, said they are far more competent than Florida licensing rules give them credit for. He said this bill could partially relieve the stress on the health-care system, which is already short of primary-care physicians.

But the bill drew fire from the Florida Medical Association. Eventually it was rolled into the omnibus bill (HB 7113) and died on the final day of session.

Read more, see **Nurse-Power Bill Gets Its Start** and **Why Nurses Want More Power.**

**Telemedicine:** **HB 751/SB 1646** also emerged from the House innovation panel, and provided a structure under the law for the growth of long-distance health care through telemedicine (also called telehealth).

The House version would have allowed physicians in good standing in other states to diagnose and treat Florida patients via technology, merely by signing up on a registry. The Senate sided with the FMA, which insisted out-of-state physicians get a Florida medical license to engage in telehealth in the state.

Supporters of telemedicine, who came from both political parties, said that would drastically slow the progress of the new technology.

The House bill also became part of the "train," which died on Friday.

**Assisted Living:** HB 573/**SB 248** would have tightened state oversight of assisted living facilities (ALFs), group homes or institutions that take in elderly or disabled



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individuals who don't need skilled nursing, but need help with some things, such as taking their medicine.

It would have required an ALF to get a special license to have residents who are mentally ill. And it would have placed responsibility for monitoring the care of Medicaid patients in ALFs on managed-care plans.

The bill came in response to a Miami Herald series "*Neglected to Death*" in 2011, which detailed how residents of some centers died after being treated harshly, yet the Agency for Health Care Administration had not noticed. Or if it noticed, it permitted abuses to continue.

The bill died on Friday.

**Unlicensed Clinics:** **SB 746** addressed a loophole in Florida law that allows clinics to remain unlicensed and uninspected if they don't take insurance, but accept cash or credit. Remaining unlicensed appeals to certain kinds of clinics that push unapproved products or questionable services. The bill made a simple fix in the law to close the loophole, but it died on Friday.

Read more, read [Bill to Close Clinic Loophole at Risk](#).

**Needle Exchange:** HB /**SB 408** was the Miami-Dade Infectious Disease Elimination Pilot Program, a public-health measure aimed at preventing spread of blood-borne diseases, including HIV. A rise in heroin addiction followed the state crackdown on narcotics dispensed at pain clinics, and the addicts who use needles are contributing to the spread of serious diseases. The pilot project would have enabled addicts to turn in used syringes and needles and get clean ones.

The project was pushed by a coalition of medical students from University of Miami, Florida State University and other schools who persuaded the FMA to make it a legislative priority. Despite some skepticism among lawmakers, the bill did pass the Senate last week, but the House on Friday added an amendment substituting UM for DOH as manager of the program, and time expired before the Senate could vote again.

**Dental Plan:** **HB 27/SB 340** would have required AHCA to contract with prepaid statewide dental plans for Medicaid patients. Florida Medicaid has begun moving virtually all its recipients into managed-care plans, and those plans are expected to provide dental care. So the bill would have set up a carve-out contract, reportedly at the request of one particular vendor in Miami-Dade. The bill ran out of steam around mid-April.

**KidCare:** HB 7/**SB 282** would have allowed children of legal immigrants to become enrolled in subsidized health insurance without having to wait five years. It would not have applied to undocumented immigrants, who are not eligible. Nevertheless it petered out around the end of March.

**Medical Tourism:** HB 1223/**SB 1150** would have instructed Enterprise Florida to create a marketing plan to promote the state's health-care industry around the world. It petered out near the end of the session.

**Recovery Care:** **HB 7111** would have allowed some ambulatory surgery centers to add "recovery care," so they could keep patients overnight. Opponents said that's what hospitals are for. The bill didn't make it far.

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