

INTERIM UPDATE



From December 8, 2017

CONSUMER PROTECTION

SB 664 & HB 469-Relating to Salvage of Pleasure Vessels

On Monday, December 4th, SB 664, by Senator Dana Young (R-Tampa) was heard before the Senate Committee on Commerce and Tourism and passed by a vote of 7 yeas to 1 nay. AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in support of this bill.

On Wednesday, December 6th, HB 469, by Representative Shawn Harrison (R-Tampa) was heard before the House Natural Resources & Public Lands Subcommittee and passed by a vote of 13 yeas to 0 nays.

This legislation creates the "Florida Salvage of Pleasure Vessels Act" (act) to provide certain consumer protections for salvage work performed on pleasure vessels. More specifically it requires that salvors must provide a customer or potential customer with a written disclosure statement and salvage work estimate for services. If a salvor's charges exceed the written estimate by more than 20 percent, the salvor is required to promptly notify the customer of the additional estimated charge and allow the customer to authorize, modify, or cancel the order for salvage.

SB 664 will move on to its next hearing in the Senate Committee on Transportation.

HB 469 will move on to its next hearing in the House Careers and Competition Subcommittee.

AIF supports legislation that ensures price transparency and consumer protections.

HEALTH CARE

SB 162-Relating to Payment of Healthcare Claims

On Tuesday, December 5th, SB 162, by Senator Greg Steube (R-Sarasota) was heard before the Senate Committee on Banking and Insurance and passed by a vote of 10 yeas to 0 nays. AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this bill.

This bill prohibits health insurers and health maintenance organizations (HMOs) from retroactively denying a claim at any time if the insurer or HMO verified the eligibility of an insured or subscriber at the time of treatment and provided an authorization number, regardless of if the insured has paid their premiums prior to that claim rendering them ineligible for coverage.

SB 162 will go on to the Senate Committee on Health Policy for its next hearing.

AIF opposes legislation requiring insurers to pay claims for all people, even those that have not paid their premiums because it would raise costs on employers who would be required to pay health care expenses of people who are no longer employees, and consumers would bear the burden of paying the high costs of fraud, waste and abuse that would occur in the system.

SB 98-Relating to Health Insurer Authorization

On Tuesday, December 5th, SB 98, by Senator Greg Steube (R-Sarasota) was heard before the Senate Committee on Judiciary and passed 10 yeas to 0 nays. AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in opposition to this bill.

This legislation creates a standard process for the approval or denial of (1) prior authorizations and (2) step therapy ("fail-first") protocol exceptions. Currently, the many health insurance carriers in Florida employ robust policy product offerings containing medically-proven prior-authorization and step-therapy programs designed to reflect the protocols and standards of care, advanced and adopted by a vast array of specialty physicians based on their latest evidence-based research. These procedures and protocols allow for the use of the safest, most appropriate and most cost-effective drug, and permit progressing to other, more costly drugs with more sophisticated interactions and side-effects, in accordance with FDA approvals.

SB 98 will move on to the Senate Committee on Rules.

AIF opposes this legislation as it would force insurers and consumers to purchase the most expensive drugs and treatments even when equally effective therapies are available at much lower costs.

LEGAL & JUDICIAL

SB 760 & HB 623-Relating to Grounds for Nonrecognition or Out-of-Country Foreign Judgments

On Tuesday, December 5th, SB 760, by Senator Aaron Bean (R-Jacksonville) was heard before the Senate Committee on Judiciary and passed by a vote of 10 yeas to 0 nays. AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.

On Wednesday, December 6th, HB 623, by Representative Cord Byrd (R-Jacksonville), was heard before the House Civil Justice and Claims Subcommittee and passed by a vote of 10 yeas to 0 nays. AIF's stood in support of this bill.

This legislation amends the Uniform Out-Of-Country Foreign Money - Judgment Recognition Act, codified in chapter 55 F.S., to add two additional permissive grounds for nonrecognition of a foreign money judgment by a Florida court. The Act currently provides three mandatory grounds for nonrecognition and eight permissive grounds for nonrecognition of a foreign judgment. Of the mandatory grounds that are similar to those in the bill, the Act requires nonrecognition where the foreign country's court system is systematically unfair, failing to provide impartial tribunals and compatible due process of law.

These bills add two permissive grounds for when a Florida court may decline to recognize a foreign judgment on more individualized due process grounds:

- There is “substantial doubt” about the “integrity” of the particular foreign court that rendered the judgment.
- The particular foreign court that rendered the judgment failed to afford due process in the proceedings.

SB 760 will go on to the Senate Committee on Commerce and Tourism to be heard.

HB 623 will go on to the House Judiciary Committee to be heard.

AIF SUPPORTS legislation to clarify existing law and protect Florida businesses from foreign judgments that are not compatible with the requirements of due process of law.

EDUCATION

SB 88-High School Graduation Requirements

On Wednesday, December 6th, SB 88, by Senator Dorothy Hukill (R-Port Orange), was heard by the Senate Committee on Appropriations and passed by a vote of 20 yeas to 0 nays. AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.

Currently, based on Next Generation Sunshine State Standards, high school students receive financial literacy instruction as part of the one-half Economics course credit required for graduation. The bill revises that standard to require students entering grade 9 in the 2018-2019 school year and thereafter to complete a one-half standalone course credit in personal financial literacy.

SB 88 will go on to the Senate Floor to be heard.

AIF SUPPORTS legislation that provides students the tools to learn about relevant, and real-life subjects that will prepare them for the workforce in the future.