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MEMORANDUM

TO: Florida Chapter of the American Academy of Pediatrics

FROM: Douglas S. Bell

DATE: March 21, 2022

SUBJECT: End-of-Session Report - 2022

The 2022 Legislative Session adjourned Sine Die on Monday, March 14 at 1:03 p.m.

- 3,735 Bills and PCBs filed
- 1,896 Amendments filed
- 4,324 Votes Taken
- 39 Floor Sessions
- 285 Bills passed both chambers
- \$112.1 Billion Budget

The Legislative staff is finalizing passed bills and preparing to send them to the Governor. The Governor's office is analyzing all of the passed bills, including the budget, and briefing the Governor. There is no deadline per se on when bills must be sent to the Governor, but typically they are all sent by June based upon input from the Governor about the bills he is ready to act upon.

We've read through all of the passed bills, and below are summaries of the passed bills (mostly prepared by committee staff) that may be of interest. We will be in touch soon about preparation for the 2023 Session and needed agency work during the Interim. In the meantime, please do not hesitate to call if there is anything we can assist with.

Notable Budget Items Approved by the Legislature

The budget funded the following project:

- University of Florida - Jacksonville - Child Abuse Pediatrics Fellowship (Item 150):
\$300,000.

- University of Florida Forensic Interview Center (Item 525): \$250,000.
- Medical Education Loan Reimbursement Program (Item 517A): \$6 million.

Bills Approved by the Legislature *(alphabetically)*

Abortion Rights

[HB 5](#) by Rep. Erin Grall (R-Vero Beach) prohibit physicians from performing an abortion if the gestational age of fetus is determined to be more than 15 weeks. The bill also requires certain physician and directors of certain medical facilities to submit a monthly report to the Agency for Health Care Administration (AHCA) regarding the number of abortions performed. Lastly, it requires the Department of Health (DOH) to contract with local healthy start coalitions to create fetal and infant mortality review committees.

HB 5 was approved by the Legislature on 3/4/22 and will now head to the Governor. If approved, it would take effect 7/1/22.

Acute Hospital Care at Home |

[SB 1222](#) by Sen. Aaron Bean (R-Jacksonville) authorizes paramedics and Class III institutional pharmacies, a type of hospital pharmacy, to serve hospital patients at their homes. The bill allows paramedics, under the supervision of a physician or acting under other standing orders, to provide basic life support services and advanced life support services to a patient receiving acute and post-acute hospital care at their home through a program approved by the Centers for Medicare and Medicaid Services (CMS) and the Agency for Health Care Administration (AHCA). Further, the bill allows a Class III institutional pharmacy to dispense, distribute, compound, and fill prescriptions for medicinal drugs for these patients.

SB 1222 was approved by the Legislature on 3/10/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Administration of Vaccines |

[HB 1209](#) Rep. Kaylee Tuck (R-Sebring) authorizes certified pharmacists and registered pharmacy technicians to administer specified vaccines. The bill also revises the immunizations or vaccines certified pharmacists, registered interns, and registered pharmacy technicians may administer to adults and amends the continuing education requirements for registered pharmacy technicians. This bill does not expand the ability of pharmacists to administer vaccines to children. Lastly, the bill allows one pharmacist to supervise up to five registered interns and/or registered pharmacy technicians combined.

HB 1209 was approved by the Legislature on 3/11/22 and it will now head to the Governor. If approved, it will take effect 7/1/22.

Applied Analysis Behavior Services

[HB 255](#) by Rep. Rene Plasencia (R-Orlando) allows a registered behavior technician to provide ABA services in a classroom setting. However, the technician must hold a nationally-recognized paraprofessional certification in behavior analysis, practice under the supervision of either certified behavior analysts or professionals licensed under chapter 490 or chapter 491 and must be employed by an enrolled Medicaid provider.

SHB 255 was approved by the Legislature on 3/4/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Child Welfare |

[HB 7065](#) by Rep. Thad Altman (R-Melbourne) increases opportunities for organizations assisting at-risk fathers to receive grant funding and requiring the state's child welfare system and home visiting programs to increase engagement with fathers. It also directs the Department of Children and Families (DCF) to contract for the Responsible Fatherhood Initiative and requires DCF and the Department of Juvenile Justice (DJJ) to identify children that are dually involved with both systems of care and provide a report to the Legislature. The bill provides a childcare subsidy up to \$200 to foster parents and caregivers for children from birth to school entry who attends a childcare or early learning program if current funding is insufficient. Lastly, it requires certain information to be provided to those paying child support and require the Department of Economic Opportunity (DEO) to expand programs serving noncustodial parents who have difficulty paying child support.

HB 7065 was approved by the Legislature on 3/4/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Children with Developmental Delays |

[SB 236](#) by Sen. Shevrin Jones (D-Miami Gardens) modifies the definition of a developmental delay by extending the upper age limit for the identification of a student as having a developmental delay from age five to nine, the maximum age authorized by federal law, or through the completion of 2nd grade, whichever comes first. The bill allows a student with a developmental delay up to age nine or 2nd grade be included in the definition of an "exceptional student" and eligible for admission to public special education programs.

SB 236 was approved by the Legislature on 3/8/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

COVID-19-Related Claims Against Health Care Providers |

[SB 7014](#) by the Senate Judiciary Committee extends the duration of the liability protections provided to health care providers against COVID-19-related claims from March 29, 2022, to June 1, 2023.

The Governor signed the bill into law on 2/24/22 and it took effect immediately.

Department of Health

[SB 768](#) by Sen. Ana Maria Rodriguez (R-Doral) updated the Targeted Outreach for Pregnant Women Act (TOPWA) Program to account for medication options, information on HIV, and mental health issues that may lead to a high-risk pregnancy. The bill also requires medical marijuana treatment centers (MMTCs) to recall marijuana not meeting safety and potency requirements and authorize DOH to test samples from MMTCs. Further, it authorizes DOH to deny a nursing application or discipline a nurse under certain circumstances; revises education, training, and temporary certification requirement for midwives; revises educational requirements for psychologists applying for licensure by endorsement; allows DOH to continue issuing marriage and family therapy licenses until July 1, 2026; and, requires allopathic and osteopathic physicians to provide proof of payment of NICA assessments as a condition of licensure. Lastly, the bill designates DOH, rather than CMS, as the lead coordinator of local health care providers in developing a plan for staffing and medical management of pediatric special needs shelters.

Late in session, the bill was amended to enact an information sharing agreement with the U.S. Food and Drug Administration (FDA) to monitor compounded drug products. It requires, annually, and within 90 days after the beginning of the calendar year, all licensees shipping compounded human drug products interstate to report to the National Association of Boards of Pharmacy Information-Sharing Network (NABPISN) the information required by the Memorandum of Understanding

Addressing Certain Distributions of Compounded Human Drug Products between the department and the U.S. Food and Drug Administration. Lastly, it increases the membership of the Rare Disease Advisory Council.

SB 768 was approved by the Legislature on 3/10/22 and will now head to the Governor. If approved, some sections of the bill take effect immediately and others will take effect 7/1/2022.

Donor Human Milk Bank Services |

[SB 1770](#) by Sen. Lauren Book (D-Plantation) authorizes the Medicaid program to reimburse for donor human milk for hospital inpatient use, if a licensed physician, nurse practitioner, physician assistant, or dietitian orders it for an infant who is medically or physically unable to receive maternal breast milk or whose mother is medically or physically unable to produce breast milk or breastfeed. The infant must meet the following eligibility factors: have a documented birth weight of 1,800 grams or less; have a congenital or acquired condition and be at high risk for developing a feeding intolerance, necrotizing enterocolitis, or an infection; or otherwise have a medical indication for a human milk diet. Further, the bill requires Medicaid managed care plans to cover donor human milk bank services. Lastly, AHCA is required to establish provider eligibility, by rule, and also seek any necessary federal approvals to implement the new coverage benefit.

SB 1770 was approved by the Legislature on 3/8/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Early Childhood Music Education |

[SB 638](#) by Sen. Keith Perry (R-Gainesville) extends the expiration date of the Early Childhood Music Education Incentive Pilot Program from June 30, 2022, to June 30, 2023.

SB 638 was approved by the Legislature on 3/4/22 and will now head to the Governor. If approved, it will take effect upon becoming law.

Emergency Medical Care and Treatment of Minors Without Parental Consent |

[HB 817](#) by Rep. Ralph Massullo (R-Lecanto) allows physicians to render emergency medical care without parental consent.

HB 817 was approved by the Legislature 3/2/22 and it will now head to the Governor. If approved, it will take effect 7/1/22.

Epilepsy or Seizure Disorders/Care of Students |

[HB 173](#) by Rep. Nick Duran (D-Miami) provided for the creation of an individualized seizure action plan for students with epilepsy or seizure disorders to receive health care at school. provide the requirements for the students' parents, school nurses, other school employees and the plan, provide the requirements for trainings relating to the care of the students, and require school districts to provide information and training to school bus drivers.

HB 172 was approved by the Legislature on 3/2/22 and now heads to the Governor. If approved, it will take effect 7/1/22.

Individual Freedom

[HB 7](#) by Rep. Bryan Avila (R-Miami Springs) provides that subjecting a person, as a condition of employment, membership, certification, licensing, credentialing, or passing an exam, to training, instruction, or any other activity that espouses, promotes, advances, or compels the individual to believe certain concepts constitutes discrimination. The bills also revise the Florida Education Code to provide it is discrimination to subject a student or employee to training or instruction that espouses, promotes, advances, or compels the student or employee to believe certain concepts.

Lastly, it requires school instruction and supporting materials to be consistent with specified principles of individual freedom.

HB 7 was approved by the Legislature on 3/10/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Juvenile Diversion Program Expunction | [HB 195](#) by Rep. David Smith (R-Winter Springs) requires the Department of Law Enforcement (FDLE) to expunge the nonjudicial arrest record of minors who successfully complete a diversion program for felony offenses. It also authorizes minors who have successfully completed a diversion program for any offense, rather than only for first-time misdemeanor offenses, to lawfully deny or fail to acknowledge his or her participation in the program and the expunction of the nonjudicial arrest record. [HB 197](#) by Rep. Smith is the accompanying public records exemption bills for a nonjudicial record of the arrest of a minor who has successfully completed a diversion program.

HB 197 and 195 were approved by the Legislature on 3/8/22 and will now head to the Governor. If approved, the bills will take effect 7/1/22.

Lewd or Lascivious Molestation |

[SB 444](#) by Sen. Keith Perry (R-Gainesville) provides for a new crime of lewd or lascivious molestation committed by a person 24 years of age or older upon persons aged 16 or 17 years of age. A person commits this crime when he or she:

- Intentionally touches a person 16 or 17 years of age: against his or her will; and in a lewd or lascivious manner, on the breasts, genitals, genital area, or buttocks, or on the clothing covering them; or
- Forces a person aged 16 or 17 to touch the perpetrator, in a lewd or lascivious manner, on the breasts, genitals, genital area, or buttocks, or the clothing covering them.

A violation is a first degree misdemeanor, and the offense is reclassified to a third degree felony when a person commits a second or subsequent violation when they have one prior conviction for lewd or lascivious molestation.

SB 444 was approved by the Legislature on 3/10/22 and it will now head to the Governor. If approved, it will take effect 10/1/22.

Managed Care Plan Performance |

[HB 855](#) by Rep. Robin Bartleman (D-Weston) changes the data collected by health plans in the Managed Medical Assistance (MMA) program. Currently, plans must collect and report to AHCA certain performance measures from the Adult and Child Core Sets developed by Centers for Medicaid and Medicare (CMS). The bill requires MMA plans, beginning in calendar year 2025, to collect and report all of the Adult Core Set behavioral health measures not currently required by AHCA. Beginning in 2026, the plans must stratify all performance measure data by recipient age, race, ethnicity, primary language, sex, and disability status.

HB 855 was approved by the Legislature on 3/9/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Medical Education Reimbursement and Loan Repayment Program |

[HB 657](#) by Rep. Kamia Brown (D-Ocoee) and [SB 1422](#) by Sen. Shevrin Jones (D-Miami Gardens) did not receive a hearing this session; however, the Legislature funded the program at \$6,390,501 for FY 2022-23 in its [conference report](#). You may access the statute for this program [here](#).

HB 5001 was approved on 3/14/22 and will now head to the Governor. The Governor has line item veto authority on the budget. If approved, the funding provision would take effect 7/1/22.

Mental Health and Substance Abuse/Baker and Marchman Acts |

[SB 1262](#) by Sen. Danny Burgess (R-Zephyrhills) prohibits restrictions on visitors, phone calls, and written correspondence for Baker Act patients unless certain qualified medical professionals document that specific conditions are met. The bill would also:

- Require law enforcement officers to search electronic databases for an emergency contact for Baker and Marchman Act patients being transported to a receiving facility.
- Require patients subject to an involuntary Baker Act exam who do not meet the criteria for a petition for involuntary services to be released at the end of 72 hours, regardless of whether the exam period ends on a weekend or holiday.
- Make it a first degree misdemeanor for a person to knowingly and willfully: furnish false information to obtain emergency or other involuntary admission for any person; cause, or conspire with another to cause, any emergency or other involuntary mental health procedure for the person under false pretenses; or, cause, or conspire with another to cause, any person to be denied their rights under the Baker Act statutes.
- Require receiving facilities to offer voluntary Baker and Marchman Act patients the option to authorize the release of clinical information to certain individuals known to the patient within 24 hours of admission.
- Clarify telehealth may be used when discharging patients under an involuntary Baker Act exam.
- Allow a psychiatric nurse under a protocol with a psychiatrist to release from the Baker Act in a nationally accredited community mental health center.
- Direct facilities receiving transportation reports detailing the circumstances of a Baker Act to share the reports with the Department of Children and Families (DCF) for use in analyzing annual Baker Act data.
- Modify the due date of the Commission on Mental Health and Substance Abuse interim report from September 1, 2022, to January 1, 2023, and requires the Commission to conduct in person meetings across the state instead of remote meetings.

SB 1262 was approved by the Legislature on 3/8/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Mental Health and Substance Abuse/Involuntary Exams |

[SB 1844](#) by Sen. Aaron Bean (R-Jacksonville) revises the voluntariness provision under the Baker Act to allow a minor's voluntary admission after a clinical review of the minor's assent, rather than a hearing on the minor's consent, has been conducted. It also requires a clinical review be held to verify the voluntariness of a minor's assent before a minor patient's status is transferred from involuntary to voluntary. Lastly, the bill grants law enforcement officers the discretion on how they transport individuals for an involuntary examination to eliminate the requirement that the individual be handcuffed. The corresponding public records exemption bill is [SB 1846](#).

SB 1844 was approved by the Legislature on 3/8/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Mental Health of Students |

[HB 899](#) by Rep. Christine Hunschofsky (D-Parkland) revises data the Department of Children and Families (DCF) is required to analyze for its annual report on the initiation of certain involuntary examinations. The bill also requires charter schools to comply with laws related to reporting

involuntary examinations and requires the Department of Education (DOE) to share data received from school district with the DCF. Lastly, they revise requirements for plans related to mental health assistance allocations.

HB 899 was approved by the Legislature on 3/4/22 and it will now head to the Governor. If approved, it will take effect 7/1/2022.

Newborn Screening

[SB 292](#) by Sen. Tina Polsky (D-Boca Raton) requires a hospital or other state-licensed birthing facility to administer a test on a newborn to screen for congenital CMV should the newborn fail his or her screening for hearing loss. The test must be administered before the newborn becomes 21 days of age or before discharge, whichever is earlier. The bill also requires licensed birth centers and the health care provider in attendance for at-home births to refer newborns for hearing screenings within 7 days after discharge. If a provider is not in attendance for an at-home birth, the primary care physician must refer the newborn for a hearing screening. If the child fails the screening, their primary health care provider must refer them for congenital CMV testing. Lastly, the bill requires the results of a newborn hearing screening and congenital CMV and any related diagnostic testing to be reported to DOH within 7 days after receipt of such results.

SB 292 was approved by the Legislature on 3/9/22 and will now head to the Governor. If approved, it will take effect 1/1/23.

Parental Rights in Education |

[HB 1557](#) by Rep. Joe Harding (R-Ocala) prohibits school districts from maintaining procedures that withhold information related to a student's mental, emotional, or physical health or well-being from parents. However, information may be withheld if a prudent person would reasonably believe that disclosure would subject the student to abuse, abandonment, or neglect. The bill also prohibits instruction on sexual orientation or gender identity in K-3 or in a manner that is not age or developmentally-appropriate. School districts are required to notify parents of all offered health care services and provide an opportunity for the parent to individually consent to, or decline, each service. Further, school districts are prohibited from administering a questionnaire or health screening form to a student K-3 without a parent's consent and all school student support services training must follow guidelines, established by the Department of Education (DOE). Lastly, the bill requires school districts to establish a process for addressing concerns raised by parents prior to the parent being allowed to file suit.

HB 1557 was approved by the Legislature on 3/8/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Patient Care in Health Care Facilities |

[HB 469](#) by Rep. Dana Trabulsy (R-Ft. Pierce) revises home health agency statutes to allow home health aides and CNAs to perform additional tasks to assist patients with self-administration of medication. It also expands the duties a nurse may delegate to a home health aide or CNA to include administering an insulin syringe that is prefilled with the proper dosage by a pharmacist or an insulin pen that is prefilled by the manufacturer. Lastly, the bill removes the requirement for a driver of an advanced life support ambulance to be an EMT, paramedic, registered nurse, or physician.

HB 469 was approved by the Legislature on 3/10/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Pharmacies & Pharmacy Benefit Managers |

[HB 357](#) by Rep. Jackie Toledo (R-Tampa) transfers the audit provisions of the Florida Pharmacy Act to the Florida Insurance Code giving the Office of Insurance Regulation (OIR) the authority to enforce provisions and respond to violations. The bill also authorizes pharmacies to appeal audit findings made by health plans and PBMs using the existing dispute resolution program available through the Agency for Health Care Administration (AHCA). It also establishes a financial penalty for PBMs that fail to register with OIR. Lastly, the bill establishes a \$10,000 fine for any PBM failing to register with OIR and makes health insurers or HMOs responsible for violations of the pharmacy audit provisions, even if a PBM is contracted to manage benefits for the insurer or HMO.

HB 357 was approved by the Legislature on 3/3/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Religious Institutions |

[SB 254](#) by Sen. Jason Brodeur (R-Sanford) disallows emergency orders issued under the State Emergency Act which prohibited religious organizations from conducting regular religious services or activities. The bill permits emergency orders to restrict religious activities if the restriction is part of a general provision which applies uniformly to all entities in an affected jurisdiction and the restriction serves a compelling governmental interest and is the least restrictive means.

SB 254 was approved by the Legislature on 3/10/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Child Welfare Placement |

[HB 893](#) by Rep. Lauren Melo (R-Naples) aligns Florida law with federal requirements on residential treatment homes. The bill requires qualifying evaluators for Specialized Therapeutic Group Homes (STGH) and Qualified Residential Treatment Programs (QRTP) to be licensed clinicians with at least two years of experience in the diagnosis and treatment of serious emotional disturbances in children and adolescents. It also requires the Department of Children and Families (DCF) to appoint the qualified evaluator (QE) instead of the Agency for Health Care Administration (AHCA) and removes AHCA's rulemaking authority for the QE network. It also requires DCF to provide the guardian ad litem and the court a copy of the assessment within five days after receipt of an assessment. Lastly, the bill changes adoption assistance program terminology from "special needs" to "difficult to place" and references one such characteristic based on demographic disproportionality rather than the current race specific reference.

HB 893 was approved by the Legislature on 3/2/22 and will now head to the Governor. If approved, it takes effect upon becoming law.

Restraint of Students with Disabilities in Public Schools |

[HB 235](#) by Rep. Rene Plascencia (R-Orlando) prohibits school personnel from using mechanical restraints on students with disabilities.

HB 235 was approved by the Legislature on 3/4/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Sexual Offenses |

[SB 1244](#) by Sen. Audrey Gibson (D-Jacksonville) provides there is not a time limitation for the prosecution of: any offense in chapter 794, F.S., relating to sexual battery, with certain exceptions; Section 800.04(7)(a)3., F.S., relating to acts of lewd or lascivious exhibition; or Section 827.071(2) or (3), F.S., relating to use of a child in a sexual performance or promoting a sexual performance of a child. The bill also provides that the exceptions to time limitations apply to any offense that is not otherwise barred from prosecution on or before July 1, 2022.

SB 1244 was approved by the Legislature on 3/8/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Sexual Offenses Definitions |

[SB 692](#) by Sen. Linda Stewart (D-Orlando) The bill establishes consistency in the definition of female genitals in Florida statute. The bill defines “female genitals.”

SB 692 was approved by the Legislature on 3/10/22 and will now head to the Governor. If approved, it will take effect 10/1/22.

Sheriff's Funding |

[HB 963](#) by Rep. Christine Hunschofsky (R-Parkland) permits a sheriff, who is under contract with DCF to conduct child protective investigations, to carry forward unused state funding from one fiscal year to the next. The bill caps the carry forward of unexpended funds to eight percent of the total contract amount or grant award agreement and amounts in excess of the cap must be returned to DCF. It also limits the use of carry forward funding, such that it: cannot be used to increase a recurring obligation; cannot be used for a program or service that is not authorized by the existing contract with DCF; and must be reported to the department separately from other funding. Lastly, unexpended funding must be returned to DCF if a sheriff's office no longer provides child protective investigations.

HB 963 was approved by the Legislature on 3/10/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Smoking in Public Places |

[HB 105](#) by Rep. Randy Fine (R-Palm Bay) authorizes counties and municipalities to restrict smoking within the boundaries of public beaches and parks owned by the local government. However, an exception is provided for unfiltered cigars.

HB 105 was approved by the Legislature on 3/2/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Statewide Medicaid Managed Care Program

[SB 1950](#) by Sen. Jason Brodeur (R-Lake Mary) [HB 7047](#) by House Finance and Facilities amend the Statewide Medicaid Managed Care Program (SMMC). The current managed care contracts under the SMMC are scheduled to expire December 2024. The Agency for Health Care Administration (AHCA) will conduct a procurement in 2022-23 for new contracts that commence at the end of 2024.

SB 1950 was approved by the Legislature on 3/11/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Step-therapy Protocols |

[HB 459](#) by Rep. Matt Willhite (D-Wellington) requires health insurers to publish on their websites and provide to their insureds the step-therapy protocol exemption procedures.

HB 459 was approved by the Legislature on 3/8/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Telehealth Expansion |

[SB 312](#) by Sen. Manny Diaz (R-Hialeah) allows a telehealth provider to prescribe Schedule III, IV or V controlled substances through telehealth, within the scope of their practice.

SB 312 was unanimously approved by the House on 2/24/22, and the Senate concurred in the amendment on 3/11/22.

Uterine Fibroid Research and Education |

[HB 543](#) by Rep. Anika Omphroy (D-Lauderdale Lakes) requires the Department of Health (DOH) to develop and maintain an electronic database of information related to uterine fibroids and requires physicians, physician assistants and advanced practice registered nurses to submit information to the DOH regarding the diagnosis or treatment of women with uterine fibroids for inclusion in the database. Further, it requires the DOH to develop and include information related to uterine fibroids in women's health care educational materials available to the public under preexisting law, including possible risk factors and the range of available treatment options considered alternatives to a hysterectomy.

HB 543 was approved by the Legislature on 3/4/22 and will now head to the Governor. If approved, it will take effect 7/1/22.

Bills Opposed by FCAAP And Not Approved by the Legislature

ARNPs Autonomous Practice |

[SB 1686](#) by Sen. Anna Maria Rodriguez (R-Doral) requires certified nurse midwives providing out-of-hospital birth services to have a written plan for the appropriate delivery of emergency care. The bill also deletes the requirement that certified nurse midwives have a written patient transfer agreement with a hospital and a written referral agreement with a licensed physician.

Electrocardiograms for Student Athletes |

[HB 59](#) by Rep. Fred Hawkins (R-St. Cloud) and [SB 1590](#) by Sen. Dennis Baxley (R-Lady Lake) require students to receive electrocardiogram to participate in interscholastic athletic competitions.

Free Speech of Health Care Practitioners |

[HB 687](#) by Rep. Brad Drake (R-Defuniak Springs) and [SB 1184](#) by Sen. Doug Broxson (R-Pensacola) prohibit health care provider governing Boards from revoking a license, certificate, or registration due to their right of free speech. If the Board acts, it must prove beyond a reasonable doubt that the free speech led to the direct physical harm of patient with whom the practitioner had a relationship within the three years immediately preceding the incident. Failure to prove harm could result in the Board paying up to \$1.5 million per occurrence for damages to the practitioner. The bills also require Boards to provide practitioners with received complaints that may result in revocation of licensure within seven days after receiving the complaint. Failure to comply could result in a \$500 per day penalty from the Board.

Gender and Sexual Identity of Minors |

[HB 211](#) by Rep. Anthony Sabatini (R-Howey-In-The-Hills) creates the "Vulnerable Child Protection Act" providing criminal penalties for health care practitioners for specified practices which attempt to change a minor's sex. The legislation does not apply to a practitioner acting in accordance with a good faith medical decision of a parent or guardian of a minor born with a medically verifiable genetic disorder of sex development.

Materials Harmful to Minors |

[HB 1305](#) by Rep. David Borrero (R-Miami) and [SB 1842](#) by Sen. Dennis Baxley (R-Lady Lake) require school districts or schools within a district to notify and request the written consent of parents and guardians before the teaching of reproductive health or any sexually transmitted

disease. The bills also prohibit schools from allowing students to be exposed to the teaching without the written consent of their parents or guardians.

Parent's Bill of Rights |

[SB 1684](#) by Sen. Joe Gruters (R-Sarasota) creates a cause of action for parents for an infringement of parental rights relating to the upbringing, education, health care, and mental health of their children. The bill also provides for declaratory and injunctive relief and the recovery of actual damages. Lastly, it provides for the recovery of reasonable attorney fees and costs.

Protections of Medical Conscience |

[HB 747](#) by Rep. John Snyder (R-Stuart) and [SB 1820](#) by Sen. Dennis Baxley (R-Lady Lake) create the Healthcare Ethics and Liberty Protection Act. The bill provides that health care providers and health care payers should not be compelled to participate in or pay for any health care that they object to based on conscience.

Psychologist Prescribing |

[HB 319](#) by Rep. Ramon Alexander (D-Tallahassee) and [SB 540](#) by Sen. Jeff Brandes (R-St. Petersburg) allow certified, licensed psychologists to prescribe, administer, discontinue, and distribute prescription drugs, including controlled substances.

Sex Education |

[HB 6087](#) by Rep. Mike Beltran (R-Lithia) removes the exception for certain sexual education instructional materials.