



FROM MARCH 10, 2003

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NURSING HOMES

Today, the Senate Health, Aging and Long-Term Care Committee was to consider of a series of important nursing home bills, including SB 1220, which establishes an arbitration process with caps on non-economic damages similar to the process that now applies to medical malpractice claims. Consideration of the bill was postponed when it became apparent that the votes for passage were not there. Senator Lisa Carlton (R-Osprey), who chaired the Senate Select Committee on Nursing Homes, then stunned nursing home representative by declaring in essence, that signaled the end of this issue for the rest of the session. Nursing home lobbyists are now regrouping and looking at other options to bring the bill back to life.

AIF supports a \$250,000 cap on non-economic damages for nursing homes. Vulnerability to large jury awards is why insurers have not returned to the Florida market. Therefore, AIF supports caps on non-economic damages for nursing-home liability cases to improve the accessibility to and availability of high-quality health care.

SMOKE-FREE WORKPLACE

The job of drafting a bill to implement Amendment 6, the smoke-free workplace initiative enacted by voters in the last general election, has fallen on the House Subcommittee on Trades, Professions & Regulated Business. Today the subcommittee met to discuss the recommendations it will present to the full Business Regulation Committee for its use in preparing legislation.

Up to this point, lawmakers had concentrated on making Amendment 6 less onerous. How much and what kind of food could a free-standing bar serve before it had to be considered a restaurant and, thus, subject to the amendment's restrictions? How could cigar factories, where quality control employees have to smoke the manufactured goods, escape the mandate to eliminate smoke from the workplace? What about non-profit groups, such as veterans' organization, that rent out meeting halls for various and sundry purposes? Would the ban on smoking apply to those places?

It seems that the Subcommittee on Trades, Professions & Regulated Business has latched on to an easy solution. Instead of seeking loopholes in the amendment language, the subcommittee members want to prohibit smoking in all bars and restaurants.

Representative James Kallinger (R-Winter Park), the subcommittee's chairman, instructed the staff to have the proposed committee bill completed by the end of this week so that it could be

heard next week by the full committee. It is unlikely that his approach — making the implementation legislation stricter than the amendment itself — will go the distance.

AIF will continue to monitor the implementation of Amendment 6 to ensure that it does not place undue burdens on employers and their ability to conduct business.

SPECIAL ELECTION PRIMARIES

Mike Haridopolos defeated Mary Beth Fitzgibbons by capturing 84.1% of the vote in the Special Republican Primary for Senate District 26. He will go on to face Donna Hart (D) in the March 25, 2003 Special General Election.

Thad Altman defeated five Republican candidates by capturing 40.8% of the vote in the Special Republican Primary for House District 30. He will go on to face Bruce Wechsler (LIB) in the March 25, 2003 Special General Election.

Please go to <http://fbnnet.com/Elections/electionmain.htm> to view the complete “unofficial” primary results.

Please send your comments or suggestions to us at aif@aif.com or call the Governmental Affairs department at (850)224-7173.

- For more information on all of the important legislative information concerning the business community, go to our “members only” Florida Business Network web site at <http://fbnnet.com>
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