

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

HB 423 — Access to Health Care Services

by Reps. Pigman, Campbell, and others (CS/CS/CS/SB 676 by Appropriations Committee; Banking and Insurance Committee; Health Policy Committee; and Senators Grimsley, Flores, Margolis, Altman, Detert, Bullard, Bean, Gibson, Clemens, Braynon, Diaz de la Portilla, and Soto)

The bill authorizes physician assistants (PAs) and advanced registered nurse practitioners (ARNPs) to prescribe controlled substances under current supervisory standards for PAs and protocols for ARNPs beginning January 1, 2017, and creates additional statutory parameters for their controlled substance prescribing. The bill provides that s. 464.012, F.S., relating to certification of ARNPs, shall be known as “The Barbara Lumpkin Prescribing Act.”

Under the bill, an ARNP’s and PA’s prescribing privileges for controlled substances listed in Schedule II are limited to a seven-day supply and do not include the prescribing of psychotropic medications for children under 18 years of age, unless prescribed by an ARNP who is a psychiatric nurse. Prescribing privileges may also be limited by the controlled substance formularies that impose additional limitations on PA or ARNP prescribing privileges for specific medications. An ARNP or PA may not prescribe controlled substances in a pain management clinic.

The bill requires PAs and ARNPs to complete three hours of continuing education biennially on the safe and effective prescribing of controlled substances.

Beginning January 1, 2017, health insurers, health maintenance organizations, Medicaid managed care plans, and pharmacy benefits managers, which do not use an online prior authorization form, must use a standardized prior authorization form that the Financial Services Commission adopts by rule to obtain a prior authorization for a medical procedure, course of treatment, or prescription drug benefit. The bill specifies that electronic prior-authorization approvals do not preclude benefit verification or medical review by the insurer under either the medical or pharmacy benefits.

The bill authorizes a free clinic to receive a legislative appropriation or grants to support the delivery of contracted services by volunteer health care providers, including the employment of health care providers to supplement, coordinate, or support the delivery of such services, while retaining sovereign immunity protections under existing law. The bill further specifies that such appropriation or grant does not constitute compensation from the governmental contractor for services provided under the contract.

If approved by the Governor, these provisions take effect upon becoming law, except where otherwise provided.

Vote: Senate 37-0; House 117-1