

Blog Post

Sunshine State of Health: Reviewing Florida's 2026 Healthcare Legislation

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During its recently adjourned regular session, the Florida Legislature passed several bills that affect the state's healthcare industry, including legislation that creates a new specialty license type for Assisted Living Facilities (ALFs) providing memory care services, reestablishes the licensure and regulation of naturopathic doctors, and prohibits pharmacy benefits managers (PBMs) from requiring pharmacies to dispense drugs or biologics at a loss. The table below summarizes healthcare-related bills that the Florida House and Senate both approved, which now await the governor's signature.

Also of significance to the healthcare industry were several bills that did not pass during the regular session, including the proposed "Medical Freedom Act" and "Rural Renaissance" bills as well as a repeal of Florida's "free kill" law, which prohibits recovery of noneconomic wrongful death damages by adult children and parents in certain medical negligence cases. Although these and all other pending legislation died when the Legislature adjourned, state legislators may resuscitate these bills during next month's special session that Governor DeSantis called to address redistricting Florida's congressional maps. Additionally, since the House and Senate failed to pass a budget during the regular session, as required by Florida law, legislators must reconvene to do so before the state's next fiscal year

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begins on July 1. It is possible that legislation that did not advance during the regular session could be revived during those upcoming budget negotiations.

Our summary of key legislation that has advanced to the governor's desk is below.

Key Bills Passed by the Legislature

Memory Care (SB 1404)

ALFs that serve memory care residents or hold themselves out as providing memory care services will be required to obtain a memory care services specialty license. A more detailed analysis of this important legislation is available [here](#).

Naturopathic Medicine (SB 688)

With this bill, the Legislature reestablishes the licensure of naturopathic doctors, which was previously abolished in 1959. Currently there are no naturopaths licensed by the State. This legislation defines the scope of practice of naturopathic medicine as including the use of the following:

- Botanical or fungal extracts
- Clinical nutrition
- Counseling techniques
- Dietary supplements
- Environmental medicine
- Homeopathic remedies
- Imaging studies
- Laboratory testing
- Lifestyle medicine
- Natural substances
- Physical examination
- Physical medicine

However, the scope of practice expressly excludes prescribing or administering legend drugs or prescription drugs other than natural, nonpharmacologic substances (e.g., vitamin B12); performing surgical procedures; using general or spinal anesthetics; administering ionizing radioactive substances; performing chiropractic or osteopathic adjustments; performing acupuncture; or managing labor and delivery.

This legislation also creates the Board of Naturopathic Medicine within the Florida Department of Health (DOH) and provides for licensure by examination of applicants who hold a doctoral degree in naturopathic medicine. It would not be necessary to complete a residency program to become licensed as a naturopathic doctor. In addition, licensure by endorsement is allowed through the Mobile Opportunity by Interstate Licensure Endorsement (MOBILE) Act.

Drug Prices and Coverage (HB 697)

This legislation makes it unlawful for a PBM to prohibit or restrict a pharmacy from declining to dispense a prescription drug or biological product for less than the pharmacy's actual acquisition cost. Additionally, the proposed legislation makes it unlawful for a PBM to reimburse a nonaffiliated pharmacy less than a PBM reimburses an affiliated pharmacy. Further, it requires the mandatory administrative appeal process found in a PBM contract to allow a pharmacy to submit a consolidated appeal of multiple claims. Other changes include exempting PBMs that only serve beneficiaries of a Program of All-Inclusive Care for the Elderly (PACE) organization from Florida's PBM laws and appropriating funding for the Ryan White Part B AIDS Drug Assistance Program through June 30, 2026.

Significant Bills that Did Not Advance (But Could Pass in Special Session)

Medical Freedom Act (SB 1756)

Chief among the significant bills that did not advance during the regular session was the “Medical Freedom Act,” which passed the Senate but died in the House. The measure that passed the Senate did not go as far as Florida Surgeon General Joseph Ladapo’s proposal to repeal all vaccine mandates. Instead, the bill would have created a new, conscience-based exemption from public school immunization requirements that would allow parents to opt their children out of mandatory vaccines without a religious or medical reason.

In addition to making it easier for parents to obtain an exemption to public school vaccination requirements for their children, the Senate’s version of the Medical Freedom Act also would have required healthcare practitioners to provide certain information about childhood vaccines to parents or guardians and obtain a parent or guardian’s signature confirming receipt of such information before administering vaccines to their children. Also, the bill would have allowed pharmacists to provide ivermectin to adults as a behind-the-counter medication without a prescription and would have granted immunity from civil or criminal liability or disciplinary action to healthcare practitioners prescribing or administering ivermectin. Further, the bill would have maintained existing prohibitions against mandates by governmental entities, business establishments, and educational institutions that a person must be vaccinated with an mRNA-based vaccine. Under existing law, the prohibition against such mandates is scheduled to be repealed effective June 1, 2027.

Rural Renaissance (SB 250)

This bill, dubbed the “Rural Renaissance” legislation, would have created funding for healthcare, education, transportation, and economic development activities in rural areas. The bill included initiatives aimed at promoting access to

healthcare in rural communities in Florida, such as the creation of the Stroke, Cardiac, and Obstetric Response and Education (SCORE) Grant Program and the Rural Access to Primary and Preventative Care Grant Program (RAPP-C) within the DOH.

Under the SCORE Program, DOH would award grants of up to \$100,000 to healthcare facilities or licensed ambulance services that regularly provide emergency or ongoing care to patients experiencing a stroke, heart attack, or pregnancy-related emergency for training in stroke care, purchasing simulation equipment, establishing telehealth capabilities, and developing quality improvement programs. Pursuant to the RAPP-C program, DOH would award \$25 million of grants to qualifying physicians, physician assistants, and autonomous ARNPs planning to open new private practices or to expand to new locations in qualifying rural areas.

Additionally, the bill would have expanded the existing Rural Hospital Capital Improvement Grant Program (RHCI) to allow rural hospitals to use grant funds to establish mobile care units to provide primary care services, behavioral health services, or obstetric and gynecological services in rural health professional shortage areas (HPSAs) or to establish telehealth kiosks to provide urgent care services in rural HPSAs. Further, the bill would have expanded the existing Florida Reimbursement Assistance for Medical Education Program (FRAME) to offer student loan reimbursement to physicians who are board certified in emergency medicine and employed by or under contract to work in the emergency department of a rural hospital or a rural emergency hospital.

Recovery of Damages for Medical Negligence Resulting in Death (HB 6003)

This bill would have repealed Florida's "free kill" law, which prohibits recovery of noneconomic wrongful death damages in medical negligence cases by the decedent's children who are 25 years of age or older

and by parents of a deceased child who was 25 years of age or older at the time of death. The House passed the measure, but it failed to advance in the Senate. The Legislature passed the same measure last year. However, Governor DeSantis vetoed it, citing a lack of caps on damages and the prospect of rising medical malpractice insurance premiums.

In the end, the House and Senate stalemated on several impactful healthcare bills and similarly reached an impasse in budget negotiations. Whether any of these stalled bills will advance as part of upcoming budget negotiations remains to be seen. In the meantime, healthcare industry stakeholders should prepare for the bills that did pass and monitor the Legislature’s upcoming special sessions. The following is a summary of the legislation that passed during the regular session. Akerman’s Healthcare Practice Group is available to assist if you have questions.

2026 Healthcare Legislation

Bill No.	Title	Summary
<u>SB 192</u>	Patient Funds Held in Trust by Chiropractic Physicians	Deletes the limitation on the amount of patient funds a chiropractic physician may hold in trust for specified purposes, including advances for costs and expenses of examination or treatment.
<u>HB 327</u>	Uterine Fibroid Research Database	Deletes a provision prohibiting the inclusion of personal identifying information of women diagnosed with or treated for uterine fibroids in the DOH’s Uterine Fibroid Research Database.

		<p>Adds uterine fibroids to the list of infectious or noninfectious diseases of public health significance healthcare providers are required to report to DOH for epidemiological research in addition to the reporting requirement for the Uterine Fibroid Research Database.</p>
<p><u>SB</u> <u>578</u></p>	<p>Alzheimer's Disease Awareness Initiative</p>	<p>Requires the Department of Elderly Affairs to contract for the development and implementation of the Alzheimer's Disease Awareness Initiative.</p> <p>Requires the Initiative to provide Florida residents affected by Alzheimer's Disease and Related Dementias (ADRD) with greater support and access to information.</p> <p>Establishes minimum initiative components.</p>
<p><u>SB</u> <u>688</u></p>	<p>Naturopathic Medicine</p>	<p>Reestablishes the licensure and regulation of naturopathic doctors in Florida.</p> <p>Creates the Board of Naturopathic Medicine within the DOH.</p> <p>Prohibits unlicensed persons from practicing naturopathic medicine.</p>

		<p>Provides for licensure by examination of naturopathic doctors.</p> <p>Provides for licensure by endorsement of naturopathic doctors.</p> <p>Revises continuing education requirements for naturopathic doctors, etc.</p>
<u>HB 697</u>	Drug Prices and Coverage	<p>Makes it unlawful for a pharmacy benefits manager (PBM) to prohibit or restrict a pharmacy from declining to dispense a prescription drug or biological product for less than the pharmacy's actual acquisition cost.</p> <p>Makes it unlawful for a PBM to reimburse a nonaffiliated pharmacy less than the PBM reimburses an affiliated pharmacy.</p> <p>Revises the definition of the term "pharmacy benefits plan or program" to exclude a plan or program that exclusively serves a Program of All-Inclusive Care for the Elderly (PACE) organization.</p> <p>Requires contracts between PBMs and participating pharmacies to allow a pharmacy to</p>

		<p>submit a consolidated appeal of multiple claims.</p> <p>Provides funding for the DOH to implement the Ryan White Part B AIDS Drug Assistance Program through June 30, 2026.</p>
<p><u>SB</u> <u>1092</u></p>	<p>Podiatric Medicine</p>	<p>Exempts podiatric physicians who are not registered with the DEA and authorized to prescribe controlled substances from continuing education requirements related to safe and effective prescribing of controlled substances.</p> <p>Authorizes podiatric physicians to perform procedures using cellular or tissue-based products not approved by the United States Food and Drug Administration under certain circumstances.</p> <p>Specifies requirements for the cellular or tissue-based products that may be used by such podiatric physicians.</p> <p>Requires podiatric physicians to obtain a signed consent form from the patient or his or her representative before performing procedures</p>

		using cellular or tissue-based products, etc.
<u>SB 1404</u>	Memory Care	<p>Requires an assisted living facility that serves memory care residents or holds itself out as providing memory care services to obtain a memory care services license.</p> <p>Provides an exception to this new requirement.</p> <p>Requires an assisted living facility to maintain certain licensure and meet certain requirements in order to obtain a memory care services license.</p> <p>Requires the Agency for Health Care Administration to adopt rules governing memory care services licenses by June 1, 2027, etc.</p>
<u>HB 1443</u>	Parkinson's Disease Registry	<p>Requires the Florida Institute for Parkinson's Disease within the University of South Florida to establish a Parkinson's disease registry.</p> <p>Provides requirements for such registry.</p> <p>Requires physicians and advanced practice registered nurses to report certain information to the</p>

Parkinson's disease registry.

Provides limited liability for physicians and advanced practice registered nurses for reporting information to the Parkinson's disease registry.

Revises membership qualifications and terms.

Requires the Parkinson's Disease Research Board to annually report the incidence and prevalence of Parkinson's disease and atypical parkinsonism in the state, etc.

Requires the Institute to create and maintain a Parkinson's disease registry-specific website.

Adds two new members to the Parkinson's Disease Research Board (one appointed by the President of Senate and one appointed by the Speaker of House of Representatives).

This information is intended to inform firm clients and friends about legal developments, including recent decisions of various courts and administrative bodies. Nothing in this Practice

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