

ASSOCIATED INDUSTRIES OF FLORIDA
**LEGISLATIVE
WEEKLY UPDATE**



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**AIF WEEKLY LEGISLATIVE BRIEF
JANUARY 20-24, 2003**

In celebration of Martin Luther King, Jr., the Florida Legislature did not hold any meetings or hearings on Monday, January 20

On Tuesday, the **House Select Committee on Medical Liability Insurance** heard testimony on the liability insurance problems facing physicians and state disciplinary action against health care providers. An actuary from the Milliman USA summarized a recently completed study which estimated that a \$250,000 cap on non-economic damages will reduce medical malpractice losses in Florida by 30 percent. Former Secretary of Health, Dr. Brooks, discussed Florida's shortage of physician specialists and those who are willing to practice in rural areas.

Also meeting was the **House Committee on State Administration**. There were two proposed committee bills (PCB) on the Committee's agenda that were of particular interest, concerning workers' compensation. PCB SA 03-11 provides a continuation of the current public records exemption for investigatory records received by the Division of Workers' Compensation in the process of an employer investigation. The bill also provides clarifying language that the investigatory records can be shared with law enforcement agencies, but that those receiving agencies are restricted from further disclosure of the information. The Committee unanimously reported the bill favorably with no amendments, no discussion or debate. The other bill concerning workers' compensation was listed on the agenda but was skipped by the chairman and not considered. It is PCB SA 03-12. This bill repeals the current public records exemption for notices of injury that are filed with the Division once a worker is injured on the job.

Governor Bush released his Budget Recommendations for Fiscal Year 2003-2004, recognizing that Florida is much better off than most of the nation, but also acknowledging in a tough budget year the state must focus on its key priorities. Florida's General Revenue budget FY 2003-2004 will grow by three (3) percent, or \$633 million, for a total of nearly \$22 billion. Florida is projected to end the current year, FY 2002-2003, with a \$140 million surplus in the General Revenue fund and \$960 million in its "rainy day fund." The Governor's priorities include: Education; Smaller, more Efficient Government; Health and Human Services; Economic Opportunities; Public Protection; Natural Resources and the Environment; and Tax Relief.

On Wednesday, the **House Elder Affairs and Long Term Care Committee** met to review the implementation of the 2001 nursing home reform bill (Senate Bill 1202) and to review Florida's current home and community based long term care programs. Molly McKinstry from the Agency for Health Care Administration stated that lawsuits continue to be filed against Florida's nursing homes. Her latest figures reflected 81 claims

reported in November 2002 and 74 claims reported in December 2002. In the past two years, 17 nursing homes have closed.

The **Senate Health Aging and Long-Term Care Committee** approved Senate Bill 74 and Senate Bill 76. Senate Bill 74 would require licensed pharmacists and other health care practitioners to report pharmaceutical adverse incidents to the Department of Health. Senate Bill 76 would create a public records exemption for certain information contained in those adverse incident reports.

On Thursday, the State of Florida awoke to the news that **Senator Howard Futch** (R-Indialantic) had passed away early that morning. A memorial services was held at noon in the Senate Chamber where Senator Howard Futch was honored for his military service and by past and present Legislators who worked with him. Every tribute was moving and clearly explained what an outstanding Legislator and man he was. It was a very sad day and loss for the State of Florida. Once again, Associated Industries of Florida extends their deepest sympathy to Senator Howard Futch's family and friends. Funeral arrangements for Senator Howard Futch can be found on the AIF website. The Senate and House cancelled all committee hearings and meetings for Thursday, January 23 and Friday, January 24. Thursday did bring word that possibly the **House Select Committee on Medical Liability Insurance**, chaired by Representative Dudley Goodlette (R-Naples), will not be voting on the medical malpractice reform. It is believed that the Committee will write a report and send the issue over to the regular standing committees for action.

The House and Senate do not have any committee hearings scheduled for the week of January 27-31. Once we receive notification for the rescheduled committee hearings that were to be held on January 23-24, we will send out a notice. Don't forget, all this information, and more, can be found at AIF's "Members Only" website (<http://fbnnet.com>).

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| Stay tuned to our daily brief and to our web site at www.fbnnet.com as the legislature makes some very important decisions on the state's economy. These decisions will have a major impact on the business community and AIF will be reporting to you everything that happens. |
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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>
- Send us your E-mail address and we will begin to send this report to you automatically via E-mail.