



# DAILY BRIEF

**From February 17, 2016**

## **AGRICULTURE**

### **SB 1310-Relating to Agriculture**

On Wednesday, February 17th, **SB 1310**, relating to Agriculture, by **Senator Travis Hutson (R-Palm Coast)** was heard today before the **Senate Appropriations Subcommittee on General Government** and passed with 6 yeas and 0 nays. **AIF stood in support of this bill.**

SB 1310 modifies provisions in several areas within the Department of Agriculture and Consumer Services (DACS). Specifically, the bill:

- Provides sole authority to the DACS to regulate the burning of agricultural crops on land classified as agricultural;
- Allows agricultural lands currently assessed at a de minimis value of up to \$50 per acre for property tax purposes due to participation in a state or federal eradication or quarantine program to be replanted and retain the de minimis value for a period of five years;
- Preempts regulatory authority for commercial feed and feedstuff to the DACS;
- Establishes specific penalties enforceable at the state level, including enhanced penalties under certain circumstances for persons knowingly dealing in any manner with plant pests, or introducing or releasing plant pests in this state without a special permit from the DACS;
- Authorizes the DACS to seek reimbursement for reasonable expenses incurred in its plant pest control or eradication program;
- Allows livestock grazing on “conservation easements” if such activity is a current or historic use on the site and is conducted in accordance with best management practices adopted by the DACS.

This bill will now go to **Senate Appropriations Committee** for a hearing.

**AIF supports legislation that will authorize DACS to provide for the best management practices for Florida’s farming community.**

## **ENERGY**

### **HB 285- Relating to Natural Gas Rebate Program**

On Wednesday, February 17th, **HB 285**, relating to Natural Gas Rebate Program, by **Rep. Lake Ray (R-Jacksonville)** passed unanimously through the **House Regulatory Affairs Committee** by a vote of 12 yeas to 1 nay. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

In 2013, the Legislature created the Natural Gas Fuel Fleet Vehicle Rebate Program (program) within the Department of Agriculture and Consumer Services (DACS) to “help reduce transportation costs in this state and encourage freight mobility investments that contribute to the economic growth of the state.” Beginning with Fiscal Year 2013-2014 and continuing through Fiscal Year 2017-2018 (five years), DACS is required to award rebates, to those eligible, for the costs of converting a diesel or gasoline powered motor vehicle to a natural gas fuel-powered motor vehicle on or after July 1, 2013. An applicant is eligible to receive a maximum rebate of \$25,000 per vehicle up to a total of \$250,000 per applicant per fiscal year, on a first-come, first-served basis.

HB 285 will now go to the House floor for consideration.

**AIF supports the natural gas fuel fleet vehicle rebate program, specifically the authorization of DACS to award additional rebates to applicants from unencumbered funds after each fiscal year.**

## **GAMING**

### **SB 7072-Relating to Gaming**

On Wednesday, February 17th, **SB 7072**, relating to Gaming, by the **Senate Regulated Industries Committee** was heard before the **Senate Regulated Industries Committee** and passed with 8 yeas and 4 nays.

**AIF's Senior Vice President of State and Federal Affairs, Brewster, Bevis, stood in support of two amendments that were adopted for this bill.**

The first, amendment # 354378, by **Senator Garrett Richter (R-Naples)**, would allow limited use of "Point-of-sale Terminals" for the sale of lottery tickets or games. A "Point-of-sale Terminal" is a charge card reader, like those used at a retail counter, self-service fuel pump or self-service checkout line. The bill authorizes the Department of the Lottery, approved vendors, and approved retailers to use point-of-sale terminals to facilitate sales of lottery tickets or games, provided that the purchaser is verified to be 18 years of age or older and the terminal does not dispense lottery winnings.

**AIF supports innovative means to help fund Florida's education system. In addition, enactment of this legislation would create more manufacturing jobs in the State.**

The second, amendment # 897172, by **Senator Joe Negron (R-Palm City)**, would implement a permit reduction program created in the Division of Pari-mutuel Wagering for the purpose of purchasing and canceling active pari-mutuel permits.

**AIF supports the Legislature keeping the Pari-mutuel industry and its impact on Florida's economy.**

SB 7072 will now go to the Senate floor for a vote.

## **HEALTH CARE**

### **HB 221- Relating to Out-of-Network Health Insurance Coverage**

On Wednesday, February 17th, **HB 221**, relating to Out-of-Network Health Insurance Coverage, by **Rep. Carlos Trujillo (R-Doral)** was heard by the **House Health & Human Services Committee** and passed. **AIF's General Counsel, Tammy Perdue, stood in support of this bill.**

The intent of this bill is to protect consumers from balance billing when that situation occurs in an emergency setting; the balance bill is the difference between the provider's charges and the amount the provider has received in reimbursement from the consumer's insurance plan. Provider charges in Florida are often 100 times more than Medicaid charges, so this legislation should cap a significant cost driver in today's health care system.

HB 221 will now go to the House floor for consideration.

**AIF supports legislation that requires a patient to be presented with documentation regarding any charges for out-of-network services.**

### **HB 7087- Relating to Telehealth**

On Wednesday, February 17th, **HB 7087**, relating to Telehealth, by **House Select Committee on Affordable Healthcare Access** and **Rep. Chris Sprowls (R-Clearwater)** was heard by the **House Health & Human Services Committee** and passed. **AIF stood in support of this bill.**

The bill would authorize Florida licensed health care providers to use telehealth to deliver services within their scopes of practice. It would also allow out-of-state providers to deliver services through telehealth to Florida patients if they register with the Department of Health (DOH) or the applicable board, meet specific eligibility requirements, and pay an established fee. The out of state telehealth provider would be prohibited from opening an office in Florida and from providing in-person health care services to patients located in the state.

Additionally, a telehealth provider would be required to conduct an in-person physical exam prior to providing services through telehealth, unless the provider is capable of conducting a patient evaluation in a manner consistent with the applicable standard of care sufficient to diagnose and treat the patient when using telehealth.

HB 7087 will now go to the House floor for consideration.

**AIF supports legislation that permits an unfettered role for telehealth services that will allow our citizens access to better quality care at lower costs.**

## INSURANCE

### **HB 659-Relating to Automobile Insurance**

On Wednesday, February 17th, **HB 659**, relating to Automobile Insurance, by **Rep. David Santiago (R-Deltona)** was heard before the **House Regulatory Affairs Committee** and passed with 12 yeas and 2 nays. **AIF stood in support of this bill.**

HB 659 makes updates to the auto market, lessening the burden on businesses. These updates include making a mandatory pre-inspection program for used cars optional, and including provisions for electronic payments of insurance premiums.

This bill will now go to the House floor for consideration.

**AIF supports smart, targeted reforms that help keep the insurance markets up to date and with the times.**

## LEGAL & JUDICIAL

### **SB 912- Relating to Fraudulent Activities Associated with Payment Systems**

On Wednesday, February 17th, **SB 912**, relating to Fraudulent Activities Associated with Payment Systems, by **Senator Anitere Flores (R-Miami)** was heard before the **Senate Fiscal Policy Committee** and passed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

This bill addresses “skimming” at gas stations, specifically at gas pumps themselves, which has become a significant issue in the state of Florida. “Skimmers” are typically found on the gas pumps themselves, disguised as the usual everyday credit card reader. Unbeknownst to the customer, their credit card information is stolen.

During recent investigations, the Department of Agriculture and Consumer Services (DACS) has found that skimmed payment information is being used as part of elaborate fraud schemes to purchase hundreds of gallons of gas that is pumped into unapproved, hidden gas tanks in vans, SUVs, and trucks. Such gas is then usually resold by the criminals to independent truck drivers at a fraction of its usual cost.

SB 912 addresses fraudulent activity occurring at fuel stations by:

- Increasing from a third degree felony (maximum penalty of 5 years in state prison) to a second degree felony (maximum penalty of 15 years in state prison) for the unlawful conveyance of fuel;
- Requiring a retail petroleum fuel measuring device to have affixed to or installed onto the measuring device at least one security measure described in the bill and authorizing the Florida Department of Agriculture and Consumer Services, under certain circumstances, to prohibit further use of the measuring device until a security measure is installed, replaced, or repaired;
- Indicating that possession of counterfeit cards is unlawful (not specified in current law); and
- Increasing the offense severity level ranking for unlawful conveyance of fuel and trafficking in or possession of counterfeit credit cards.

This bill will now go to the Senate floor for consideration.

**AIF supports this legislation due to it cracking down on theft from Florida retailers while also protecting Florida's consumers.**

## WORKERS' COMPENSATION

### **HB 7073-Relating to Ratification of Rules/Florida Workers' Compensation Health Care Provider Reimbursement Manual**

On Wednesday, February 17th, **HB 7073**, relating to Ratification of Rules/ Florida Workers' Compensation Health Care Provider Reimbursement Manual, by the **House Rulemaking Oversight & Repeal Subcommittee** and **Rep. Lake Ray (R-Jacksonville)** was heard before the **House Regulatory Affairs Committee** and passed with 13 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

This bill addresses adoption of the current version of the Florida Worker's Compensation healthcare provider reimbursement manual. This manual has not been adopted or updated since 2008, leaving Florida well behind every other state in the amount of reimbursement it pays to healthcare providers for the treatment of injured workers.

HB 7073 will now go to the House floor to be heard.

**AIF supports legislation that will keep Florida's Workers' Compensation system a stable and self-executing mechanism that benefits both injured workers and Florida's employers.**

#### **SB 986-Relating Workers' Compensation System Administration**

On Wednesday, February 17th, **SB 986**, relating to Workers' Compensation Administration, by **Senator Wilton Simpson (R-Trilby)** was heard by the **Senate Appropriations Subcommittee on General Government** and passed. **AIF's General Counsel, Tammy Perdue, stood in support of this bill.**

SB 986 provides additional administrative tools to the deep vision of Worker's Compensation for penalty enforcement and stop work order fines.

This bill will now go to its final committee hearing in the **Senate Appropriations Committee.**

**AIF supports Florida's current workers' compensation law and any proposed change to the workers' compensation system- in the courtroom or Legislature- will be evaluated through the prism of coverage affordability, market stability, and employee safety.**

## **WORKFORCE**

#### **HB 887- Relating to Computer Coding Instruction**

On Wednesday, February 17th, **HB 887**, relating to Computer Coding Instruction sponsored by **Rep. Janet Adkins (R-Fernandina Beach)** was heard before the **House Education Committee** and passed with 16 yeas and 1 nay. **AIF stood in support of this bill.**

HB 887 would allow high school students the option of taking computer coding courses along with a related industry certification to satisfy the foreign language requirement currently in place. Under this bill high schools will provide students the opportunity to substitute two credits in computer coding and a related industry certification for two credits sequential foreign language courses (i.e. Spanish I and Spanish II; Latin I and Latin II; French I and French II; etc.).

The bill would require each district school board to submit a plan for offering computer coding to the Education Commissioner, Senate President, and Speaker of the House of Representatives by January 1, 2017.

Furthermore, HB 887, would require the Florida College System institutions and state universities to acknowledge computer coding course credits as foreign language credits.

HB 887 will now go to the House floor for consideration.

**AIF supports legislation that will provide Florida's students the opportunity to become proficient in computer coding, which will in turn prepare our states next generation for a technology driven economy.**