



DAILY BRIEF

For the 2019 Legislative Session

From April 11, 2019

ENERGY

SB 796 – Relating to Public Utility Storm Protection Plans

On Thursday, April 11, **SB 796** by Senator Joe Gruters (R-Sarasota) was heard in the Senate Appropriations Committee and was reported favorably with 19 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill aims to harden Florida's utilities grid against tropical storm and hurricane damage with proposed under-grounding of electric infrastructure. The bill would require public utility companies (Florida Power and Light, Duke Energy Florida, Gulf Power Company, Tampa Electric Company, and the Florida Public Utilities Corporation) to submit a transmission and distribution storm protection plan to the Public Services Commission, with updates required at least every three years. Data collected after Hurricane Irma showed that underground lines suffered minimal outages during storms.

SB 796 will now move to the Senate floor.

AIF supports actively seeking ways to harden our state's infrastructure and more effectively prepare for hurricanes and tropical storms to ensure that power is quickly restored.

TAXATION

Proposed Committee Bill WMC 19-02 – Relating to Taxation

On Thursday, April 11, **PCB WMC 19-02**, sponsored and heard by the House Ways and Means Committee, was reported favorably with 14 yeas and 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The bill provides for several tax reductions and other tax-related modifications designed to directly impact both families and businesses. Specifically, this bill provides:

- A reduction in the tax rate for commercial property rentals from 5.7% to 5.35%,
- A three-day “back-to-school” holiday for certain clothing, school supplies, and personal computers, and
- A seven-day “disaster preparedness” holiday for specified disaster preparedness items. Regarding property taxes, the bill includes the following:
- The timing of payments to local governments in fiscally constrained counties and Monroe County to offset property tax refunds granted to homeowners due to hurricanes in 2016 and 2017 would be slightly delayed in fiscal year 2019-20 to allow for the related state appropriation to be based on actual data, instead of an estimate.

AIF supports legislative actions that reduce taxes on businesses which allows further growth and employment opportunities.

HEALTH CARE

HB 23 – Relating to Telehealth

On Thursday, April 11, **HB 23** by Representative Clay Yarborough (R-Jacksonville) was read a third time on the House floor and passed with a vote of 102 yeas and 14 nays.

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 is now in Senate messages.

AIF supports legislation that permits an unfettered role for telehealth services that will help Floridians access better quality care at lower costs.

HB 831- Relating to Electronic Prescribing

On Thursday, April 11, **HB 831** by Representative Amber Mariano (R-Port Richey) was read a third time on the House floor and passed with a vote of 111 yeas and 4 nays.

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, unless in the instance of technological failure.

HB 831 is now in Senate messages.

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.

INSURANCE

HB 1113 – Relating to Health Insurance Savings Program

On Thursday, April 11, **HB 1113** by Representative Paul Renner (R-Palm Coast) was read a third time on the House floor and passed with a vote of 114 yeas and 0 nays.

This bill creates the Patient Savings Act, which allows health insurers to create a voluntary shared savings incentive program to encourage insured individuals to shop for high quality, lower cost health care services. The bill directs health insurers who choose to offer the program to develop a website outlining the range of shoppable health care services available to insureds. This website must provide insureds with an inventory of participating health care providers and an accounting of the shared savings incentives available for each shoppable service. When an insured obtains a shoppable health care service for less than the average price for the service, the bill requires the savings to be shared by the health insurer and the insured. An insured is entitled to a financial incentive that is no less than 25 percent of the savings that accrue to the insurer as a result of the insured's participation.

HB 1113 is now in Senate messages.

AIF supports legislation that provides high quality healthcare at a lower cost to Floridians and businesses that operate in our state.

HB 7065 – Relating to Insurance Assignment Agreements

On Thursday, April 11, **HB 7065**, sponsored by the House Civil Justice Subcommittee, was read a third time on the House floor and passed with a vote of 96 yeas and 20 nays. Unfortunately, auto glass was removed from legislation on the House floor.

The abuse of the one-way attorney fee statute in relation to “assignment of benefits” (AOB) has created a relatively new form of litigation over auto glass repairs and property damage. These legal abuses are perpetrated by a handful of 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 consent. This bill helps prevent future abuse of AOBs by:

- Limiting an assignee’s ability to recover certain costs from the insured;
- Requiring the assignee to give the insurer notice of the assignee’s intent to file a lawsuit;
- Requiring the insurer to respond to the assignee’s notice;
- Setting the formula that will determine which party, if any, receives an award of attorney fees should litigation related to an assignment agreement result in a judgment; and
- Allowing an insurer to offer a policy prohibiting assignment.

HB 7065 is now in Senate messages.

AIF supports reforms to the AOB process to protect consumers against these abuses that drive up insurance costs.

LEGAL & JUDICIAL

HB 3 – Relating to Preemption of Local Regulations

On Thursday, April 11, **HB 3** by Representative Michael Grant (R-Port Charlotte) was read a third time on the House floor and passed with a vote of 88 yeas and 24 nays.

This bill aims to preempt authority to the state and away from local governments when it comes to business regulations. Both big and small businesses must abide by the rules and regulations set in place by their local governments, regardless of if that rule or regulation differs from city to city, or county to county. This circumstance causes those who conduct business in multiple cities or counties throughout the state to abide by a myriad of rules that are inconsistent and must be complied with in order to continue their business. AIF believes that preempting business regulation to the state will allow for a streamlined system that businesses, (old and new, small and large) can easily follow when conducting business across the State of Florida.

HB 3 is now in Senate messages.

AIF supports legislation that will streamline business regulation throughout the state.

TRANSPORTATION

SB 7068 – Relating to Transportation

On Thursday, April 11, **SB 7068**, sponsored by the Senate Infrastructure and Security Committee, was heard in the Senate Appropriations Committee and was reported favorably with 20 yeas and 0 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill creates the Multi-use Corridors of Regional Economic Significance Program within the Florida Department of Transportation. The program is designed to advance construction of regional corridors that will accommodate multiple modes of transportation and multiple types of infrastructure. The specific purpose of the program is to revitalize rural communities, encourage job creation in those communities, and provide regional connectivity while leveraging technology, enhancing quality of life and public safety, and protecting the environment and natural resources.

SB 7068 will now move to the Senate floor.

AIF supports legislation that revitalizes rural communities and allows Florida businesses to create jobs and enhance the quality of life in the state.