

Blog Post

2020 Legislative Session – A Sampling of Health Related Bills Filed

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By Steven Grigas

The 2020 Legislative Session will begin its 60-day trek to completion on Tuesday, January 14, 2020. The following is a sample of bills that have been filed. We encourage you to review these bills, and contact us with specific questions about them. The listing of these bills should not be interpreted as any indication that they will pass into law. The likelihood of a bill's passage is dependent upon any number of factors and is difficult to predict with certainty. Some 2020 healthcare related bills of interest include:

2020 Florida Legislative Session (Healthcare Bills)

- **HB 0041 Conversion Therapy (Grieco)** Prohibits specified licensees and practitioners from practicing or performing conversion therapy on an individual who is younger than a specified age. Effective Date: July 1, 2020
- **SB 0042 Donor Human Milk Bank Services (Book)** Authorizes the Agency for Health Care Administration to pay for donor human milk bank services as an optional Medicaid service if certain conditions are met. Effective Date: July 1, 2020
- **SB 0044 Treatment of Sexual Assault Victims (Book)** Requires certain licensed facilities to provide to victims of sexual assault information regarding emergency contraception and its

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availability, if requested. Effective Date: July 1, 2020

- **SB 0046 Eye Care for Newborns and Infants (Farmer)** Requires a certain eye examination for newborns; requiring coverage under insurance and HMO contracts. Effective Date: July 1, 2020
- **HB 0059 Automated Pharmacy Systems (Willhite)** Authorizes community pharmacy to use automated pharmacy system. Effective Date: July 1, 2020
- **SB 0100 Dispensing Medicinal Drugs (Harrell)** Authorizes individuals licensed to prescribe medicinal drugs to dispense a 48-hour supply rather than a 24-hour supply under certain circumstances. Effective Date: July 1, 2020
- **HB 0107 Prescription Insulin Drugs (Duran)** Requires insurance policies to cap Insured's monthly cos-sharing obligation for covered prescription insulin drugs at specified amount. Effective Date: January 1, 2021
- **SB 0120 Nalaxone in Schools (Pizzo)** Authorizes a public school to purchase/receive a supply of the opioid antagonist naloxone. Effective Date: July 1, 2020
- **HB 0149 Medical Marijuana Treatment Centers (Sabatini)** Requires DOH to license any entity that cultivates, processes, transports or dispenses low-THC cannabis. Effective Date: Upon Becoming Law
- **HB 0151 Use of Regulated Substances (Toledo)** Prohibits physician from issuing certificate for marijuana in form for smoking to patients under 21 years of age. Effective Date: October 1, 2020
- **SB 0152 Dental Therapy (Brandes)** Authorizes Medicaid to reimburse for dental services provided in a mobile dental unit under certain circumstances. Effective Date: July 1, 2020
- **SB 0204 Delivery of Nursing Services (Braynon II)** Creates "Florida Hospital Patient Protection

Act”. Requires each health care facility to implement a staffing plan that provides minimum direct care registered nurse staffing levels.

Effective Date: July 1, 2020

- **HB 0221 Osteopathic Physician Certification and Licensure (Roach)** Requires successful completion of internship or residency in specified accredited program to be licensed or certified as an osteopathic physician. Effective Date: Upon Becoming Law
- **SB 0224 Medicaid Expansion (Taddeo)** Proposes amendment to State Constitution to provide Medicaid coverage to persons under 65 and under 138% of the FPL
- **SB 0230 Department of Health (Harrell)** Requires DOH to develop strategies to maximize federal state partnerships that provide incentives for physicians to practice in medically under-served or rural areas. Effective Date: July 1, 2020
- **HB 0261 Coverage for Cancer Drug Treatment (Brown)** Prohibits insurers from requiring a drug to fail before allowing coverage for a different drug. Effective Date: January 1, 2021
- **HB 0265 Abortion (Grall)** Requires physician to obtain notarized written consent of parent or guardian before aborting pregnancy of minor. Effective Date: July 1, 2020
- **SB 0278 Climate Health Planning (Rodriguez J.)** Requires DOH to prepare an annual climate health planning report. Effective Date: July 1, 2020
- **HB 0313 Non-embryonic Stem Cells (Donalds)** Provides requirements for administering and compounding products using non-embryonic stem cells. Effective Date: July 1, 2020
- **HB 0309 Prohibited Acts by Health CARE Practitioners (Massullo, Jr.)** Authorizes DOH to discipline practitioners using specified names or titles without valid license or certification for such. Effective Date: Upon Becoming Law

- **SB 0348 Florida Kidcare Program (Bean)** Removes the lifetime maximum cap on covered expenses for a child enrolled in Florida Healthy Kids program. Effective Date: Upon Becoming Law
- **HB 0373 Health Insurance Coverage (Massullo, Jr.)** Prohibits insurance and HMO policies from requiring step therapy protocols and override determinations. Effective Date: January 1, 2021
- **SB 0390 Massage Therapy (Hooper)** Revises requirements for licensure as a massage therapist. Effective Date: July 1, 2020
- **Assisted Living Facilities (Harrell)** Clarifies that an ALF licensed for extended congregate care services must maintain a written progress report on each person receiving such services. Effective Date: July 1, 2020
- **SB 0404 Parental Consent for Abortion (Stargel)** Creates the Parental Consent for Abortion Act. Effective Date: July 1, 2020
- **SB 0436 Youth in Confinement (Montford)** Prohibits a youth from being placed in disciplinary confinement. Effective Date: October 1, 2020
- **HB 0561 Prescription Drug Coverage (Altman)** Requires insurers and HMOs to provide notice of prescription drug formulary changes. Effective Date: July 1, 2020
- **SB 0694 Nicotine and Tobacco Products (Mayfield)** Defines term “electronic smoking device”; prohibits dealer from selling flavored e-liquid. Effective Date: July 1, 2020
- **HB 0731 Agency for Health Care Administration (Perez)** Revises duties of AHCA relating to reporting, licensure, and fraud investigations. Effective Date: July 1, 2020
- **SB 0758 Hospital, Hospital System, or Provider Organization Transactions (Albritton)** Requires certain entities to submit written notice of a specialized filing to the OAG relating to certain

hospital, hospital system, or provider organization mergers, acquisitions, or other transactions within a specified time frame. Effective Date: July 1, 2020

- **HB 0767 Assisted Living Facilities (Grant)**
Revises requirements and standards relating to ALF licenses, inspections and other criteria. Effective Date: July 1, 2020
- **HB 0825 Administration of Vaccines (Fernandez-Barquin)** Revises recommended immunizations or vaccines that a pharmacist or registered intern may administer. Effective Date: July 1, 2020
- **HB 0827 Recovery Care Services (Stevenson)** Provides for licensure of recovery care centers by AHCA. Effective Date: July 1, 2020
- **SB 0870 Mental Health (Book)** Requires respondents with SMI to be afforded essential elements of recovery and be placed in a continuum of care regimen. Effective Date: July 1, 2020
- **SB 1006 Coverage of Hearing Aids for Children (Baxley)** Requires certain insurance policies to provide coverage of hearing aids for children 21 years or younger. Effective Date: January 1, 2021

Akerman is pleased to be able to offer this timely update to you, and stands willing to discuss any of these bills further should you need additional information.

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 Update should be construed as legal advice or a legal opinion, and readers should not act upon the information contained in this Practice Update without seeking the advice of legal counsel. Prior results do not guarantee a similar outcome.