



COMMITTEE RESTORES LICENSURE EXAM REQUIREMENT FOR PUBLIC HEALTH DENTISTS ENTERING PRIVATE PRACTICE

The Senate Health Regulation Committee chaired by Sen. Jeff Atwater (R-West Palm Beach) adopted an amendment to SB 2760 which restored the requirement that all applicants for private dental practice, even those who practiced in community service settings, must take the Florida dental licensure exam. The amendment resulted from an ongoing dialogue between the Governor's office and the FDA.

Now referred to as CS/SB 2760 by Sen. Durell Peaden (R-Crestview), the bill provides for the following:

- allows out-of-state dentist to apply for and receive a community service dental license without taking the Florida exam provided they meet strict standards and limit their practice to defined community service areas.
- allows a community service dental licensee to take the Florida licensure exam after providing 5,000 hours of direct patient care within a four year period. Former military personnel and those providing educational services may take the exam after 3,000 hours within a three year period.
- those qualifying to take the exam under this provision are exempted from the requirement of having to take the national board exams within the past ten years.
- allows dental hygienists to apply fluoride varnishes, take medical and dental histories and make certain study casts without supervision or prior authorization only in a community service setting, provided the information collected is later reviewed by a dentist. This provision further states that a hygienist cannot perform any additional tasks without the patient being examined by a dentist.
- allows a hygienist to apply sealants under general supervision.
- contains the dental lab language previously agreed to by the FDA and Florida Dental Lab Association (FDLA).

CS/SB 2760 will next be considered by the Health and Human Services Appropriations Committee. The House

companion, HB 1367 by Rep. Stan Jordan (R-Jacksonville), has not been heard in committee.

MEDICAID REFORM EXPANSION

The House Healthcare Council presented language to expand Medicaid reform. The proposal expands Medicaid reform to Miami-Dade and Monroe Counties with enrollment of recipients by July 2009. Additionally, further expansion would continue by July 2010 to Pasco, Pinellas, Hardee, Hillsborough, Highlands, Manatee and Polk Counties. The proposal makes efforts to direct the Agency for Health Care Administration (AHCA) to monitor and evaluate plans' network adequacy regularly, encourage provider services networks (PSNs) to develop innovative ways to perform their administrative functions, set standards for prompt claims payments by plans to providers, modifies the assignment process for recipients who do not voluntarily choose a plan and ensures recipients will receive accurate and current prescription drug coverage information for each plan. The House has not officially filed a bill, but one should be released by next week. The Senate has not included expanding Medicaid reform in any of its recommendations.

SOVEREIGN IMMUNITY FOR EMERGENCY SERVICES

The House Safety and Security Council debated HB 839, by Rep. Ed Homan (R-Temple Terrace). The bill would apply sovereign immunity to health care practitioners who are providing emergency services to a patient until stabilization. The bill would deem these practitioners as "agents of the state" for purposes of liability. Additionally the bill would require these practitioners to indemnify the state up to the \$100,000 / \$200,000 amounts that would be paid to the injured party. Any amounts of recovery over that amount would require a claims bill to be filed and approved by the Legislature. The health care practitioners would not be responsible for repaying any of those awards received through the claims bill process.

As written the bill does not include dentists in the definition of health care practitioners. The sponsor told the FDA it was simply an oversight. This bill has become very controversial and was temporarily postponed in the council meeting. It is rumored that this bill may be heard again next week and a new version will be released. We have assurances that this

new version will include dentistry. Final passage of this bill will be an uphill battle, as the Senate still has not heard this bill in any committee. FDA staff will continue to provide updates on any further developments.

DENTAL FEE INCREASE IN HOUSE BUDGET

The House budget proposal recommends a 3.75 percent fee increase for children dental services. The \$2.1 million recommendation is only in the House budget and has not been recommended by the Senate. FDA staff will continue to push for a dental fee increase as the budget conference process begins.

ELIMINATION OF ADULT DENTAL MEDICAID SERVICES

The House and Senate Health and Human Services Appropriations Committees released their initial budget proposals this week, which includes eliminating all adult dental services for Medicaid recipients. Specifically, the Senate eliminates adult dental Medicaid services effective November 1, 2008. For four months, payments for these services will be continued with trust funds (Lawton Chiles Endowment Funds) until November 2008 when the program will end. The House, on the other hand, recommends suspending adult dental services for two years (beginning July 1, 2008 through June 30, 2010). Both proposals include freezing the capitation rates for providers who participate in the Florida Healthy Kids program at the June 2008 level. The proposal also reduces the cost-based reimbursement rates for county health departments from 100 percent of cost to 61 percent of cost. This reduction comes with the flexibility for the county health departments to use county cash contributions as Medicaid match toward the cost of their Medicaid reimbursement in lieu of state funding. This will allow them the ability to continue to draw down federal matching funds. The House and Senate proposals also include reductions to other services such as hearing and vision services, hospice services, medically needy and hospital inpatient and outpatient services, just to name a few.

In the next couple of weeks, the committees will go through a series of hearings on the budget by adopting amendments to make adjustments. Once the House and Senate adopt their respective budgets on the floor, budget conferees will be appointed and the Legislature will start its process for budget negotiations.

DENTISTS' DAY ON THE HILL IS NEXT TUESDAY AND WEDNESDAY

Over 150 FDA member dentists will meet with state legislators on Dentists' Day on the Hill next Tuesday, April 1 and Wednesday, April 2. If you are attending Dentists' Day, please make sure you contact your legislators to set up an appointment before you arrive in Tallahassee next



week. If your legislator is unable to meet with you, schedule a meeting with his or her legislative assistant.

The FDA has planned several events for member dentists on Dentists' Day on the Hill. Below is the schedule of events.

Tuesday, April 1

6:00-7:30 p.m. **Legislative Reception**

Paradigm Restaurant, 115 West College Avenue located downtown near the Capitol building. The reception is for FDA members and legislators. Registration packets will be available.

7:30-8:30 p.m. **Briefing**

Paradigm Restaurant, 115 West College Avenue. The briefing is for members who are in Tallahassee on Tuesday evening. If you have a meeting that conflicts with the breakfast briefing, you will be able to register and be briefed on legislative issues. You are welcome to attend both the April 1 briefing and the April 2 breakfast briefing.

Wednesday, April 2

8:00 - 10:30 a.m. **Registration**

University Center Club at Florida State University Doak Campbell Stadium Building B, Champions Way, 3rd floor

8:30 -10:30 a.m. **Breakfast Briefing and Guest Speaker** **Joel Blackwell**

University Center Club at Florida State University Doak Campbell Stadium, Building B in the Ballroom on the 3rd floor. Attendees will be briefed on current legislative dental issues and hear from distinguished guest speaker Joel Blackwell. Mr. Blackwell has extensive knowledge and experience speaking to organizations about how to effectively carry their political messages to politicians.

Noon - 1:30 p.m. **Legislative Luncheon**

Enjoy lunch with your colleagues and legislators in the Capitol's Courtyard (outside between the old and new Capitol buildings).

1:30 - 4:00 p.m. **Dentists' Day on the Hill visits**

Meet with legislators. Participants are responsible for scheduling meetings with their legislators before arriving in Tallahassee.

For more information on Dentists' Day on the Hill or to register, please call the FDA Governmental Affairs Office at (800) 326-0051 or visit the FDA's web site at <http://floridadental.org/pro/members/governmental/hill.html>.

ELECTRONIC HEALTH RECORDS

The House Healthcare Council unanimously approved HB 637 by Rep. Denise Grimsley (R-Sebring). The committee adopted an amendment to the bill that would create the "Florida eHealth Initiative Act." Specifically, the bill would require AHCA to award and monitor grants to certain health information organizations such as regional health information organizations (RHIOs). The bill establishes the Electronic Medical Records System Adoption Loan Program (subject to appropriations) and creates the Florida Health Information Exchange Advisory Council. Additionally, the bill directs AHCA to develop and implement a plan that promotes participation in regional and statewide health information exchanges and the adoption of electronic medical records systems. Currently, as the bill is written, it only engages participation from physicians who are currently using electronic medical records. The FDA staff has discussed with Rep. Grimsley the possibility of adding dentists to the advisory council to help with the implementation of the long-term plan to move to electronic medical records. The bill now moves to the House Policy and Budget Council. Sen. Jeremy Ring (D-Margate) has filed SB 1998, which is the Senate companion. The bill is scheduled to be heard next week in the Senate Health Regulation Committee.

FLORIDA KIDCARE PROGRAM

The House Healthy Families Committee passed HB 1457 by Rep. Rene Garcia (R-Hialeah). The bill makes some administrative changes to the Florida KidCare program to make enrollment and the transitioning process between each program simpler for the families. Several child care advocates testified in support of the bill. One provision outlined in the bill that was a concern to the advocates was the elimination of the KidCare Coordinating Council under the Department of Health (DOH). There are currently two dentists participating on the council.

Rep. Loranne Ausley (R-Tallahassee) also has filed a KidCare bill, HB 1275, and received a commitment from Rep. Garcia to work together to combine the bills. HB 1457 now moves to the House Healthcare Council. The Senate companion bill, SB 2032 by Sen. Mike Fasano (R-New Port Richey) has not been heard in committee.

LEGISLATIVE SPOTLIGHT

Sen. Dave Aronberg (D-Greenacres) has served in the Florida Senate since 2002. He represents Senate District 27 which covers parts of Charlotte, Glades, Hendry, Lee and Palm Beach Counties. Sen. Aronberg has proven to have excellent leadership skills as an active member of numerous organizations in his community and his service as the Senate Minority Whip from 2006-2008.



Sen. Aronberg is currently a member of the following Senate committees: Health Regulation; General Government Appropriations; Legislative Committee on Everglades Oversight (Co-Chair); Public Service Commission Oversight; Law and Justice Policy and Calendar; Oversight and Procedural Policy and Calendar; Responsible Regulation Policy and Calendar; Regulated Industries; Criminal Justice (Vice Chair); and Communications and Public Utilities (Vice Chair). Sen. Aronberg is seeking re-election this November. He is a FLADPAC supported candidate. His legislative contact dentists are Dr. Tom Floyd and Dr. Mitchell Josephs.

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FDA LEGISLATIVE TRACKING CHART

(As of March 28, 2008)

✓ =Passed

X =Defeated

Φ=Not Referenced

H=House of Representatives

S=Senate

B=Bill

TP'D=Temporarily Postponed

CS=Committee Substitute

PRIORITY INITIATIVES OPPOSED

ISSUE	COMMITTEE 1 ACTION	COMMITTEE 2 ACTION	COMMITTEE 3 ACTION	FLOOR ACTION	GOV'S ACTION
HB 1367 – Governor's scope of practice expansion and licensure by credentials proposal	Health Quality	Healthcare Council	Policy and Budget Council		

PRIORITY INITIATIVES SUPPORTED *

ISSUE	COMMITTEE 1 ACTION	COMMITTEE 2 ACTION	COMMITTEE 3 ACTION	FLOOR ACTION	GOV'S ACTION
SB 2760 – Governor's Access to Oral Health Act	Health Regulation ✓ Bill was amended in a fashion that the FDA can now support	Health and Human Services Appropriations			

* Issues contained in supported bills HB 329 and SB 1410 are now being tracked as budget issues.

BUDGET ISSUES

ISSUE	Senate Position Included	House Position Included	Conference Report
Cuts to Adult Dental Medicaid Program	Included In Budget	Included In Budget	
3.75 % Medicaid Fee Increase for Dentists	Not Included In Budget	Included In Budget	