



## FDA BILLS CONTINUE TO MOVE FORWARD

The FDA's dental access bills, **CS/SB 702** by Sen. Don Gaetz (R-Fort Walton Beach) and **CS/HB 185** by Rep. Matt Hudson (R-Naples), were heard in committees this week. On Tuesday, March 10, HB **CS HB/185** unanimously passed out of the House Insurance, Business & Financial Affairs Policy Committee. On Thursday, March 12, **CS/SB 702** unanimously passed out of the Senate Health and Human Services Appropriations Committee. The Senate Health and Human Services Appropriation Committee was the last committee stop for **CS/SB 702**. **CS/SB 702** now awaits a floor vote by the full Senate. **CS/HB 185** has one final committee stop in the House Health & Family Services Policy Council before it is voted on the floor by the full House. For details on **CS/SB 702** or **CS/HB 185**, see the March 6, 2009 issue of *Capital Report*.

## FDA LEADERSHIP IN TALLAHASSEE

Dr. Ted Haeussner, FDA President and Dr. Chuck Hoffman, FDA President-elect, traveled to Tallahassee on Friday, March 13, to meet with the governor's staff. FDA staff, Rusty Payton and Joe Anne Hart also attended the meeting. The governor has made a recommendation to combine the Agency for Health Care Administration (AHCA) and the Department of Health (DOH) over a two-year period. At this time, no legislation has been filed, but preliminary discussions on this issue with staff suggests that the governor would like to maintain the Secretary of AHCA to head the combined agencies with the State Surgeon General serving under the AHCA Secretary. By combining the two health care agencies, the state could possibly save \$3 million. The FDA is closely monitoring this issue.

## FSOMS DAY AT THE CAPITOL

The Florida Society of Oral and Maxillofacial Surgeons (FSOMS) held their legislative day on Monday, March 9, in Tallahassee. Dentists took advantage of the opportunity to meet with legislators on dental issues important to FSOMS, including **CS/HB 185** and **CS/SB 702**.

Dr. Fred Costello got a chance to speak to FSOMS members on his bid to run for the House of Representatives during the 2010 elections. Dr. Costello

has filed for House District 26, which is being vacated by Rep. Pat Patterson (R-DeLand) due to term limits. **HEALTH CARE CLINIC ESTABLISHMENT PERMIT UPDATE**

On Tuesday, March 10, the House Health Care Regulation Policy Committee discussed the prescription drug distribution regulations in Florida. An overview of this process and recent legislation was presented by committee staff. The distribution of prescription drugs in Florida is regulated by the DOH, under chapter 499, Florida Statutes. The regulations have several parts: licensure, documentation and criminal penalties. In Florida there are 20 different permits in the distribution chain, including prescription drug manufacturers and wholesale distributors. There are documentation requirements to track the distribution of prescription drugs from manufacturer to the end user, which are called pedigree papers. There are also criminal penalties for distributing contraband prescription drugs.

A grand jury was convened in 2002 by the Florida Supreme Court at the request of Governor Jeb Bush to report on drug distribution abuses. They made several suggestions that have been incorporated into Florida law over the last six years. These changes included background screenings and bonding requirements for wholesale distributors, more thorough distribution documentation, enhanced criminal penalties and stronger DOH enforcement authority.

The health care clinic establishment permit was created by the 2008 Florida Legislature as an attempt to authorize "clinics" to purchase prescription drugs in the name of the clinic rather than by the licensed practitioner. Unfortunately, this language has been interpreted in different ways by many entities causing great confusion as to if this permit is required or optional.

The House Health Care Regulation Policy Committee is looking at introducing a proposed committee bill to address other issues that need additional clarification, such as the definition of manufacturer. FDA staff has met with committee staff to express our concerns about the on-going confusion with the health care clinic establishment permit and the need for a clear solution. It is unclear yet whether the House

will adopt the suggested changes contained in **CS/SB 574** by Sen. Gaetz, which the FDA supports.

#### LEGISLATOR SPOTLIGHT

Sen. Eleanor Sobel (D-Hallandale Beach) was elected to serve District 31 in the Florida Senate in 2008 and also served eight years in the House prior to her election to the Senate. Her district covers parts of Broward County. She currently serves as a member on the following committees: Environmental Preservation and Conservation, Health Regulation(Vice Chair), Policy and Steering Committee on Energy, Environment, and Land Use, Commerce, Education Pre K-12, Health and Human Services Appropriations, Rules, Select Committee on Florida's Economy and Joint Legislative Sunset Committee.



Sen. Sobel is very supportive of dental issues and has always been happy to meet with the FDA. Her legislative contact dentists are Drs. Alan Friedel of Miami, Lee Hauer of Parkland, Hal Lippman of Hollywood and Jeffrey Stevens of Aventura.

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**LEGISLATIVE TRACKING CHART**

(As of March 13, 2009)

✓ =Passed

X =Defeated

⊕=Not Referenced

**H**=House of Representatives

**S**=Senate

**B**=Bill

**TP'D**=Temporarily Postponed

**CS**=Committee Substitute

**PRIORITY INITIATIVES SUPPORTED**

<b>ISSUE</b>	<b>COMMITTEE 1 ACTION</b>	<b>COMMITTEE 2 ACTION</b>	<b>COMMITTEE 3 ACTION</b>	<b>FLOOR ACTION</b>	<b>GOV'S ACTION</b>
<b>HB 185</b> –FDA Dental Bill	✓ <b>CS</b> Health Care Regulation Policy Committee	✓ <b>CS</b> Insurance, Business and Financial Affairs Policy Committee	Health and Family Services Policy Committee		
<b>SB 702</b> – FDA Dental Bill	✓ Health Regulation Committee	✓ <b>CS</b> Banking and Insurance Committee	✓ <b>CS</b> Health and Human Services Appropriations		
<b>SB 574</b> – Purchase of Prescription Drugs	✓ <b>CS</b> Health Regulation Committee	Health and Human Services Appropriations			

**PRIORITY INITIATIVES OPPOSED**

<b>ISSUE</b>	<b>COMMITTEE 1 ACTION</b>	<b>COMMITTEE 2 ACTION</b>	<b>COMMITTEE 3 ACTION</b>	<b>FLOOR ACTION</b>	<b>GOV'S ACTION</b>