

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

HB 97 — Access to Health Care for the Underserved

by Reps. Magar, Spano, and others (CS/SB 142 by Appropriations Committee and Senator Hays)

The bill expands the circumstances under which a volunteer dentist or dental hygienist is not personally liable for negligence. Under existing law, the liability protections apply to free dental services provided to low-income patients pursuant to a government contract. Under the bill, the dentist or dental hygienist may accept voluntary contributions for the cost of laboratory work and retain the protections from personal liability.

The bill does not change the liability of the government entity that contracts with the dentist or dental hygienist to provide the free dental services. The government entity remains liable, subject to the state's sovereign immunity limitations, for any negligent dental services.

The bill also authorizes any volunteer health care provider—not just dentists or dental hygienists—to retain sovereign immunity and provide care for up to 30 days after a patient is determined not to meet the financial eligibility standard of the program to allow the patient time to find a new provider.

Finally, the bill extends the future repeal date of the health access dental license by 5 years to January 1, 2020. The Health Access Dental License authorizes out-of-state dentists to practice in facilities that provide care to low income patients in underserved areas.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 34-0; House 118-0