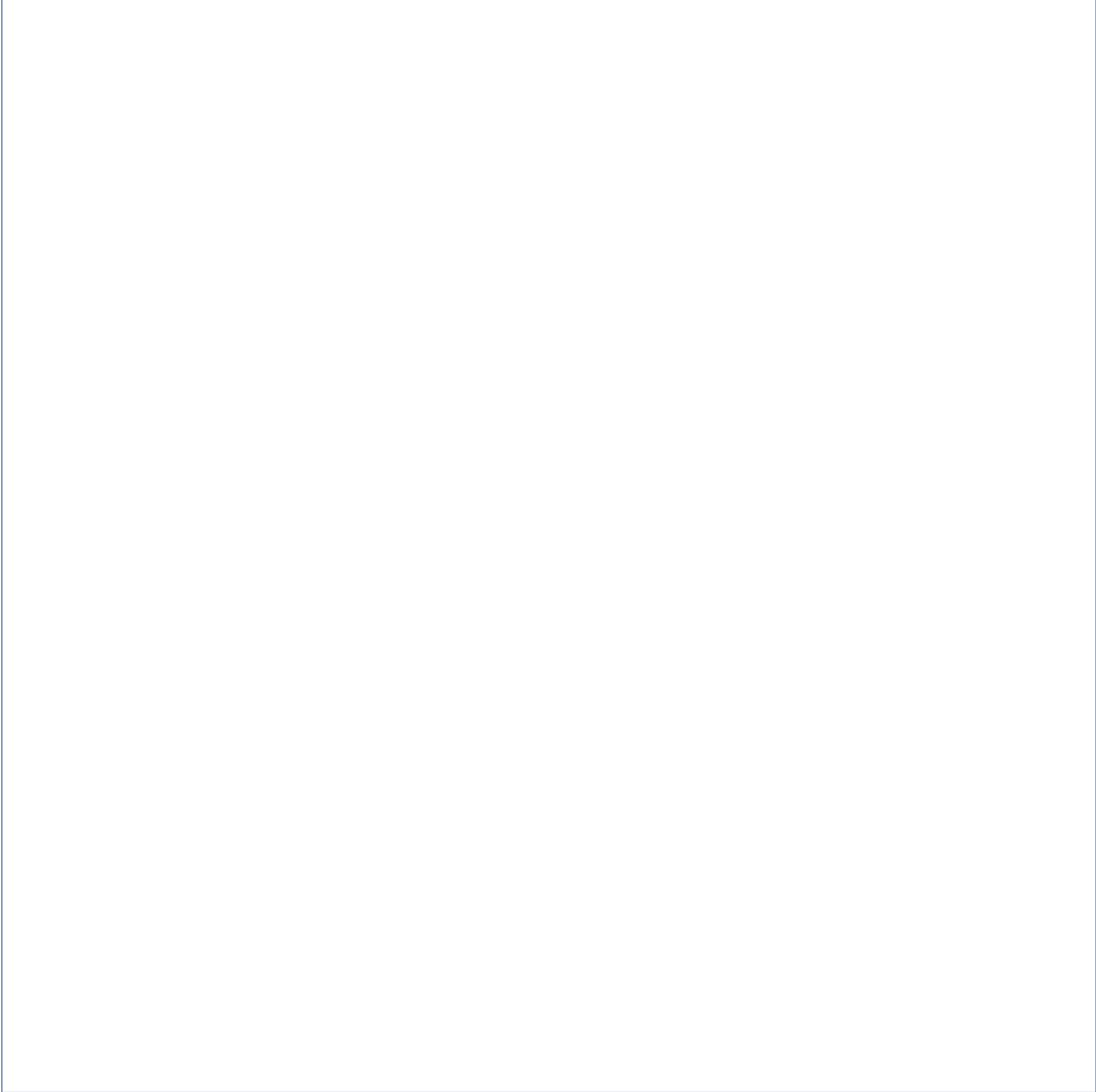




John G. Langdon, MD FACP, President/Governor

Jason M. Goldman, MD FACP, Governor



## END OF SESSION LEGISLATIVE REPORT

Christopher L. Nuland, Esquire—General Counsel

March 12, 2018



### Happy St. Patrick's Day!

It was a Session that started amid sex scandals and ended with unprecedented protests regarding gun safety (or lack thereof), but in between, the Florida Legislature did pass some meaningful legislation that will significantly impact physicians and their patients.

ACP has two notable successes this Session. In its fourth year, the Direct Primary Care Bill finally passed and is on its way to the Governor; this bill will allow primary care physicians to contract directly with patients and remove insurance companies from the patient-physician relationship. In addition, we passed a Pharmacy Benefit Manager bill that will, for the first time, regulate these PBMs and ensure that patients receive the best possible pricing for their pharmaceuticals.

Without a doubt, the most significant other piece of legislation was the Opiate Control Bill. Not only will physicians have to consult the Prescription Drug Monitoring Program database before prescribing ANY controlled substance (not just opiates) to a patient above the age of 15, but any provider with a DEA license will have to take a 2-hour CME on controlled substances. Perhaps most importantly, however, initial prescriptions of Schedule II opiates will be limited to 3 days unless the physician can document the need for a full seven-day supply, along with a prescription that states Medically Necessary Acute Pain Exception.

Christopher I. Nuland, Esq, FL Chapter ACP General Counsel  
Jason M. Goldman, MD FACP, FL Chapter ACP Governor  
Ankush K. Bansal, MD FACP, FL Chapter ACP Treasurer

Despite the onerous nature of the bill, legislators did make several noteworthy concessions in response to our concerns. Schedule III narcotics will not be subject to the 3 and 7 day limitations, nor will patients with cancer or other terminal conditions, the PDMP need not be checked for children under 16, and there will be an exception for traumatic injuries.

As important as these issues were, the Session was also notable for what did NOT pass. There was no Scope of Practice expansion for ARNPs, Physician Assistants, or Pharmacists, and legislation designed to limit the applicability of MOC also failed. Sadly, our insurance reforms also were scuttled when the House of Representatives failed to hear Retroactive Denial and step Therapy bills in the Session's waning days.

A special thank you goes to the FMA, especially Chris Clark, Jeff Scott, and Mary Thomas, and to the other Specialty Society lobbyists who worked tirelessly on our priorities. We could not do this without them, especially in a session as challenging as this one.

But the biggest thank you goes to our members who reached out to their legislators in support of our legislative agenda. Your dedication is an inspiration, and you are the reason that we are so successful.

As always, it is a pleasure and honor to serve.