

CAPITAL REPORT

FLORIDA DENTAL ASSOCIATION

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FINAL HOURS OF SESSION

At the time of publication, the 2006 Legislature approaches its final hours. The status of the issues mentioned herein should be considered preliminary, pending a reading of all the bills adopted during the final days. The big issue still unresolved between the House and Senate involves legislation to address property and casualty insurance for Florida homeowners. The property and casualty insurance bill self-destructed today in the Senate perhaps indicating either an extension of the session or a special session to be scheduled later.

With respect to the dental specific issues, we appear to have enjoyed another successful year. Our success is due in no small part to your collective efforts as Legislative Contact Dentists and FDA Leadership. There is, however, no rest for the weary. The 2006 campaign cycle will be competitive for several of our friends in both the primary election cycle and general election cycle. We are already planning campaign and fundraising trips to Miami, Jacksonville, St. Petersburg and Ft. Lauderdale. Our success depends on our ability to actively support those who help dentistry. See you on the road!

PIP EXTENDED TO 2009

CS/CS/CS/SB 2114 by Sen. Rudy Garcia, R-Hialeah, was approved by both the House and Senate and is now on its way to the Governor. The Florida Motor Vehicle No-

Fault Law was due to expire on October 1, 2007, unless reenacted by the Legislature. The bill that finally passed addresses some anti-fraud measures and now extends the repeal of PIP until January 1, 2009. The insurance industry, who opted for the PIP law to sunset, argues that the legislation does nothing to help with the current problems in the PIP system. Health care providers will not be impacted by the changes in the bill. The bill does not create a medical fee schedule or place limits on attorney's fees. Reports have been made that the Governor may feel that the bill does not go far enough and may consider vetoing the bill.

DENTAL HYGIENE CHARTING BILL GOES TO THE GOVERNOR

CS/HB 1157 by Rep. Stan Mayfield, R-Vero Beach, is on its way to the Governor for his final action. The FDA House of Delegates voted at the January 2006 session to support this bill which allows hygienists to do unsupervised charting exercises in schools, nursing homes and some other locations.

The language in the bill that passed was the agreed to version that would allow a dental hygienist to record visual observations of clinical conditions of the oral cavity with emphasis made on seeing a dentist thereafter for a comprehensive examination. Current law allows for dental hygienists to provide the public with educational and fluoride rinse programs without making any kind of diagnosis.

**BOARD OF DENTISTRY MEMBERS
APPROVED BY THE SENATE**

Most executive appointments to regulatory boards require confirmation from the full Senate. There are sometimes thousands of appointments that must be approved. The Board of Dentistry (BOD) is one of these boards. All three BOD appointments were approved, which includes the two new members, Ms. Brenda Kitchens, RDH and Dr. Joe Thomas and the re-appointment of Dr. Betty Klement.

**"TRUTH IN HEALTH CARE EDUCATION"
ADOPTED BY THE LEGISLATURE**

HB 587 by Rep. Bill Galvano, R-Bradenton, is on its way to the Governor. This bill was changed several times during the legislative process, but the version that passed specifies that it is grounds for disciplinary action if a health care practitioner fails to identify to a patient the type of license under which he or she is practicing. The practitioner must also disclose the type of license they hold in any advertisements for health care services. The bill provides an exemption to this provision for practitioners operating in facilities licensed under chapters 394, 395 or 400, Florida Statutes, which include hospitals, ambulatory surgical centers, nursing homes, long-term care facilities, and mental health facilities. HB 587 also allows each Board to develop rules for compliance. At the urging of the FDA and other groups, the wearing of a name tag identifying the type of license being practiced meets the requirements of this law.

LEGISLATURE FUNDS DENTAL ISSUES

After 60 days of numerous committee meetings and debate on how to spend the state's general revenue, the Legislature approved a budget totaling over \$70 billion for the 2006-2007 budget year. Funding was allocated for partial dentures at approximately \$6.8 million on a recurring basis. Additionally, the Legislature continued funding for early and periodic screening,

diagnostic and treatment (EPSDT) at \$129 million; dental services provided through the Florida Healthy Kids Program at \$27 million (capped at no more than \$12 per member per month); Fluoridation Project at the Department of Health (DOH) at \$150,000; and Community Smiles for Miami-Dade County at \$50,000. In an attempt to help increase awareness and enrollment in the Florida KidCare Program, approximately \$1 million in non-recurring funds has been appropriated for a community-based marketing and outreach grant program. The Legislature did not address the Governor's recommendation to increase reimbursement fees for Medicaid dental providers. Furthermore, there are several other budget issues the FDA has been tracking and will require additional research to determine whether funds have been appropriated this year.

**NO EXPANSION OF MEDICAID DENTAL
MANAGED CARE PLANS**

Despite the attempt by a dental managed care plan provider to expand dental managed care plans to 12 additional counties (Charlotte, Collier, DeSoto, Glades, Hendry, Lee, Sarasota, Indian River, Okeechobee, Martin, Palm Beach and St. Lucie), the Legislature refused to accept expansion proviso language in the Budget Conference Report. Thanks to the many calls and e-mails sent by the FDA's LCDs, grassroots dentists and letter sent by Dr. Alan Friedel, the FDA was able to convince legislators that this expansion was not the best solution for addressing access to dental care issues.

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