

Health Care Regulation Policy Committee

Tuesday, February 2, 2010
9:00 AM - 12:00 PM
Morris Hall (17 HOB)

ACTION PACKET

Larry Cretul
Speaker

Nick Thompson
Chair

COMMITTEE MEETING REPORT
Health Care Regulation Policy Committee

2/2/2010 9:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Health Care Regulation Policy Committee

Tuesday February 02, 2010 09:00 am

HB 101 Favorable Yeas: 14 Nays: 0

HB 225 Temporarily Deferred

HB 295 Favorable With Committee Substitute Yeas: 14 Nays: 0

Committee meeting was reported out: Tuesday, February 02, 2010 2:44:26PM

COMMITTEE MEETING REPORT
Health Care Regulation Policy Committee

2/2/2010 9:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Nicholas Thompson (Chair)	X		
James Bush III	X		
Clay Ford	X		
Erik Fresen	X		
Mike Horner	X		
Matt Hudson	X		
Dorothy Hukill	X		
Peter Nehr	X		
Ari Porth	X		
William Proctor	X		
Michelle Rehwinkel Vasilinda	X		
Ronald Renuart	X		
Yolly Roberson	X		
Charles Van Zant	X		
Totals:	14	0	0

COMMITTEE MEETING REPORT
Health Care Regulation Policy Committee

2/2/2010 9:00:00AM

Location: Morris Hall (17 HOB)

HB 101 : University of South Florida

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
James Bush III	X				
Clay Ford	X				
Erik Fresen	X				
Mike Horner	X				
Matt Hudson	X				
Dorothy Hukill	X				
Peter Nehr	X				
Ari Porth	X				
William Proctor	X				
Michelle Rehwinkel Vasilinda	X				
Ronald Renuart	X				
Yolly Roberson	X				
Charles Van Zant	X				
Nicholas Thompson (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

University of South Florida
Mike Zagorac (Lobbyist) - Proponent
CVS Caremark
13000 Indian Rocks Road
Largo FL 33774
Phone: 813-690-9772

University of South Florida
Mark Walsh (Lobbyist) (State Employee) - Proponent
Government Relations
4202 East Fowler Avenue, ADM 214
Tampa FL 33620
Phone: 813-974-2660

Committee meeting was reported out: Tuesday, February 02, 2010 2:44:26PM

COMMITTEE MEETING REPORT
Health Care Regulation Policy Committee

2/2/2010 9:00:00AM

Location: Morris Hall (17.HOB)

HB 225 : Dispensing of Controlled Substances

Temporarily Deferred

Appearances:

Dispensing of Controlled Substances

Sally West, Director of Government Affairs - Proponent

Florida Retail Federation

Tallahassee FL 32301

Phone: 850-222-4082

Dispensing of Controlled Substances

Michael A. Jackson, Executive Vice President & CEO (Lobbyist) - Information Only

Florida Pharmacy Association

610 N. Adams Street

Tallahassee FL 32301

Phone: 850-222-2400

Dispensing of Controlled Substances

Mike Zagorac (Lobbyist) - Proponent

CVS Caremark

13000 Indian Rocks Road

Tallahassee FL 33774

Phone: 813-690-9772

Dispensing of Controlled Substances

Mike McQuone, RPh., MS., CPh., Executive V.P./CEO (Lobbyist) - Proponent

Florida Society of Health System Pharmacists (FSHP)

2304 Killearn Center Boulevard

Tallahassee FL 32309

Phone: 850-906-9333

Dispensing of Controlled Substances

Chris Nuland, General Counsel - Opponent

Florida Academy of Pain Medicine

1000 Riverside Avenue

Jacksonville FL 32204

Phone: 904-355-1555

Dispensing of Controlled Substances

Paul Lambert, General Counsel (Lobbyist) - Proponent

Florida Chiropractic Association, Florida State Massage Therapy Association

502 N. Adams Street

Tallahassee FL 32301

Phone: 850-224-9393

Dispensing of Controlled Substances

Fraser Cobbe, Executive Director (General Public) - Opponent

Florida Orthopaedic Society

17503 Mallard Court

Lutz FL 33559

Phone: 813-948-8660

Committee meeting was reported out: Tuesday, February 02, 2010 2:44:26PM

COMMITTEE MEETING REPORT
Health Care Regulation Policy Committee

2/2/2010 9:00:00AM

Location: Morris Hall (17 HOB)

Dispensing of Controlled Substances

Guy Bryant, Chairman/CEO - Opponent

Dispensing Solutions, Inc.

3000 W. Warner Avenue

Santa Ana CA 92704

Phone: 714-437-0330

Dispensing of Controlled Substances

David S. Bowen, II, Executive Vice President - Opponent

Automated Healthcare Solutions

2901 SW 149th Avenue

Miramar FL 33027

Phone: 954-864-2478

Dispensing of Controlled Substances

Ron Book (Lobbyist) - Opponent

ACHS/ AND/ Vitas

104 W. Jefferson

Tallahassee FL 32308

COMMITTEE MEETING REPORT
Health Care Regulation Policy Committee

2/2/2010 9:00:00AM

Location: Morris Hall (17 HOB)

HB 295 : Food Service Inspections of Domestic Violence Centers

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
James Bush III	X				
Clay Ford	X				
Erik Fresen	X				
Mike Horner	X				
Matt Hudson	X				
Dorothy Hukill	X				
Peter Nehr	X				
Ari Porth	X				
William Proctor	X				
Michelle Rehwinkel Vasilinda	X				
Ronald Renuart	X				
Yolly Roberson	X				
Charles Van Zant	X				
Nicholas Thompson (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Food Service Inspections of Domestic Violence Centers
 Jim Magill, Governmental Affairs Consultant (Lobbyist) - Proponent
 Florida Coalition Against Domestic Violence
 101 N. Monroe Street, Suite 1090
 Tallahassee FL 32301
 Phone: 850-681-0411

COMMITTEE MEETING REPORT
Health Care Regulation Policy Committee

2/2/2010 9:00:00AM

Location: Morris Hall (17 HOB)

Other Business Appearance:

Presentation by Department of Health on Children's Medical Services Program
Joseph Chiaro, MD - Deputy Secretary (State Employee) (At Request Of Chair) - Proponent
Department of Health
4052 Bald Cypress Way
Tallahassee FL 32399
Phone: 850-245-4211

Presentation by Department of Health on Children's Medical Services Program
Phyllis Sloyer, Division Director (State Employee) (At Request Of Chair) - Proponent
Department of Health, Children's Medical Services (CMS)
4052 Bald Cypress Way
Tallahassee FL 32300
Phone: 850-245-4218

CHILDREN'S MEDICAL SERVICES

CMS CENTRAL OFFICE	CONTACT INFORMATION
<p>CMS Deputy Secretary: Joseph J. Chiaro, M.D.</p> <p>CMS Network Division Director: Phyllis Sloyer, R.N., Ph.D.</p> <p>CMS Prevention & Intervention Division Director: Michael Haney, Ph.D.</p>	<p>Deputy Secretary: 4052 Bald Cypress Way, Bin A00 Tallahassee, FL 32399-1701 (850) 245-4209 Fax: (850) 921-8409</p> <p>Division Directors: 4052 Bald Cypress Way, Bin A06 Tallahassee, FL 32399-1707 (850) 245-4200 Fax: (850) 488-3813</p>

NORTHWEST FLORIDA REGION - Pensacola and Panama City Area Offices

<p>Regional Medical Director: Rex Northup, M.D. Regional Nursing Director: Glenda Thomas, R.N. Regional Program Administrator: Diane Gaston</p>	<p>5192 Bayou Boulevard Pensacola, FL 32505 (850) 484-5040 Fax: (850) 484-5189</p>
<p>Pensacola - Escambia, Okaloosa, Santa Rosa, Walton Counties Asst. Med. Director: Tara Gonzales, M.D. Primary Care Med Director: Robert Wilson, M.D. PC Project Administrator: Cathleen Farroll, R.N. CMAT Medical Director: Kristen Van Hook, M.D. MFC Medical Director: Jeneile Cordell, M.D. EIP Medical Director: Angelia Mintz, M.D. Provider Relations: Miriam Torres</p>	<p>Area Office 5192 Bayou Boulevard Pensacola, FL 32505 (800) 381-3685 (850) 484-5040 Fax: (850) 484-5189</p> <p>Primary Care Emerald Coast Pediatric Primary Care, Inc. (850) 484-5040 Fax: (850) 475-5527</p>
<p>Panama City - Bay, Calhoun, Gulf, Holmes, Jackson, Washington Counties Asst. Med. Director: Paul Hunt, M.D. Nursing Director: Vacant Primary Care Med Director: Yahia Rahim, M.D. PC Project Administrator: Patti Welch, R.N. CMAT Medical Director: Kristen Van Hook, M.D. MFC Medical Director: Jeneile Cordell, M.D. EIP Medical Director: Mary E. Seay, M.D. Provider Relations: Miriam Torres</p>	<p>Area Office 230 North Tyndall Parkway Panama City, FL 32404 (800) 299-4700 (850) 872-4700 Fax: (850) 872-4817</p> <p>Primary Care Florida Panhandle Pediatric Foundation, Inc. 2814 West 15th Street Panama City, FL 32401 (850) 872-4840 Fax: (850) 872-4844</p>

TALLAHASSEE BIG BEND REGION - Tallahassee Area Office

<p>Medical Director: Mary E. Seay, M.D. Nursing Director: Becky Maguire, R.N. Program Administrator: Sue Schneider</p>	<p>2390 Phillips Road Tallahassee, FL 32308 (850) 487-2604 Fax: (850) 922-2123</p>
<p>Tallahassee - Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla Counties Asst. Med. Director: Julia St. Petery, M.D., and Susan Cross, M.D. Primary Care Med Director: Julia St. Petery, M.D. PC Project Administrator: Carol McCormick, R.N. CMAT Medical Director: Mary E. Seay, M.D. MFC Medical Director: Julia St. Petery, M.D. EIP Medical Director: Mary E. Seay, M.D. Provider Relations: Cynthia Schwartz</p>	<p>Area Office 2390 Phillips Road Tallahassee, FL 32308 (800) 226-2604 (850) 487-2604 Fax: (850) 922-2123</p> <p>Primary Care Tallahassee Pediatric Foundation, Inc. 1126-A Lee Avenue Tallahassee, FL 32303 (850) 488-7935 Fax: (850) 488-0918</p>

CHILDREN'S MEDICAL SERVICES

NORTH CENTRAL FLORIDA REGION – Gainesville Referral Center, and Gainesville, Ocala, Jacksonville and Daytona Area Office

Regional Medical Director: Thomas Chiu, M.D. Regional Nursing Director: Sharon Surrency, R.N. Regional Program Administrator: Cathy Keathley	1701 S.W. 16 th Avenue, Bld B Gainesville, FL 32608 (352) 334-1400 Fax: (352) 334-1476
Gainesville Referral Center Medical Director: David Kays, M.D. Nursing Director: Diane Clapper, R.N.	NRC at UF & Shands Teaching Hospital Post Office Box 100353 Gainesville, FL 32610 (352) 265-0459 Fax: (352) 265-1094
Gainesville – Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Putnam, Suwannee, Union Counties Asst. Regional Medical Director: Rick Bucciarelli, M.D. Asst. Regional Nursing Director: Maggie Bednar, R.N. Primary Care Med Director: Don Fillipps, M.D. PC Project Administrator: Nancy Dinwiddie, R.N. CMAT Medical Director: John Nackashi, M.D. MFC Medical Director: Don Fillipps, M.D. EIP Medical Director: MaryLou Behnke, M.D. Provider Relations: Patti Colvin	Area Office 1701 S.W. 16 th Avenue, Bld B Gainesville, FL 32608 (800) 523-7545 (352) 334-1400 Fax: (352) 334-1476 Primary Care Gainesville Primary Care Project, Inc. 1701 S.W. 16 th Avenue, Bldg. A Mail: P. O. Box 100296, JHMHC Gainesville, FL 32608 (352) 334-0850 Fax: (352) 334-0856
Ocala – Citrus, Hernando, Lake, Marion, Sumter Medical Director: Ted Saha, M.D., Nursing Director: Kathy Wright, R.N. Primary Care Med Director: Ted Saha, M.D. PC Project Administrator: Jeff Baxla CMAT Medical Director: John Nackashi, M.D. MFC Medical Director: James Casey, M.D. Provider Relations: Patti Colvin	Area Office 3200 E. Silver Springs Blvd., Suite 201 Ocala, FL 34470 (888) 326-7485 (352) 369-2100 Fax: (352) 369-2134 Primary Care Pediatric Primary Care Foundation, Inc. 1515 E. Silver Springs Blvd., Suite 213 (352) 369-2100 Fax: (352) 369-2141
Jacksonville – Baker, Clay, Duval, Nassau, St. Johns Counties Medical Director: Mobeen Rathore, M.D. Nursing Director: Sherry Buchman, R.N. Primary Care Med Director: Jeff Goldhagen, M.D. PC Project Administrators: Jane Veniard, and Melana Smith, R.N. CMAT Medical Director: David Childers, M.D. MFC Medical Director: Nazar Maraqa, M.D. EIP Medical Director: Mobeen Rathore, M.D. Provider Relations: Patti Colvin	Area Office 910 North Jefferson St. Jacksonville, FL 32209-6810 (800) 340-8354 (904) 360-7070 Fax: (904) 798-4568 Primary Care Managed Access to Child Health, Inc. (904) 360-7070 Fax: (904) 798-4559
Daytona Beach – Flagler, Volusia Counties Medical Director: Michael C. Bell, M.D. Nursing Director: Judy Ryan, R.N. Primary Care Med Director: Andrea Thorpe, M.D. PC Project Administrator: Jeff Baxla CMAT Medical Director: David Childers, M.D. MFC Medical Director: Andrea Thorpe, M.D. EIP Medical Director: Michael Bell, M.D. Provider Relations: Patti Colvin	Area Office 421 South Keech Street Daytona Beach, FL 32114-4623 (866) 827-5197 (386) 238-4980 Fax: (386) 254-3937 Pediatric Primary Care Foundation, Inc. (386) 238-4980 Fax: (386) 254-3937

CHILDREN'S MEDICAL SERVICES

<p>Viera – Brevard County Asst. Reg. Med. Director: Wm. Knappenberger, M.D. Nursing Director: Carolyn Bortz, R.N. Primary Care Med Director: Mihai Radu, M.D. PC Project Administrator: Sharon Rosman, R.N. CMAT Medical Director: Henry Dumas, M.D. MFC Medical Director: Thomas Philpot, M.D. EIP Medical Director: Kevin Foley, M.D. Provider Relations: Stevy Weathers</p>	<p>Area Office 2565 Judge Fran Jamieson Way Viera, FL 32940 (321) 639-5888 Fax: (321) 690-3887</p> <p>Primary Care Community Access to Child Health of Brevard 2565 Judge Fran Jamieson Way Viera, FL 32940 (321) 639-7700 Fax: (321) 637-7707</p>
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SOUTHWEST FLORIDA REGION – Sarasota, Ft. Myers, and Naples Area Offices

<p>Regional Medical Director: Barbara Rumberger, M.D. Regional Nursing Director: Cheri Andrews, R.N. Regional Program Admin.: Elizabeth Herrera, MBA</p>	<p>6055 Rand Blvd. Sarasota, FL 34238-5189 (800) 235-9717 (941) 361-6250 Fax: (941) 361-6272</p>
<p>Sarasota – Charlotte, Desoto, Manatee, Sarasota Medical Director: Patricia Blanco, M.D. Asst. Med. Director: Robert J. Shamsey, M.D. Primary Care Med Director: Robert Shamsey, M.D. PC Project Administrator: Angela Chatfield, R.N. CMAT Medical Director: Margie Morales, M.D. MFC Medical Director: Patricia Blanco, M.D. EIP Medical Director: Norman Goldstein, M.D. Provider Relations: Tony Chatfield</p>	<p>Area Office 6055 Rand Blvd. Sarasota, FL 34238-5189 (800) 235-9717 (941) 361-6250 Fax: (941) 361-6272</p> <p>Primary Care Westcoast Access to Children's Health, Inc. 6055 Rand Blvd. Sarasota, FL 34238-5189 (941) 361-6250 Fax: (941) 361-6186</p>
<p>Ft. Myers – Glades, Hendry, Lee Counties Medical Director: John Ritrosky, M.D. Asst. Med. Director: John Bartlett, M.D. Primary Care Med Director: John Ritrosky, M.D. PC Project Administrator: Cathy Jones, R.N. CMAT Medical Director: Margie Morales, M.D. MFC Medical Director: John Bartlett, M.D. EIP Medical Director: Martha Valient, M.D. Provider Relations: Sherri Howell</p>	<p>Area Office 9800 South Healthpark Drive, Suite 405 Ft. Myers, FL 33908 (800) 226-3290 (239) 433-6723 Fax: (239) 433-9739</p> <p>Primary Care Island Coast Primary Care Project, Inc. 9800 South Healthpark Drive, Suite 410 Ft. Myers, FL 33908 (239) 433-6760 Fax: (239) 433-6766</p>
<p>Naples – Collier County Nursing Director: Erica Alessandri, R.N. Primary Care Med Director: Barbara Rumberger, M.D. PC Project Director: Erica Alessandri, R.N. CMAT Medical Director: Margie Morales, M.D. MFC Medical Director: Jack Bartlett, M.D. Provider Relations: Susan Anderson</p>	<p>Area Office 1665 Medical Boulevard Naples, FL 34110 (239) 513-7400 Fax: (239) 513-7435 (239) 261-8877 (Immokalee)</p> <p>Primary Care Collier Health Care Inc.</p>

SOUTHEAST FLORIDA REGION – Ft. Lauderdale, West Palm Beach and Ft. Pierce Area Offices

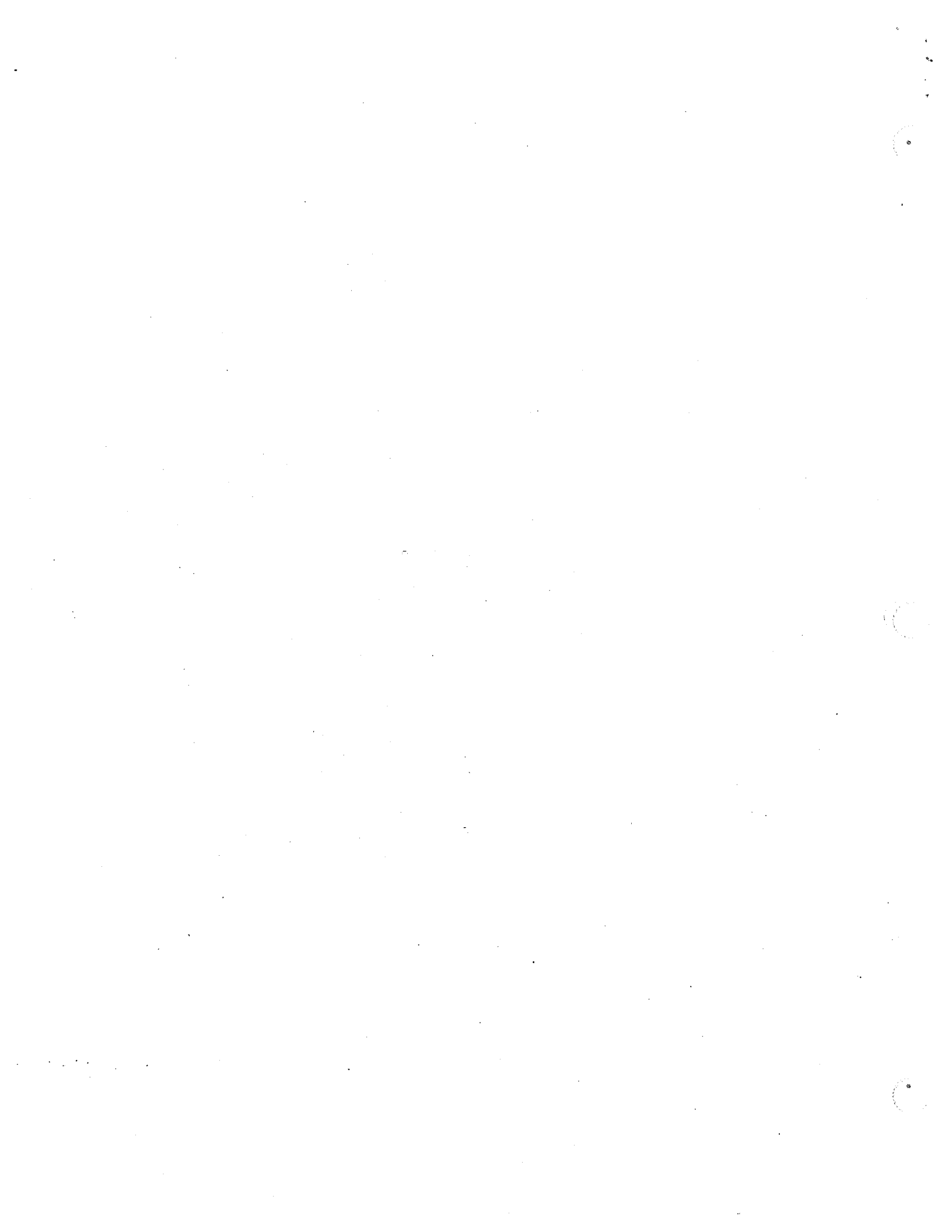
<p>Regional Medical Director: Jaime Lambrecht, M.D. Regional Nursing Director: Mary Hooshmand, R.N. Reg. Program Administrator: Joyce Ramey-Kantor</p>	<p>Broward General Medical Center 1625 SE 3rd Avenue, Suite 415 Ft. Lauderdale, FL 33316 (800) 204-2182 (954) 713-3100 Fax: (954) 713-3179</p>
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CHILDREN'S MEDICAL SERVICES

<p>Ft. Pierce – Indian River, Martin, Okeechobee, St. Lucie Counties Asst. Med. Director: Prithvi Raj Sawh, M.D. CMAT Medical Director: Jaime Lambrecht, M.D. MFC Medical Director: Prithvi Raj Sawh, M.D. Provider Relations: Judith Love-Dunghe</p>	<p>Area Office 1701 South 23rd Street Ft. Pierce, FL 34950-4804 (800) 226-1354 (772) 467-6000 Fax: (772) 467-6092</p>
<p>West Palm Beach – Palm Beach County Nursing Director: Paula Dorhout, R.N. CMAT Medical Director: Jaime Lambrecht, M.D. MFC Medical Director: Ronald Romear, M.D. EIP Medical Director: Tommy Schechtman, M.D. Provider Relations: Judith Love-Dunghe</p>	<p>Area Office 5101 Greenwood Avenue West Palm Beach, FL 33407 (877) 822-5203 (561) 881-5040 Fax: (561) 840-0102 (561) 840-0103</p>
<p>Ft. Lauderdale – Broward County Asst. Med. Director: Beverley Nelson Curtis, M.D. CMAT Medical Director: Jaime Lambrecht, M.D. MFC Medical Director: Beverley Nelson Curtis, M.D. EIP Medical Director: Maria Barrueco, M.D. Provider Relations: Laura Leite</p>	<p>Area Office Broward General Medical Center 1625 SE 3rd Avenue, Suite 415 Ft. Lauderdale, FL 33316 (800) 204-2182 (954) 713-3100 Fax: (954) 713-3179</p>

SOUTH FLORIDA REGION – Miami North and South and Marathon Area Offices

<p>Regional Medical Director: Lee Sanders, M.D. Interim Regional Nursing Director: Mary Hooshmand, R.N. Regional Program Administrator: Vacant</p>	<p>155 S. Miami Ave, Suite 1000 Miami, FL 33130 (305) 349-1330 Fax: (305) 349-1331</p>
<p>Miami N – North Dade County Asst. Medical Director: Jeffrey Brosco, M.D. CMAT Medical Director: Maria Medina-Capote, M.D. MFC Medical Director: Gwen Wurm, M.D. EIP Medical Director: Silvia Fajardo-Hiriat, M.D. Provider Relations: Nadine Francis</p>	<p>Area Office 155 S. Miami Ave, Suite 1000 Miami, FL 33130 (866) 831-9017 (305) 349-1330 Fax: (305) 349-1331</p>
<p>Miami S - South Dade County Medical Director: Andrew Kairalla, M.D. Primary Care Med. Dir.: Deise Granado-Villar, M.D. PC Project Administrator: Aimee Richardson, R.N. CMAT Medical Director: Maria Medina-Capote, M.D. MFC Medical Director: Gwen Wurm, M.D. EIP Medical Director: Trevor Resnick, M.D. Provider Relations: Nadine Francis</p>	<p>Area Office 17615 S.W. 97th Avenue, Bldg. 1 Miami, FL 33157 (786) 624-5700 Fax: (786) 624-5717</p> <p>Primary Care Miami Children's Hospital-CMS Primary Care Program 3100 S.W. 62nd Avenue Miami, FL 33155 (786) 624-2490 Fax: (786) 624-5790</p>
<p>Marathon - Monroe County Medical Director: Andrew Kairalla, M.D. Nursing Supervisor: Susanne Imperato, R.N. Provider Relations: Nadine Francis</p>	<p>Area Office 10015 Overseas Highway 100th Street Center Marathon, FL 33050 (800) 342-1898 (305) 289-2779 Fax: (305) 289-2781</p>



EARLY STEPS CONTACT LIST

BAY AREA

Carol Lilly, M.D.-Early Steps Medical Director
Annalise Campisi-Early Steps Coordinator
John Landi-Early Steps Coordinator
UNIVERSITY OF SOUTH FLORIDA
13101 NORTH BRUCE B. DOWNS BOULEVARD
TAMPA, FLORIDA 33612
Phone: (813) 974-0601 or (866) 549-1740
Fax: (813) 558-1343
EMAIL: clilly@hsc.usf.edu
EMAIL: acampisi@hsc.usf.edu
EMAIL: jlandi@hsc.usf.edu

Pat Grosz PH D-Executive Director
INFANTS & YOUNG CHILDREN WEST CENTRAL
FLORIDA, INC.
1308 W. Sligh Ave
PO BOX 82485
TAMPA, FLORIDA 33604
(813) 375-3980
FAX: (813) 375-3984
EMAIL: pgrosz@tampabay.rr.com
(Counties served: Hillsborough, & Polk)

CENTRAL FLORIDA

Lourdes Quintana-Early Steps Director
Mary Grimmer-Program Coordinator
CENTRAL FLORIDA EARLY STEPS
601 WEST MICHIGAN STREET
ORLANDO, FLORIDA 32805
(407) 317-7430 Ext. 2121
FAX: (407) 648-4150
EMAIL: mary.grimmer@orhs.org
EMAIL: lourdes.quintana@orhs.org
(Counties served: Orange, Osceola, & Seminole)

GULF CENTRAL

Judith Corso-Program Manager
SARASOTA MEMORIAL HEALTH CARE SYSTEM
1700 SOUTH TAMiami TRAIL
SARASOTA, FLORIDA 34239-3555
(941) 487-5403 or (866)510-5594
FAX: (941) 487-5430
EMAIL: judith-corso@smh.com
(Counties served: Charlotte, Desoto, Hardee,
Highlands, Manatee, & Sarasota)

NORTH CENTRAL

Fonda Davis-Eyler-Early Steps Director
Mary Lou Behnke-EIP Medical Director
DEPARTMENT OF PEDIATRICS
1329 SOUTHWEST 16TH STREET, ROOM 4160
PO BOX 100296
GAINESVILLE, FLORIDA 32610-0296
(352) 273-8555 or (800) 334-1447
FAX: (352) 273-8588
EMAIL: eylerfd@peds.ufl.edu
EMAIL: behnkem@peds.ufl.edu
(Counties served: Alachua, Columbia, Dixie, Gilchrist,
Hamilton, Lafayette, Levy, Marion, Suwannee, & Union)

BIG BEND

La'Tasha Dullivan-Program Director
CHILDREN'S HOME SOCIETY/EARLY STEPS
1801 MICCOSUKEE COMMONS DRIVE
TALLAHASSEE, FLORIDA 32308
(850) 921-0330
Fax: (850) 921-0283
EMAIL: latasha.dullivan@chsfl.org
(Counties served: Gadsden, Jefferson, Leon, Liberty,
Madison, Taylor, & Wakulla)

La'Tasha Dullivan-Program Director
Cheryl Fitzgerald-Program Manager
CHILDREN'S HOME SOCIETY
700 West 23rd Street, Suite 100
PANAMA CITY, FLORIDA 32405
(850) 747-5411
FAX: (850) 747-5583
EMAIL: cheryl.fitzgerald@chsfl.org
(Counties served: Bay, Calhoun, Gulf, Holmes, Jackson,
Washington, Franklin)

GOLD COAST

Ellie Schrot-Early Steps Coordinator
CHILDREN'S DIAGNOSTIC & TREATMENT CENTER
1401 SOUTH FENDERAL HIGHWAY
FT. LAUDERDALE, FLORIDA 33316
(954) 728-1083 or (954) 728-1090
FAX: (954)779-2316
EMAIL: eschrot@nbhd.org
(Counties served: Broward)

NORTH BEACHES

Gayla Clark-Early Steps Coordinator
CHILDREN'S ADVOCACY CENTER OF VOLUSIA
AND FLAGLER COUNTIES, INC.
421 SOUTH KEECH STREET
DAYTONA BEACH, FLORIDA 32114-4623
(386) 258-7434
FAX: (386) 258-2283
EMAIL: gayla_clark@doh.state.fl.us
(Counties served: Flagler, Lake, Putnam, Sumter & Volusia)

NORTH DADE

Charles R. Bauer-Early Steps Director
Ray Rodriguez
1120 NORTHWEST 14TH STREET, ROOM 1216
MIAMI, FLORIDA 33136
(305) 243-5808
FAX: (305) 243-3501
EMAIL: cbauer@med.miami.edu
EMAIL: rrodriguez3@med.miami.edu
(Counties served: North Miami-Dade)

EARLY STEPS CONTACT LIST

NORTHEASTERN

April Smith-Early Steps Director
Ann Milton-Early Steps Coordinator

910 NORTH JEFFERSON STREET
JACKSONVILLE, FLORIDA 32209

(904) 360-7022 EXT 272

FAX: (904) 798-4545 OR (904) 798-4544

EMAIL: april_smith@doh.state.fl.us

EMAIL: ann_milton@doh.state.fl.us

(Counties served: Baker, Bradford, Clay, Duval, Nassau,
& St. Johns)

SPACE COAST

Althea Puzio-Early Steps Program Manager

CATCH OF BREVARD, INC.

2565 JUDGE FRAN JAMIESON WAY

VIERA, FLORIDA 32940

(321) 634-3688

FAX: (321) 504-0955

EMAIL: althea_puzio@doh.state.fl.us

(Counties served: Brevard)

WEST CENTRAL

Louise Boothby-Llorente Ph. D.-Early Steps Director

Mary Pavan M.D.-Medical Director

Harry Fogle-Assistant Director

ALL CHILDREN'S HOSPITAL

CENTER FOR CHILD DEVELOPMENT

500 7TH AVENUE SOUTH, DEPARTMENT 7470

ST. PETERSBURG, FLORIDA 33701

(727) 767-4403 or (800) 374-4334

FAX: (727) 767-4715

EMAIL: LlorenteL@allkids.org

EMAIL: PAVANM@allkids.org

EMAIL: fogleh@allkids.org

(Counties served: Citrus, Hernando, Pasco, & Pinellas)

SOUTHERNMOST COAST

Marie Severe-Early Steps Director

MIAMI CHILDREN'S HOSPITAL

17615 SOUTHWEST 97TH AVENUE

PALMETTO BAY, FLORIDA 33157

(786) 268-2611 or (888) 624-7837

FAX: (786) 268-1748

EMAIL: marie.severe@mch.com

(Counties served: South Dade, & Monroe)

SOUTHWEST FLORIDA

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January 28, 2010

Christa Calamas
Staff Director
House Health Regulation Committee
Suite 1301 Capitol
Tallahassee, Florida 32399

Re: Strike all to House Bill 225

Dear Christa,

Thank you for allowing us to provide comment to House bill 225. The Florida Pharmacy Association appreciates the opportunity to share its thoughts on health care related issues that affect pharmacy stakeholder groups.

House bill 225 as originally filed revises Florida Statutes 465.0276 which sets a standard on practitioner dispensing of controlled substances listed in schedule II, schedule III or schedule IV by limiting the dispensed quantity to a 72 hour supply by registered dispensing practitioners. It is our understanding that this limit does not alter the quantity that a pharmacy may dispense under other provisions in F.S. 465. The Florida Pharmacy Association favors this provision and would like to share with you the following:

- 1. FPA Review of HB225** – The Florida Pharmacy Association at its annual meeting last summer reviewed some of the issues surrounding the illegal use of legal drugs and the prescription drug monitoring program. If you may recall the FPA spent a considerable amount of time and effort to work with the Florida legislature during the 2009 session. We were successful in bringing together the various stakeholder groups to finally get general support for Senate bill 462. At the same time during the annual meeting our members had concerns over the significant dispensing of controlled substances from prescriber offices. We are concerned with the absence of pharmacist review, intervention and management of patients who are being treated for pain. While we recognize the convenience that patients will experience when medications are dispensed from the prescriber's office we are concerned that the patient (who may be on other medications prescribed by other practitioners and obtained from their community pharmacies) will not be monitored properly. This is very critical for patients who are paying cash for their prescriptions and not being monitored in integrated databases. The FPA adopted as policy language strikingly similar to the original language published in HB225.
- 2. Other state's issues with Florida** – The FPA continues to hear from our colleagues in other states who have concerns with the prescribing patterns of Florida practitioners. Included in these comments is a newsletter from the Ohio Board of Pharmacy dated May 2009. In that newsletter the Ohio Board of Pharmacy published information to its 14,000 pharmacists warning them of drug scam involving prescriptions issued by Florida doctors. The FPA is troubled that another state would message its licensees on issues that our state is struggling to address. It is clear that Ohio has placed Florida in the cross hairs of the diversion radar scope.

We also found a presentation from Virginia where they specifically used Florida as an example of out of state prescriptions that are issued from Florida prescribers.

Below is text that we found on the North Carolina Board of Pharmacy's web site that was published on March 12, 2009:

THURSDAY, MARCH 12, 2009

Alert to Pharmacists about Possible Fraudulent Prescriptions: The Board of Pharmacy has received information from DEA and other sources that carloads of patients from Kentucky, Tennessee, and Ohio, are going to see physicians and pain management centers in Florida, specifically in Boca Raton and Fort Lauderdale. The patients are being issued prescriptions for Oxycodone and other Schedule II narcotics, primarily Roxicodone.

The patients are stopping at pharmacies, primarily in Western North Carolina, asking to get the prescriptions filled. Sometimes they are calling ahead asking if pharmacies have Oxycodone and they say there is a shortage of Oxycodone in their home state.

Pharmacists calling one clinic in Florida did not specifically speak with the prescribing physician but reached a clinic manager on his cell who verified the prescriptions. If the phone number starts with a 954 area code, these are probably fraudulent prescriptions.

Pharmacists should be wary of filling any prescriptions for Schedule II narcotics unless you are familiar with the patient and know that a prior patient-prescriber relationship existed.

If you have had contact with any of these groups, physicians, etc., please contact the Board office, specifically the Investigations Department, at 919-246-1050.

While the above issues are apparent with the prescribing of controlled substances we do believe that the problems cross over considerably with the significant amount of dispensing that is going on in South Florida pain clinics. For your consideration I have also included a presentation by the United States Drug Enforcement Administration at a meeting of the National Association of Boards of Pharmacy in Miami, Florida during the month of May of 2009. Please pay particular attention to slide number 30 related to dispensing from pain clinics.

3. **FPA Review of the Strike All:** The proposed strike all version for House bill 225 retains the dispensing restrictions on prescribers. There is also language that places new regulatory standards on pharmacy businesses seeking to operate in Florida by requiring them to be part of a multi-state electronic prescribing network. While we fully support the revision of prescribing initiatives we would like to share our thoughts on the other initiatives.
 - a. Requirement is universally applied –Some community pharmacies primary function would be to service hospice, terminally ill or cancer patients. Many of these patients receive prescriptions that are classified as controlled substances. Currently the drug enforcement administration does not allow for medications of this nature to be prescribed electronically thus placing a Florida regulatory mandate on a pharmacy business to enroll in something that is not currently permitted by Federal laws. These pharmacies would be required to sign up for and purchase technology that will be minimally used adding significant business expenses that are not reimbursed. It is our understanding that with changes in the banking industry small businesses (including pharmacies) have experienced difficulty in getting loans for capital improvement programs. There will be considerable investment needed by pharmacies who may have

to upgrade their pharmacy dispensing software to become more compliant with the only multi-state electronic prescribing network that we are aware of.

- b. Intent of the legislation to resolve the issue – Our understanding that requiring pharmacies to sign up for the electronic prescribing network as a condition of receiving a permit should address issues related to patients receiving medications that are not recorded in a management database. We are unable to establish how putting all Florida licensed pharmacies in the electronic prescribing network will resolve the prescribing issues that Florida is having difficulty with related to controlled substances. While there are incentive programs in place to encourage prescribers to transition to electronic health records and electronic prescribing those incentives do not address patients who see their prescribing practitioner and pay cash for their visit. We understand that the incentives are for enhanced payment for Medicare claims that are filed through various health plans. These patients are not using a health benefit to obtain controlled substance prescriptions and thus are not going to be captured by pain clinics whose scope is limited to these services. Again the Federal government currently does not allow controlled substance prescriptions to transmit through the electronic prescribing network.
- c. Cost to pharmacy providers – Pharmacy stakeholders have been willing and eager to assist the state in resolving health care issues. We recognize that on occasion we are asked to come to the table to contribute to improve the quality of health and support innovative systems to make life better for Florida citizens. Through the years we have worked diligently to create awareness of the advantages of electronic prescribing and how it helps with many patient safety issues. The system is not entirely fool proof and some system related issues are still to be worked out. The electronic prescribing system mandated by the strike will add significant costs to pharmacy providers when many are facing deep cuts in Medicaid and other third party programs. Recently a pharmacy owner testified before both the House and Senate Health Appropriations Committee where she informed members that she is now providing many state mandated services to Medicaid patients at a business loss.

The cost associated with each prescription that is transmitted over the electronic prescribing network is assessed to the receiving pharmacy. It is our understanding that the pharmacy must eat this cost even if the patient does not get the prescription filled. Keep in mind that for insurance prescriptions the pharmacy will also be billed for transmission costs to file electronic claims on behalf of the patient. That means that the pharmacy will have to bear costs on the front end as well as the back end. There are additional costs from having to message prescribers to clarify information that may be missing or confusing.

Again we appreciate the opportunity to provide our thoughts on HB225 and wish to work with Representative Legg on this project. We believe that Florida pharmacists have worked very well with the Department of Health and law enforcement to resolve diversion issues. From much of what we are seeing from other states and from the Drug Enforcement Administration we are not convinced that pharmacy providers are the nucleus to Florida's problems with overprescribing of controlled substances. Pharmacies by law cannot provide prescription medications unless ordered by a duly licensed practitioner.

For a project of this nature to work any proposed legislation will need to not only address the registration of dispensing pharmacies in the electronic prescribing network but there must also be similar obligations placed on the prescriber community. As Executive Vice President and CEO of the

Florida Pharmacy Association it has been my honor to serve as a member of the Florida's Electronic Prescribing Advisory Panel facilitated by the Agency for Health Care Administration. During a meeting on January 28, 2010 of that panel some interesting metrics was shared with the group on electronic prescribing. Please consider the following:

- Data provided by AHCA on pharmacies activated to accept e-prescriptions suggested that the overwhelming majority of Florida pharmacies are enabled and connected to the e-prescribing networks with the exception of the Miami – Ft. Lauderdale area. Only 47.6% of those pharmacies are activated. Statewide the uptake of activated e-prescribing pharmacies ranged from a low of 68.6% of the studied population to a high of 86% (excluding Miami – Ft. Lauderdale). Clearly this shows pharmacies true commitment to e-prescribing.
- Additional data presented at that meeting showed where only 7% of licensed providers were “active e-prescribing practitioners” in the Miami – Fort Lauderdale area. In all other areas of Florida the percent of active e-prescribing practitioners to licensed providers ranged from a low of 4% to only a high of 27% in the AHCA study.
- We also learned at this meeting that while the number of electronic prescriptions transmitted over the network has increased dramatically over the past few years it still represents only 19% of total prescriptions in the AHCA study.

With the above in mind it is clear that in pharmacy we are doing our part to facilitate greater connectivity to multi-state electronic prescribing networks. Pharmacies that are not activated but will be obligated to under the proposed strike will face significant and overwhelming financial commitments. Some older dispensing software that smaller pharmacies are using will have to be upgraded in order to connect properly. This software and its technical support needed are not inexpensive. We see the strike all to HB225 as a considerable unfunded tax on pharmacy businesses to connect to technology that has not been widely adopted by the prescriber community. At some point in time we welcome the opportunity for all prescriptions to be facilitated through a multi-state electronic prescribing network but to do so properly there has to be some preliminary issues resolved.

1. There needs to be a viable resolution on the electronic prescribing of controlled substances from the Drug Enforcement Administration (DEA). Currently controlled substance prescriptions cannot be transmitted over a multi-state electronic prescribing network. The DEA has been looking at this issue for sometime but has not published any guidance on this to date.
2. If there is interest in regulating pharmacies to participate in multi-state electronic prescribing networks there must also be concurrent regulations on the prescriber stakeholders as well. This regulation will need to be structured to hold the prescriber accountable for creating a prescription record outside of the multi-state electronic prescribing network and not holding the pharmacy liable. The system will not work at all without these issues being resolved.

Finally if you wish to control flooding along the length of a river you don't build the dam where it empties into the ocean.