



DAILY BRIEF

For the 2019 Legislative Session

From March 5, 2019

INSURANCE

SB 122 – Relating to Attorney Fee Awards Under Insurance Policies and Contracts

On Monday, March 4, **SB 122** by Senator Doug Broxson (R-Pensacola) was heard before the Senate Banking and Insurance Committee and was reported favorably with 5 yeas and 3 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Currently, assignment of benefit legal abuse is perpetrated by a handful of plaintiff's lawyers and vendors who work together to strip benefits away from policyholders and use these to force higher settlements from insurers, and even go so far as to sue in the name of the policyholder, often without the policyholder's full and informed consent. This bill would limit the assignees of post-loss benefits that may recover attorney fees to a named insured, named beneficiary, or omnibus insured. Assignees of post-loss benefits such as contractors, motor vehicle repair shops, and medical providers would no longer be able to recover attorney fees.

SB 122 will now move to the Senate Judiciary Committee.

AIF SUPPORTS reforms to the assignment of benefits process to protect consumers against these abuses.

HEALTH CARE

HB 23 – Relating to Telehealth

On Tuesday, March 5, **HB 23** by Representative Clay Yarborough (R-Jacksonville) was heard in the House Health Quality Subcommittee and was reported favorably with 11 yeas and 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Telehealth is the remote delivery of health care services using technology. This bill authorizes Florida licensed health care professionals to use telehealth, simultaneous audio and video, to deliver health care services within their scopes of practice. The bill also authorizes out-of-state health care professionals to use telehealth to deliver health care services to Florida patients if they register with the Department of Health or the applicable board, meet certain eligibility requirements, and pay a fee. While an out of state registered provider may use telehealth to provide health care services to Florida patients, they are prohibited from opening an office or providing in person services in Florida. For tax years beginning on or after January 1, 2018, the bill creates a tax credit for health insurers and health maintenance organizations (HMOs) that cover services provided by telehealth.

HB 23 will now move to the House Ways and Means Committee.

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

HB 831- Relating to Electronic Prescribing

On Tuesday, March 5, **HB 831** by Representative Amber Mariano (R-Port Richey) was heard in the House Health Quality Subcommittee and was reported favorably with 12 yeas and 1 nay. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Electronic prescribing (e-prescribing) is a method by which an authorized health care practitioner electronically transmits a prescription to a pharmacy using a secure software system. Efforts have been made by states, as well as the federal government, to increase the use of e-prescribing software. Beginning January 1, 2020, HB 831 requires prescribers to generate and transmit all prescriptions electronically.

HB 831 will now move to the House Health Care Appropriations Subcommittee.

AIF supports legislation that provides for improved prescription accuracy, increased patient safety, reduced opportunities for fraud and abuse and reduced overall costs. Improving the overall functionality and cost will further enable Florida employers to provide health care coverage for our citizens.