



Rural Health in the 2021 Florida Legislature



Who We Are

Florida Voices for Health is a 501(c)(3) health care advocacy organization. We promote systemic reforms through story collection, community outreach and education, and through relationships with media and lawmakers.

We also lead a collaborative of diverse community-based organizations and stakeholders that we keep informed and mobilize for action.

Our issues include:

- Strengthening Florida Medicaid
- Improving Oral Health
- Protecting Floridian Health Care Consumers



Today's Meeting...

Florida Health Care Landscape

Learn about the state of health care access and outcomes in Florida, specifically in the wake of COVID-19.

2021 Florida Legislature

Explore the changes in leadership in the Florida House and Senate including the Chairs of key committees.

Filed Health Care Legislation

Medicaid, Oral Health, Prescription Drugs, Mental Health and Substance Use Disorders, Consumer Access, Protections, and Health Equity.

Ways to Engage

Learn how you can get involved in different campaigns to advance legislation and improve access to care in Florida.



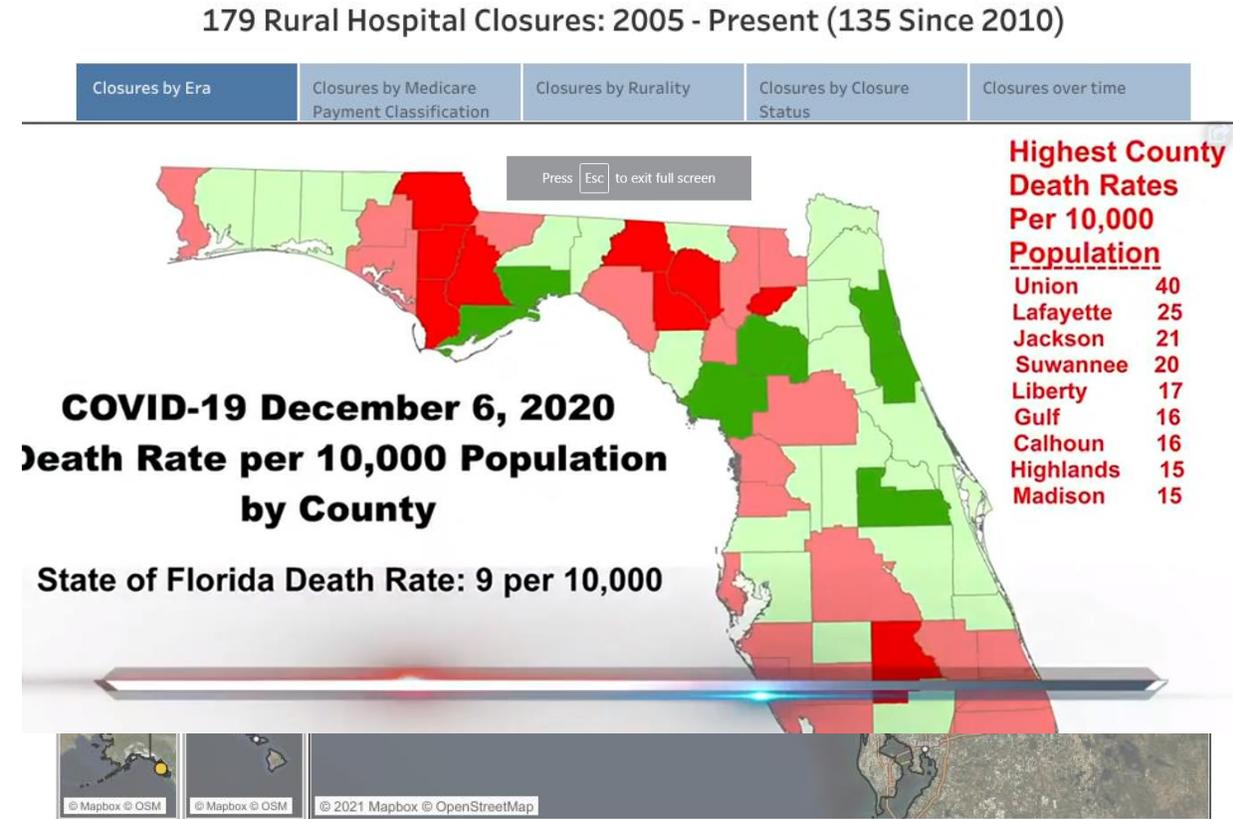
Florida Health Care After COVID-19

- Florida's unemployment rate is more than double what it was a year ago (6.4%) – the Bureau of Labor Statistics
- Florida is projecting a \$3.3 billion two-year revenue shortfall, including an estimated \$2.75 billion deficit in fiscal year 2022.
- Nearly 700,00 Floridians have signed up for Medicaid – increasing the state's cost to participate by about \$1.2 billion for the 2021-22 budget year (state economists).
- A Florida Hospital Association (survey of its 214 members found between March and January the coronavirus bill to the industry is at least \$3 billion.



Health Care in Rural Florida

- The highest COVID-19 death rates in our state are in nine rural counties in North Florida (Jacksonville University).
- High death rate tied to poverty levels and inability to access health care.
- In the state of Florida, the average is about one primary care physician for every 1200 people.
 - In Lafayette County it was 1 to 8000.
 - Suwannee County it was 1 to 5000.
- In Florida:
 - 7 rural hospitals have closed since 2005
 - 5 of the 7 hospitals closed in 2017 or later, including 3 hospitals in 2020
 - 3 Critical Access Hospitals have closed since 2017



2021 Landscape and Legislative Session



2021 Florida Legislature

- Currently, the partisan makeup of the Florida Senate is 23 R - 17 D.
- In the House, Republicans now have a 78-42 majority after winning a majority of the 15 competitive seats.



House of Representatives

- House Speaker - Rep. Chris Sprowls, Palm Harbor
- Speaker Pro Tempore - Rep. Bryan Avila, Miami
- Majority Leader - Rep. Michael Grant, Port Charlotte
- Appropriations Committee Chair - Rep. Jay Trumbull, Panama City
- Rules Committee Chair - Rep. Paul Renner, Palm Coast
- Health & Human Services Committee Chair - Rep. Colleen Burton, Lakeland

Senate

- Senate President - Sen. Wilton Simpson, Spring Hill
- President Pro Tempore - Sen. Aaron Bean, Jacksonville
- Republican Leader - Sen. Debbie Mayfield, Melbourne
- Democratic Leader - Sen. Gary Farmer, Fort Lauderdale
- Senate Appropriations Committee Chair - Sen. Kelli Stargel, Lakeland
- Appropriations Subcommittee on Health and Human Services Committee Chair, Sen. Aaron Bean, Jacksonville
- Banking and Insurance Committee Chair, Sen. Jim Boyd, Bradenton
- Children, Families, and Elder Affairs Committee Chair, Sen. Lauren Book, Plantation
- Health Policy Committee Chair, Sen. Manny Diaz, Miami

2021 Session Dates

- **March 2, 2021** – Regular Session convenes; 12:00 noon deadline for filing bills for introduction.
- **April 17, 2021** – Motion to reconsider made and considered the same day.
- **April 20, 2021** – 50th day; last day for regularly scheduled committee meetings.
- **April 30, 2021** – 60th day; last day of Regular Session.



Florida Senate COVID-19 Meeting Rules and Procedures

Public Participation

- All committee meetings will be live-streamed on <https://thefloridachannel.org/>.

Remote Committee Viewing/Public Testimony

- The Senate has worked in partnership with Florida State University to reserve three remote viewing rooms at the Leon County Civic Center, which will provide the opportunity to for members of the public to view meetings and virtually address Senate committees in a safe, socially distant manner.

Committee Viewing

- In-person committee viewing will be limited to those invited to present information before the committee as well as members of the media.

In Person Meetings

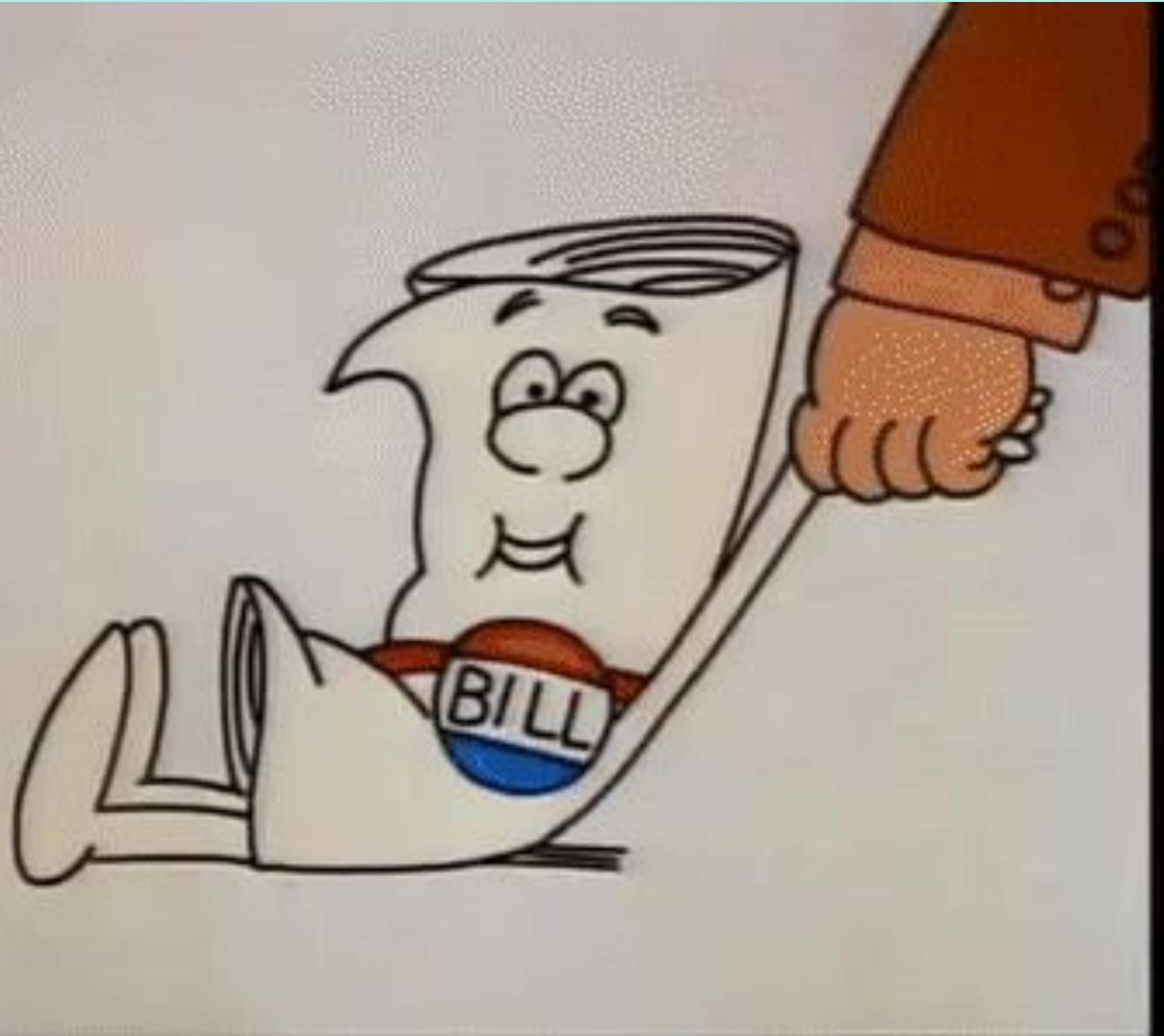
- For the month of January, Senators are asked to avoid in person meetings and to utilize available platforms to schedule meetings virtually

Florida House COVID-19 Meeting Rules and Procedures

Public Participation

- All committee meetings will be live-streamed on <https://thefloridachannel.org/>.
- For meetings in which public testimony is solicited the public may register for a seat in the audience through www.myfloridahouse.gov.
- Seating will be available via electronic reservation on a first-come, first-served basis. Electronic committee appearance records serve as the registration tool for in-person testimony.
- Registration will be for the main committee room and any additional room for on-site virtual testimony.

2021 Filed Bills





Medicaid



Medicaid for Working Adults - Who Qualifies?



In Florida you must have a dependent child and make less than about \$7,000/yr (31% FPL) for a family of 3.



There is NO help for childless adults, regardless of how much you make.

FLORIDA'S OPPORTUNITY TO EXPAND MEDICAID

Eligible for
Medicaid

Qualifies for
Marketplace
Subsidies



Adults without Children
with income below \$12,767

Parents/Caretakers
\$6,925 - \$21,720*



People with Disabilities
\$11,472 - \$12,760

*FOR FAMILY OF 3



2021 Filed Bills: Medicaid

Medicaid Expansion

- **SJR 276 (Sen. Taddeo and Sen. Berman):** Would put expansion on the 2022 ballot. Needs three-fifths (3/5) majority vote in each Chamber to pass.
- **SB 556 (Sen. Thurston) / HB 443 (Rep. Thompson):** Authorizes Agency for Health Care Administration to make optional payments on behalf of Floridians making up to 133% FPL.
- **SB 698 (Sen. Jones) / HB 341 (Rep. Duran):** Extends Medicaid eligibility to Floridians under 65 years of age, not pregnant, and whose income does not exceed 133 percent of the poverty line.



Benefits of Medicaid Expansion

- ▶ Pre-pandemic, estimates were that nearly **900,000 uninsured** Floridians would gain access to health insurance care through Medicaid expansion

Estimates of the number of uninsured may differ based on the method used to count. The numbers given are from the 2018 Census and do not include those who are newly uninsured due to Covid-19 related job losses.

- ▶ Researchers now estimate that **over 1 million Floridians** would gain coverage under expansion, including those who have lost jobs and health coverage due to COVID-19.

2021 Filed Bills: Medicaid

Extended Postpartum Coverage - HB 645 / SB 238

- Filed by Sen. Book (Plantation) & Rep. Brown (Orange)
- Extends the period of eligibility for Medicaid for postpartum women to the 365-day period beginning on the last day of her pregnancy. Increases the eligibility limit to 185 percent of the most current federal poverty level.
- Currently, women in Florida who qualify for Medicaid due to pregnancy lose their coverage 60 days after their pregnancy ends leaving them uninsured and unable to address ongoing health issues.
- The U.S. is the only developed country in which maternal mortality and morbidity are on the rise. Enhancing Medicaid benefits could prevent these women and their children from dire outcomes.

2021 Filed Bills: Medicaid

Expanded FL KidCare Eligibility - HB 201 / SB 1244

- Filed by Rep. Bartleman (Broward) & Sen. Book (Broward)
- Increases income eligibility threshold for coverage under Florida Kidcare program to 300% FPL
- Provides guidelines for graduated family contribution rates for newly qualifying families.
- Requires agency to increase income eligibility threshold for coverage each fiscal year by 20% until meeting the 300% threshold.
- In 2016, 6.6 percent of children in Florida were uninsured. By 2019, the percentage had grown to 7.6 percent, an increase in line with the national average.

2021 Filed Bills: Medicaid

Medicaid Modernization - SB 852

- Filed by Sen. Brodeur (Seminole)
- Allows Medicaid coverage for asynchronous (store-and-forward) telehealth
 - Evaluation of recorded video and images, including interpretation and follow-up with the recipient within 24 business hours
- Also allow coverage for “remote patient monitoring services, including remote monitoring of physiologic parameters, supply of devices with daily recording or programmed alert transmission, and remote physiologic monitoring treatment management services requiring interactive communication with the recipient and provider.”
- Health systems and hospitals across the country have launched RPM programs in recent months to provide remote, home-based care for patients diagnosed with COVID-19.
- Asynchronous telehealth platforms are also seeing renewed interest as health systems look to offer services that don't rely on real-time audio-visual telemedicine technology (ex: eConsults and direct-to-consumer services for non-acute health concerns).



Oral Health



2021 Filed Bills: Oral Health

Expanded Medicaid Adult Dental Benefit - HB 1117 / SB 1552

- Filed by Rep. Nixon (Jacksonville) & Sen. Pizzo (Miami-Dade)
- Would expand the minimum adult dental benefits provided by Medicaid to include:
 - Services necessary to prevent disease and promote oral health, restore oral structures to health and function
 - Treatment of emergency conditions
 - Routine diagnostic and preventive care, such as dental cleanings, exams and x-rays
 - Basic dental services such as fillings and extractions
 - Major dental services such as root canals, crowns and dentures and other dental prostheses
- Currently, for people 21 years and older Florida Medicaid only covers emergency dental services to alleviate pain, infection, or both, and procedures essential to prepare the mouth for dentures.
- There is no clarity about what, if any, non-emergency dental benefits are provided through Florida Medicaid Dental Managed Care.

2021 Filed Bills: Oral Health

Dental Therapists - HB 961 / SB 604

- Filed by Sen. Brandes (Pinellas) & Rep. Bell (Polk)
- Authorizes dental therapists, an oral health professional who works under the supervision of a licensed dentist, in Florida. Also authorizes Medicaid to reimburse for dental services provided in a mobile dental unit; limits the practice of dental therapy to specified settings, etc.
- More than 5 million Floridians living in areas that have limited or no access to care.
- One in five children across Florida suffer from treatable dental problems. More than 23% of 3rd graders in Florida have untreated tooth decay, making Florida 6th in the nation for highest percent of third grade children with unfilled cavities.
- More than 2.7 million visits to the ER in 2017 were tied to preventable dental problems. In 2019, Florida hospitals billed more than \$630 million for preventable ER visits and hospital admissions stemming from preventable oral health issues.
- Dental therapists are a proven tool to help expand access to dental care and prevent this unnecessary spending. Dental therapists are currently permitted in 12 states and more than 50 countries.



Prescription Drugs



2021 Filed Bills: Prescription Drugs

Insulin Price Caps - HB 109 / SB 786

- Filed by Rep. Bell (Polk) & Sen. Cruz (Hillsborough)
- Requires insurance policies & health maintenance contracts to cap insured's and subscriber's monthly cost-sharing obligation for covered prescription insulin drugs at \$100 a month.
- Provides that coverage for prescription insulin drugs may not be subject to deductible and requires health benefit plans covering small employers to comply with such requirement.
- 54% of Floridians were “worried” or “very worried” about affording the cost of prescription drugs in the future. (Altarum, 2019)
- In Colorado, where a law recently went into effect, cost sharing for prescription insulin drugs is capped at \$100 per 30-day supply. Illinois signed a similar bill into law.

2021 Filed Bills: Prescription Drugs

Pharmacies and Pharmacy Benefit Managers - HB 1155 / SB 390

HOW CLAWBACKS WORK

1 Customer is prescribed 40 milligrams of the stomach medicine pantoprazole.



PRESCRIPTION

2 The pharmacy benefit manager has helped negotiate a \$15 co-pay for the generic pantoprazole.



\$15

3 The medicine costs the pharmacy \$2.05. The pharmacy is reimbursed \$7.22, giving it a profit of \$5.17.



\$7.22

-\$2.05

\$5.17

4 The benefit manager “claws back” the remaining \$7.78 from the pharmacy.



\$7.78

Source: bloomberg.com

2021 Filed Bills: Prescription Drugs

Pharmacies and Pharmacy Benefit Managers - HB 1155 / SB 390

- Filed by Sen. Wright (Port Orange) & Rep. Toledo (Hillsborough)
- Authorizes the Office of Insurance Regulation to regulate pharmacy benefit managers including requiring health insurers to submit to the office certain contracts or contract amendments entered into with pharmacy benefit managers, etc.
- Their business agreements have raised questions about pricing transparency and state legislators.
- PBMs are more savvy to the money that's out there for rebates. Rebates are money refunded to the PBMs from the drug manufacturer, often in exchange for giving their drug preferred formulary placement.

Mental Health and Substance Use Disorders



2021 Filed Bills: Mental Health and SUDs

- Florida ranks in the top ten for biggest mental health changes since April 2020, coming in at number eight. Reports of anxiety and depression have gone up 12.7% since the pandemic began.
- Calls to Florida Behavioral Health Association members' crisis and emergency hotlines have increased 65% since the pandemic began, the group announced Monday.
- More than one in three high school students reported experiencing persistent feelings of sadness or hopelessness in 2019, according to surveys conducted by the Centers for Disease Control and Prevention – a nearly 40% increase since 2009.
- In 2019, about one in six youth reported making a suicide plan in the previous year, a 44% increase over 2009. Different groups, including LGBTQ+ students, were more likely to experience those feelings

2021 Filed Bills: Mental Health and SUDs

School Mental Health Assistance Allocation - HB 453 / SB 850

- Filed by Sen. Powell (Palm Beach) & Rep. Silvers (Palm Beach)
- Revises the necessary elements of a school district plans required to receive funding under the mental health assistance allocation.
- It requires the plans to adopt an interagency agreement or memorandum of understanding with any entity that refers students to community-based services and coordinates care for students served by school-based and community-based providers.
- The MOU must address the sharing of records and information to coordinate care and increase access to appropriate services with parents.

2021 Filed Bills: Mental Health and SUDs

Accessing a Continuum of Care - HB 405 / SB 828

- Filed by Sen. Book (Broward) & Rep. Maney
- Requires facilities to inform respondents with a serious mental illness of the essential elements of recovery and provide them assistance in accessing a continuum of care regimen
- Authorizes the state to establish that a transfer evaluation was performed by providing the court with a copy of the evaluation before the close of the state's case in chief
- Revises the requirements for when a person may be taken to a receiving facility for involuntary examination and when a person may be ordered for involuntary inpatient placement
 - "Neglect or refuse to care for himself or herself"
 - "Real and present threat of substantial harm"
- Requires the clerk of the court to notify the state attorney's office upon the receipt of a petition filed for involuntary treatment services, etc.
- Passed by Children, Families, and Elder Affairs; YEAS 8 NAYS 0. Now in Judiciary

2021 Filed Bills: Mental Health and SUDs

Behavioral Health Services for Defendants with Mental Illness - HB 119 / SB 1188*

- Filed by Rep. Fetterhoff (Volusia) & Sen. Wright (Port Orange)
- Exempts certain fiscally constrained counties from having to provide a local match to establish a law enforcement behavioral health intervention unit under or to establish programs to divert misdemeanor defendants with mental health disorders from jails to community-based treatment under the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program.
- Establishes the Law Enforcement Behavioral Health Intervention Unit Pilot Program in Flagler, Putnam, St. Johns, and Volusia Counties for a period of 3 years.
- Each sheriff shall designate an appropriate number of deputies to be assigned to the behavioral health intervention unit who shall receive special training to: (a) Understand the needs of individuals with mental health, substance use, or co-occurring mental health and substance use disorders; and (b) Respond to incidents involving such individuals.
- Training for deputies in the behavioral health intervention unit shall be developed in consultation with a statewide or national organization with expertise in mental health crisis intervention.



Consumer Access, Protections, and Health Equity



2021 Filed Bills: Consumer Access

Broadband Internet Service - SB 1560 / HB 753*

- Filed by Sen. Ausley & Rep. Clemons (Alachua)
- Requires the Florida Office of Broadband within the Department of Economic Opportunity to:
 - Develop GIS maps of broadband Internet service availability throughout FL and to annually update maps;
 - Establish the Broadband Deployment Task Force within the office to support and provide recommendations for the deployment of broadband Internet service throughout FL
 - Establish a process to identify eligible households to receive federal Emergency Broadband Benefit Program funds
- Sets definition for underserved communities: capacity for transmission at a consistent speed of at least megabits per second downstream and at least 3 megabits per second upstream

2021 Filed Bills: Consumer Access

Telehealth SB 700

- Filed by Sen. Rodriguez (Miami-Dade)
- Allows telehealth providers from out-of-state to work with in-state approved non-physician health care providers and allows providers to use telemedicine to prescribe certain controlled substances.
- Allows Medicaid to reimburse remote patient monitoring, ending technology restrictions which require audio only devices and opening up telehealth to include texting options, and by authorizing telepharmacy for prescription services.
- Amendments to the bill allow for hearing services to be performed via telehealth excluding hearing care for children under the age of 18.
- The bill progressed out of the Senate Health Policy Committee with a unanimous vote last week. It is now in the Appropriations Subcommittee on Health and Human Services.

2021 Filed Bills: Consumer Access and Protections

- **Telehealth Practice Standards HB 247 / SB 660** (Rep. Fabricio & Sen. Diaz) - Revises definition of "telehealth" to include audio-only telephone calls; deletes prohibition on prescribing controlled substances through telehealth.
- **Telehealth SB 1250** (Sen. Ausley)
 - Prohibits Medicaid from using providers who exclusively provide services through telehealth to achieve network adequacy;
 - Prohibits health insurance policies from denying coverage for covered services provided through telehealth;
 - Prohibits HMOs from requiring enrollees to receive certain services through telehealth, etc.

2021 Filed Bills: Consumer Access, Protections, and Health Equity

Regional Planning Councils - SB 62

- Filed by Sen. Bradley (Orange Park) and General Affairs Committee
- Limits the statutory authorization for Florida's regional planning councils, also known as RPCs.
- Limits the advisory role of regional planning councils in the state comprehensive plan preparation.
- Authorizes local governments to recommend areas of critical state concern to the state land planning agency, etc.

2021 Filed Bills: Health Equity

Office of Minority Health and Health Equity - HB 183 / SB 404

- Filed by Sen. Rouson (Pinellas) & Rep. Brown (Orange)
- Requires each county to have a dedicated minority health liaison to ensure health equity across the state. The liaison would be responsible for making sure counties are implementing statewide policies relating to health equity.
- The bill will also require the Florida Office of Minority Health and Health Equity to coordinate with established health liaisons and county level health departments to address disparities. The office will gather data and publish reports health equity at the state and county levels. It will also identify areas in need of improvement.

2021 Filed Bills: Consumer Protections

Insurance Coverage for Breast Cancer Tests and Procedures - HB 743 SB 1038

- (Filed by Sen. Berman) Prohibits certain health insurance policies and health maintenance contracts from applying cost-sharing requirements to certain breast cancer tests and procedures.

Health Insurance Cost Sharing - HB 1111 / SB 1078

- (Filed by Sen. Brodeur) Prohibits health insurance companies from picking and choosing which financial assistance they will apply to the patient's insurance deductible/ maximum out-of-pocket limit. Specifically, the bill requires insurers and their pharmacy benefits managers (PBMs) to apply payments by or on behalf of insureds toward the total contributions of the insureds' cost-sharing requirements.



Ways to Engage



Join the FVH Coalition



Connect with Florida Voices for Health to stay updated on major health care policy threats and opportunities. We host monthly coalition calls and share weekly updates via email.



Calls to Action: Ways to Engage

- **Join the Coalition -**
www.healthcareforfl.org/join
 - ▶ Individuals and organizations
 - ▶ Select list of options and we'll follow up
 - ▶ Regional coalitions working on grassroots/virtual activities

- **Sign the Petition - www.healthcareforfl.org**
 - ▶ Or text MEDEX4FL to 52886

- **Share Health Care Stories -**
www.healthcareforfl.org/share
 - ▶ Visit us online or email FLVoices@healthyfla.org



Advancing Oral Health

- ▶ OPEN is a national network dedicated to achieving systemic change that improves oral health outcomes for vulnerable Americans. Visit our online, interactive platform at www.communities.openoralhealth.org to connect with others, access resources, and ignite change!
- ▶ The OPEN_Florida Alignment Network is a community of individuals and organizations committed to improving access to oral health care in Florida. Florida Voices for Health is a member of this coalition and so are many of our partners.
- ▶ Join the Florida Voices for Health coalition (www.healthyfla.org/medicaiddental) to help advance a comprehensive adult dental benefit in FL Medicaid. We are working directly with the House and Senate sponsors.



Campaign for Dental Therapy



Floridians for Dental Access (www.floridiansfordentalaccess.com) is a coalition made up of a wide variety local groups and organizations. The coalition supports bringing affordable dental care to these populations by authorizing dental therapists.

Questions?





Thank You!

Visit: www.healthyfla.org or
email me at
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