



DAILY BRIEF

From April 30, 2013

Health Care

The House unanimously passed SB 398, *Relating to Physicians Assistants*, by Senator Aaron Bean (R-Fernandina Beach). The bill clarifies the services physician assistants (PAs) are authorized to execute. Specifically, the bill clarifies that PAs can order medications for a supervisory physician's patient in a hospital, ambulatory surgical center, or mobile surgical facility.

SB 398 will next be sent to the Governor for his signature.

AIF supports any legislation allowing trained, professional health care providers to deliver basic care they may currently be prohibited from providing due to regulatory licensing barriers.

The Senate unanimously approved HB 939 *Relating to Medicaid Recoveries*, by Representative Cary Pigman (R-Sebring). The bill would increase accountability in the state's Medicaid program by:

- Lengthening the time medical and Medicaid-related records are kept;
- Authorizing the Florida Agency for Health Care Administration (AHCA) to perform onsite inspections of a service location of a provider who has applied to become a Medicaid provider; and
- Expanding the list of offenses for which AHCA may terminate a provider's participation in the Medicaid program.

Next, the bill will be sent to the Governor to be signed into law.

AIF supports passage of legislation that would lessen incidences of fraud within the state's Medicaid program which could lower the amount by which Florida employers subsidize that program.

The Senate and House remained at an impasse on a plan to reform health care in Florida that addresses the \$1.3 billion tax that employers are currently paying to cover the cost of medical care for indigent Floridians lacking coverage.

Today, the Senate unanimously passed HB 7169 but amended it in its entirety with the substance of the Healthy Florida Program authored by Senator Joe Negrón (R-Palm City) in SB 1816.

The bill will now head back to the House for consideration as amended. However, there is no indication that the House will accept this approach, leaving most observers to assume that no reform will be enacted this session.

AIF supports SB 1816 by Senator Negrón. SB 1816 is the only proposal addressing the inordinate hidden tax that Florida employers pay to cover the cost of care provided to uninsured Floridians. AIF strongly urges the Legislature to continue its focus on developing sound health care reform that will alleviate this financial encumbrance by best leveraging available federal funds to safeguard Florida's future economic success.

Manufacturing

The Senate unanimously passed HB 357, *Relating to Manufacturing Development* by Representative Jim Boyd (R-Bradenton). The bill was carried in the Senate by Senator Bill Galvano (R-Bradenton). The bill is a top priority for the AIF Manufacturing, Aerospace and Defense Council and, when enacted, it will be referred to as “The “Manufacturing Competitiveness Act.”

The legislation authorizes local governments to voluntarily adopt, by ordinance, a Local Manufacturing Development Program that would allow manufacturers to obtain master plan approval for manufacturing sites. The agreed upon master plan would set outer limits on the site that would remain applicable over term of the master plan. Once the master plan is approved, the manufacturer would not need further local approval for future expansions or modifications (except for building code, life, or safety issues).

Manufacturers residing in participating counties will also have access to a coordinated permitting process at the state level for the most common state permits. The bill also enables participating local governments to be self-identified as having a particular interest in having manufacturing facilities in their jurisdictions. Enterprise Florida can use this information when recruiting and placing manufacturing facilities. In essence, this creates some level of competition among counties for new manufacturing facilities.

Florida is among the bottom five states in the nation as a percentage of manufacturing gross state product output. The sector is a significant job creator with salaries well beyond the state average and with every direct manufacturing job creating about three indirect jobs, the highest of any employment sector.

HB 357 will next be sent to the Governor to be signed into law.

AIF supports HB 357 because it will improve the development approval process for Florida’s manufacturers.

Insurance

Today the House passed SB 468, *Relating to Property and Casualty Insurance Rates and Forms*, by Senator Dorothy Hukill (R-Port Orange). The House companion bill, HB 335 was carried in the House by Representative Jim Boyd (R-Bradenton). SB 468 allows a property and casualty insurer to file a new policy or changes to an existing policy as an informational filing with the Office of Insurance Regulation (OIR) in lieu of filing for approval prior to use. The bill will substantially reduce a backlog of form filings awaiting approval by the OIR. Thus, the bill will allow insurers to react timely to the insurance needs of the business community and will enhance competition among insurers.

The bill will next be sent to the Governor to be signed into law.

AIF supports the passage of legislation improving the regulatory environment for insurers and reducing the cost of insurance to businesses.

Also passing through the House today was SB 810 *Relating to Wrap-Up Insurance Policies*, by Senator David Simmons (R-Altamonte Springs). The House companion bill, HB 343, was carried by Representative Bill Hager (R-Boca Raton). The bill allows insurance companies to offer a deductible feature for a workers' compensation policy which covers all parties performing work on a major construction site. Florida businesses will have the option to substantially reduce insurance costs for new facilities' construction by purchasing a wrap-up policy with a deductible. In addition, a deductible creates a direct monetary incentive for a construction project owner or general contractor to maintain a safe work site for employees.

The bill passed unanimously and will next be sent to the Governor to be signed into law.

AIF supports measures that will streamline regulatory requirements on Florida businesses.

The Senate unanimously passed HB 383, *Relating to Interstate Insurance Product Regulation Compact*, by Representative Matt Hudson (R-Naples). The Senate companion bill, SB 242 was carried by Senator Dorothy Hukill (R-Port Orange). The bill enacts into Florida law, the Interstate Insurance Product Regulation Compact (the Compact); a model legislation adopted by the National Association of Insurance Commissioners. The Compact provides for the development of uniform national standards for life insurance, annuity, disability income insurance, and long- term care products (including rate filings for the latter two insurance products) and application of these standards to insurance filings.

AIF supports legislation allowing insurers to submit a single filing to the Commission rather than making separate filing in each state in which they are authorized to do business.

Environment & Agriculture

The House passed SB 1106, *Relating to Agritourism* by Senator Alan Hays (R-Umatilla). The House companion bill, HB 927, was sponsored by Representative Holly Raschein (R-Key Largo). Agritourism refers to the practice of attracting tourists to agricultural areas, usually for recreational or educational purposes. Agritourism provides Florida farmers with an alternative and innovative way to expand their incomes either through activities on the farm, or employment activities off of the farm.

SB 1106 prohibits a local government from adopting ordinances or policies designed to prohibit or limit agritourism activity on land deemed "agricultural" by the county property appraiser. The bill also clarifies the definition of "agritourism activity," and establishes a limit on the liability for the landowner and the employees if a notice of risk is posted on the land.

SB 1106 will now be sent to the Governor for his signature.

AIF supports any legislation that allows Florida farmers to safely expand their businesses through the use of Agritourism.

Another bill to pass the House this morning was SB 934, *Relating to Stormwater Management Permits*, by Senator Tom Lee (R-Brandon). The House companion bill, HB 183, was carried by Representative Daniel Raulerson (R-Plant City). The bill provides that a city or county that creates a community redevelopment area is authorized to adopt storm water adaptive management plan for water quantity and quality of storm water discharges in the area and get a permit from the Water Management District (WMD) or Department of Environmental Protection (DEP). The permit has a series of requirements.

SB 934 will next be sent to the Governor where it can be signed into law.

AIF supports this bill because it protects businesses establishing in a redevelopment area that is likely to flood.

SB 682, *Relating to Fossil Fuel Combustion Products*, by Senator Wilton Simpson (R-New Port Richey) also passed through the House earlier today. The House companion bill was sponsored by Representative Tom Goodson (R-Titusville). The bill addresses the continued use of coal ash in many products and creates a regulatory program under the Department of Environmental Protection (DEP) for the beneficial use of Fossil Fuel Combustion Products. This bill would let the EPA know that Florida wants to continue to use coal ash in various types of products. It also saves energy while producing revenue by using coal ash in products rather than incurring the cost of disposal.

SB 682 will now be sent to the Governor to be signed into law.

AIF supports any legislation promoting the beneficial use of Fossil Fuel Combustion Products in order to save Florida's businesses from the costly disposal of such resources.

The Senate passed HB 7157, *Relating to Ratification of Rules Implementing Total Maximum Daily Loads for Impaired Water Bodies*, sponsored by Representative David Santiago (R-Deltona). This bill ratifies specified DEP rules implementing total maximum daily loads for impaired water bodies for the sole and exclusive purpose of satisfying any condition that requires legislative ratification, such as cost of implementation.

HB 7157 will next head to the Governor's desk for his signature.

AIF supports water quality legislation that is site specific and science-based. The TMDL program of the Florida Department of Environmental Preservation (DEP) is one of these types of programs.

The Senate unanimously passed HB 203, *Relating to Agricultural Lands* by Representative Halsey Beshears (R-Monticello). The Senate companion legislation, SB 1190, was carried by Senator Jeff Brandes (R-St. Petersburg). The purpose of this legislation is to prevent double regulations by governments. For example, if an agricultural activity is regulated by either the federal or state governments then this bill prevents a local government from also charging a fee to regulate it. The current law applies to just Florida counties, but some municipalities have expanded their boundaries to include farm operations and are applying fees for certain activities.

AIF supports legislation preventing municipalities from placing another layer of regulation, currently covered by federal or state regulations, on Florida agriculture.

Energy

The Senate unanimously passed HB 579, *Relating to Natural Gas Motor Fuel*, by Representative Lake Ray (R-Jacksonville). The Senate companion bill, SB 560, was carried in the Senate by Senator Wilton Simpson (R-New Port Richey). HB 579 would replace the annual decal and fee system with a motor fuel equivalent gallon form of taxation beginning January 1, 2019. The bill would further require anyone selling natural gas fuel in Florida to obtain a natural gas retailer license from the Department of Revenue. There are currently 32 natural gas fueling stations in Florida and with the development in the United States of proved reserves of natural gas, the potential for a less expensive and cleaner alternative to other motor fuels is expanded in this legislation.

HB 579 will now be bounced back to the House for final passage.

Pension Reform

HB 7011, *Relating to the State Retirement System* by Representative Jason Brodeur (R-Sanford) is Speaker Weatherford's (R-Wesley Chapel) priority bill to overhaul the Florida Retirement System. The bill aims to more closely align the current retirement system with a private sector 401(k) style system. On second reading, Senator Wilton Simpson (R-New Port Richey), the sponsor of the companion to HB 7011, offered a strike all amendment that was substantively very similar to the Weatherford proposal.

On a vote of 22-18 the amendment was defeated and the bill was then temporarily postponed. With that vote, FRS reform is likely dead for the 2013 session.

AIF supports legislation to reduce the financial liability on Florida taxpayers posed by defined benefit programs like the FRS pension system and supports moving toward a private sector, 401(k) style retirement system.

House & Senate Floor Votes

Unless otherwise indicated, all bills passed unanimously

- SB 468 Relating to Property and Casualty Insurance Rates, Fees and Forms by Senator Dorothy Hukill (R-Port Orange)... (89-26)
- SB 810 Relating to Wrap-Up Insurance Policies by Senator David Simmons (R-Altamonte Springs)...[Read More.](#)
- SB 1106 Relating to Agritourism by Senator Alan Hays (R-Umatilla)... (95-21)
- SB 934 Relating to Stormwater Management Permits by Senator Tom Lee (R-Brandon)...
- SB 682 Relating to Fossil Fuel Combustion Products by Senator Wilton Simpson (R-New Port Richey)... (81-36)
- SB 398 Relating to Physicians Assistants by Senator Aaron Bean (R-Jacksonville)...
- HB 7157 Relating to Ratification of Rules Implementing Total Maximum Daily Loads for Impaired Water Bodies by Representative David Santiago (R-Deltona)... (35-2)
- HB 357 Relating to Manufacturing Development by Representative Jim Boyd (R-Bradenton)...
- HB 939 Relating to Medicaid Recoveries by Representative Cary Pigman (R-Sebring)...
- HB 7169 Relating to Florida Health Choices Plus Program by Representative Travis Cummings (R-Orange Park)... (38-1)
- HB 383 Relating to Interstate Insurance Product Regulation Compact by Representative Matt Hudson (R-Naples)...
- HB 203 Relating to Agricultural Lands by Representative Halsey Beshears (R-Monticello)...
- HB 579 Relating to Natural Gas Motor Fuel by Representative Lake Ray (R-Jacksonville)...