



Florida
Chapter

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LEGISLATIVE WRAP-UP—MARCH 12, 2016

Legislative Wrap Up
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The Year of the Deal

After the implosion of last year's legislative session, legislators and lobbyists alike worked hard this year to achieve meaningful compromises on a series of issues. While nobody received everything they wanted, progress was made on a host of significant issues.

For instance, a ban on balance billing for emergency services by non-contracted physicians did pass, although insurers were forced to agree to both pay the usual and customary charge for such services, a ban on most retroactive denials, and an improved dispute resolution process. Likewise, nurse practitioners and physician assistants received the right to prescribe controlled substances but did not obtain the right to independent practice that they had been seeking. Likewise, pharmacists will be allowed to fill a six day emergency dose of chronic care medications but will not be allowed to write their own prescriptions for patients. Finally, the legislature finally passed a Telehealth Bill that allows the use of telemedicine by Florida-licensed practitioners of all types, but did not extend that right to out-of-state providers.

Despite these compromises, we did achieve some notable successes this year. After five years of effort, we and our allies passed the Needle Exchange Bill that will help address the heroin and AIDS epidemic in South Florida. On a more parochial issue, the Legislature passed a Medical Assistant Certification bill that places the Chapter certification course on the same level as other such programs. We also were successful in passing legislation providing immunity for physicians who provide emergency allergy treatment and prescriptions to schools.

Of course, there were disappointments. Managed care reforms such as bans on mid-treatment formulary changes were stripped out of bills during the last week or were left unaddressed when the House refused to consider a package deal that also would have been ruinous to the ambulatory surgical center industry (on a related note, the issue of Recovery Care Centers was rejected by the Senate). Unfortunately, Direct Primary Care was part of that package and ultimately did not pass, even with it having been parts of packages that passed both the House and the Senate.

In this Year of the Compromise, many thanks are due. While it may sound like heresy, I would like to thank the lobbyists for the Nurses, PAs, and insurance interests; we continue to disagree vehemently on many issues, but their willingness to bargain in good faith both led to positive legislation and served as a lesson for bickering legislators. Likewise, I need to thank the FMA and Specialty Society lobbyists; again, we did not agree on everything, but we worked together collegially to produce the best possible results.

Most of all, however, I would like to thank our members; your participation in the process and engagement in the system is what it is all about and makes this job worthwhile. Chris Nuland nulandlaw@aol.com