



Select Committee on Health Care Workforce Innovation

Tuesday, February 18, 2014
3:30 PM - 6:30 PM
Morris Hall (17 HOB)

Action Packet

Will Weatherford
Speaker

Jose R. Oliva
Chair

COMMITTEE MEETING REPORT
Select Committee on Health Care Workforce Innovation
2/18/2014 3:30:00PM

Location: Morris Hall (17 HOB)

Summary:

Select Committee on Health Care Workforce Innovation

Tuesday February 18, 2014 03:30 pm

PCB SCHCWI 14-01 Favorable With Amendments (1)

Yeas: 13 Nays: 2

Amendment PCB SCHCWI 14-01 a1 Adopted Without
Objection

Committee meeting was reported out: Wednesday, February 19, 2014 10:10:14AM

COMMITTEE MEETING REPORT
Select Committee on Health Care Workforce Innovation
2/18/2014 3:30:00PM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Jose Oliva (Chair)	X		
W. Travis Cummings	X		
Dwight Dudley	X		
Gayle Harrell	X		
Matt Hudson	X		
Mia Jones	X		
MaryLynn Magar			X
Jeanette Nuñez	X		
Cary Pigman	X		
Kenneth Roberson	X		
José Rodriguez	X		
Elaine Schwartz	X		
Ross Spano	X		
Richard Stark			X
Perry Thurston, Jr.	X		
Carlos Trujillo	X		
John Wood	X		
Totals:	15	0	2

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COMMITTEE MEETING REPORT
Select Committee on Health Care Workforce Innovation
2/18/2014 3:30:00PM

Location: Morris Hall (17 HOB)

PCB SCHCWI 14-01 : Advanced Practice Registered Nurses

Favorable With Amendments (1)

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
W. Travis Cummings	X				
Dwight Dudley	X				
Gayle Harrell		X			
Matt Hudson	X				
Mia Jones	X				
MaryLynn Magar			X		
Jeanette Nuñez	X				
Cary Pigman	X				
Kenneth Roberson	X				
José Rodríguez	X				
Elaine Schwartz		X			
Ross Spano	X				
Richard Stark			X		
Perry Thurston, Jr.	X				
Carlos Trujillo	X				
John Wood	X				
Jose Oliva (Chair)	X				
Total Yeas: 13		Total Nays: 2			

PCB SCHCWI 14-01 Amendments

Amendment PCB SCHCWI 14-01 a1

Adopted Without Objection

Appearances:

PCB SCHCWI 14-01

Kradel, Dr. Brian (General Public) - Proponent

Florida Association of Nurse Anesthetists

801 E 6th St. 205A

Panama City FL 32401

Phone: (850) 866-6444

PCB SCHCWI 14-01

Weiner, Bruce (General Public) - Proponent

FL Association of Nurse Anesthetists

9901 Emerald Links Dr.

Tampa FL 33626

Phone: (813) 814-2255

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COMMITTEE MEETING REPORT
Select Committee on Health Care Workforce Innovation

2/18/2014 3:30:00PM

Location: Morris Hall (17 HOB)

PCB SCHCWI 14-01 : Advanced Practice Registered Nurses (continued)

Appearances: (continued)

PCB SCHCWI 14-01

Johnson, Pamela (General Public) - Proponent
FL Nurse Practitioner Network
331 N. Deerfield Ave.
Deerfield Beach FL 33441
Phone: (561) 900-6737

PCB SCHCWI 14-01

Pitts, Brian (General Public) - Information Only
Justice-2-Jesus
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: (727) 897-9291

PCB SCHCWI 14-01

Quinlan, Dr. James (General Public) - Proponent
Florida Nurse Practitioner Network
15979 NW 165th St.
Williston FL 32696
Phone: (352) 529-0477

PCB SCHCWI 14-01

Majors, Dr. Tina Marie (State Employee) - Waive In Support
Panhandle Nurse Practitioner Coalinion
5749 Tiger Woods Dr.
Milton FL 32570
Phone: (334) 202-0866

PCB SCHCWI 14-01

Whitaker, Stan (General Public) - Waive In Support
FL Association of Nurse Practitioners
6294 NW Torreya Pk. Rd.
Bristol FL 32321
Phone: (850) 545-8301

PCB SCHCWI 14-01

McCormack, Elizabeth (General Public) - Proponent
Nurse Practitioner on Call
530 Riola Place
Pensacola FL
Phone: (850) 207-7775

PCB SCHCWI 14-01

Christian, David (Lobbyist) - Waive In Support
Florida Chamber of Commerce
136 S. Bronough St.
Tallahassee FI 32301
Phone: (850) 521-1211

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COMMITTEE MEETING REPORT
Select Committee on Health Care Workforce Innovation

2/18/2014 3:30:00PM

Location: Morris Hall (17 HOB)

PCB SCHCWI 14-01 : Advanced Practice Registered Nurses (continued)

Appearances: (continued)

PCB SCHCWI 14-01

Zimmer, Dr. Michael (General Public) - Opponent
FL Chapter American College of Physicians
509 Jackson St., N.
St. Petersburg FL 33703
Phone: (727) 820-7800

PCB SCHCWI 14-01

Lenches, Dr. Joshua (General Public) - Opponent
FMA, FOMA
14959 NW 35 St.
Davie FL 33321
Phone: (954) 817-5684

PCB SCHCWI 14-01

Dudley, John (General Public) - Opponent
Self
2055 Thomasville Rd., Apt. 3104
Tallahassee FL 32308

PCB SCHCWI 14-01

Dughi, Leslie (Lobbyist) - Waive In Support
Associated Industries of Florida
516 N. Adams St
Tallahassee FL 32301
Phone: (850) 222-6891

PCB SCHCWI 14-01

Fischbach, Dr. Keely (General Public) - Opponent
ACP
45 Davis Blvd., Apt. 14
Tampa FL 33606
Phone: (813) 240-6855

PCB SCHCWI 14-01

Nuland, Christopher (Lobbyist) - Opponent
Florida Chapter, American College of Surgeons
1000 Riverside Ave. #115
Jacksonville FL 32204
Phone: (904) 355-1555

PCB SCHCWI 14-01

Farrow, Dr. Meredith (State Employee) (General Public) - Opponent
American Congress of Obstetricians & Gynecologists
3901 6th Ave. S.
Jacksonville Beach FL 32250

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COMMITTEE MEETING REPORT
Select Committee on Health Care Workforce Innovation
2/18/2014 3:30:00PM

Location: Morris Hall (17 HOB)

PCB SCHCWI 14-01 : Advanced Practice Registered Nurses (continued)

Appearances: (continued)

PCB SCHCWI 14-01

Forsthoefel, Dr. Michael (General Public) - Opponent

Self

1300 Medical Dr.

Tallahassee FL 32308

Phone: (850) 556-0982

PCB SCHCWI 14-01

Inglese, Dr. Marc (General Public) - Opponent

FMA, FSDDS

1704 Riggins Rd.

Tallahassee FL 32308

Phone: (850) 224-6496

PCB SCHCWI 14-01

Kung, Dr. Mai (State Employee) - Waive In Support

Self, ARNPs

3712 Longchamp Cir.

Tallahassee FL 32309

Phone: (850) 893-2586

DeCastro, Martha (Lobbyist) - Waive In Support

Florida Hospital Association

306 E. College Ave

Tallahassee FL 32317

Phone: (850) 222-9800

PCB SCHCWI 14-01

LaPolt, Alisa (Lobbyist) - Waive In Support

Florida Nurses Association

PO Box 1344

Tallahassee FL 32302

Phone: (850) 443-1319

Committee meeting was reported out: Wednesday, February 19, 2014 10:10:14AM



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing PCB: Select Committee on Health
 2 Care Workforce Innovation

3 Representative Pigman offered the following:

4
 5 **Amendment**

6 Remove line 692 and insert:
 7 at least 10 hours of continuing education approved by the board
 8 in pharmacology in
 9

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB SCHCWI 14-01 (2014)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
<u>FAILED TO ADOPT</u>	<input checked="" type="checkbox"/>	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing PCB: Select Committee on Health
2 Care Workforce Innovation
3 Representative Harrell offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 652-708 and insert:

7 Section 3. Section 458.3155, Florida Statutes, is created
8 to read:

9 458.3155 Registration of independent advanced practice
10 registered nurses; fees.-

11 (1) To be registered as an independent advanced practice
12 registered nurse, an applicant must submit proof to the board
13 that the applicant has:

14 (a) An active and valid certificate under s. 464.012;

15 (b) Completed, in any U.S. jurisdiction, at least 2000
16 clinical practice hours within a three year period immediately

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB SCHCWI 14-01 (2014)

Amendment No. 2

17 preceding submission of the application and while practicing as
18 an advanced practice registered nurse;

19 (c) Not been subject to any disciplinary action under s.
20 464.018, 458.331, or s. 456.072, or any similar disciplinary
21 action in any other jurisdiction, during the 5 years immediately
22 preceding the application; and

23 (d) Completed a graduate level course in pharmacology.

24 (2) The board may provide by rule additional requirements
25 appropriate for each applicant practicing in a specialty under
26 s. 464.012(4).

27 (3) An independent advanced practice registered nurse may
28 perform, without physician supervision or a protocol, the acts
29 authorized in s. 464.012(3), acts within his or her specialty as
30 described in s. 464.012(4), and any of the following:

31 (a) For a patient who requires the services of a health
32 care facility, as defined in s. 408.032(8):

33 1. Admit the patient to the facility.

34 2. Manage the care the patient receives in the facility.

35 3. Discharge the patient from the facility.

36 (b) Provide a signature, certification, stamp,
37 verification, affidavit, or other endorsement that is otherwise
38 required by law to be provided by a physician.

39 (4) An advanced practice registered nurse registered under
40 this section must submit to the department proof of registration
41 along with the certification information required under s.
42 456.0391, and the department shall include the registration in

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB SCHCWI 14-01 (2014)

Amendment No. 2

43 the advanced practice registered nurse's practitioner profile
44 created pursuant to s. 456.041.

45 (5) To be eligible for biennial renewal of registration,
46 an independent advanced practice registered nurse must complete
47 at least 10 hours of continuing education in pharmacology in
48 addition to completing the continuing education requirements
49 provided for in rule by the Board of Nursing pursuant to s.
50 464.013. The biennial renewal for registration shall coincide
51 with the independent advanced practice registered nurse's
52 biennial renewal period for his or her advanced practice
53 registered nurse certification. If, consequently, the initial
54 renewal period occurs prior to January 1, 2015, the independent
55 advanced practice registered nurse is not required to complete
56 the continuing education requirement under this subsection until
57 the following biennial renewal period.

58 (6) The board shall register any nurse meeting the
59 qualifications in this section. The board shall establish an
60 application fee not to exceed \$500 and a biennial renewal fee
61 not to exceed \$500. The board is authorized to adopt such other
62 rules as are necessary to implement the provisions of this
63 section, including rules for the discipline of and revocation of
64 the registration of an independent advanced practice registered
65 nurse for violation of any provision of s. 458.331.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB SCHCWI 14-01 (2014)

Amendment No. 2

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T I T L E A M E N D M E N T

Remove line 22 and insert:

458.3155, F.S.; providing for the registration of

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB SCHCWI 14-01 (2014)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
<u>FAILED TO ADOPT</u>	<input checked="" type="checkbox"/>	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	___	

1 Committee/Subcommittee hearing PCB: Select Committee on Health
2 Care Workforce Innovation
3 Representative Harrell offered the following:
4

5 **Amendment (with title amendment)**

6 Remove line 3962 and insert:

7 Section 103. Section 456.50, Florida Statutes, is amended
8 as follows:

9 456.50 Repeated medical malpractice.—

10 (1) For purposes of s. 26, Art. X of the State Constitution
11 and ss. 458.331(1)(t), (4), and (5) and 459.015(1)(x), (4), and
12 (5):

13 (a) "Board" means the Board of Medicine, in the case of a
14 physician licensed pursuant to chapter 458 or an independent
15 advanced practice registered nurse registered under s. 458.3155,
16 or the Board of Osteopathic Medicine, in the case of an
17 osteopathic physician licensed pursuant to chapter 459.

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB SCHCWI 14-01 (2014)

Amendment No. 3

18 (b) "Final administrative agency decision" means a final
19 order of the licensing board following a hearing as provided in
20 s. 120.57(1) or (2) or s. 120.574 finding that the licensee has
21 violated s. 458.331(1)(t) or s. 459.015(1)(x).

22 (c) "Found to have committed" means the malpractice has
23 been found in a final judgment of a court of law, final
24 administrative agency decision, or decision of binding
25 arbitration.

26 (d) "Incident" means the wrongful act or occurrence from
27 which the medical malpractice arises, regardless of the number
28 of claimants or findings. For purposes of this section:

29 1. A single act of medical malpractice, regardless of the number
30 of claimants, shall count as only one incident.

31 2. Multiple findings of medical malpractice arising from the
32 same wrongful act or series of wrongful acts associated with the
33 treatment of the same patient shall count as only one incident.

34 (e) "Level of care, skill, and treatment recognized in
35 general law related to health care licensure" means the standard
36 of care specified in s. 766.102.

37 (f) "Medical doctor" means a physician licensed pursuant to
38 chapter 458 or chapter 459 or for the purposes of this section
39 only, an independent advanced practice registered nurse
40 registered under s. 458.3155.

41 (g) "Medical malpractice" means the failure to practice
42 medicine in accordance with the level of care, skill, and
43 treatment recognized in general law related to health care

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB SCHCWI 14-01 (2014)

Amendment No. 3

44 licensure. Only for the purpose of finding repeated medical
45 malpractice pursuant to this section, any similar wrongful act,
46 neglect, or default committed in another state or country which,
47 if committed in this state, would have been considered medical
48 malpractice as defined in this paragraph, shall be considered
49 medical malpractice if the standard of care and burden of proof
50 applied in the other state or country equaled or exceeded that
51 used in this state.

52 (h) "Repeated medical malpractice" means three or more
53 incidents of medical malpractice found to have been committed by
54 a medical doctor. Only an incident occurring on or after
55 November 2, 2004, shall be considered an incident for purposes
56 of finding repeated medical malpractice under this section.

57 (2) For purposes of implementing s. 26, Art. X of the State
58 Constitution, the board shall not license or register or
59 continue to license or register a medical doctor found to have
60 committed repeated medical malpractice, the finding of which was
61 based upon clear and convincing evidence. In order to rely on an
62 incident of medical malpractice to determine whether a license
63 or registration must be denied or revoked under this section, if
64 the facts supporting the finding of the incident of medical
65 malpractice were determined on a standard less stringent than
66 clear and convincing evidence, the board shall review the record
67 of the case and determine whether the finding would be supported
68 under a standard of clear and convincing evidence. Section
69 456.073 applies. The board may verify on a biennial basis an

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB SCHCWI 14-01 (2014)

Amendment No. 3

70 out-of-state licensee's or registrant's medical malpractice
71 history using federal, state, or other databases. The board may
72 require licensees or registrants and applicants for licensure or
73 registration to provide a copy of the record of the trial of any
74 medical malpractice judgment, which may be required to be in an
75 electronic format, involving an incident that occurred on or
76 after November 2, 2004. For purposes of implementing s. 26, Art.
77 X of the State Constitution, the 90-day requirement for granting
78 or denying a complete allopathic or osteopathic licensure
79 application in s. 120.60(1) is extended to 180 days.

80 Section 104. This act shall take effect July 1, 2014.

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86 T I T L E A M E N D M E N T

87 Remove line 433 and insert:
88 making a conforming change; amending s. 456.50, F.S.;
89 authorizing the Board of Medicine to revoke an independent
90 advanced practice registered nurse's registration or deny an
91 application for such registration for repeated medical
92 malpractice; providing an effective
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