



Session 2024 Report

Week 9 | Sine Die - March 8, 2024

Overview

Following weeks of interim committee meetings that began in September and an intense 60-day session that commenced in early January, the Legislature officially concluded its work today. The Legislature adjourned “sine die” at 2:25pm.

Every session is unique, and the 2024 Legislative Session was no exception. Highlights of the session included the return of a powerful Governor from the campaign trail, a budget that set aside a record amount of reserves, and the continued respectful dialogue between the Speaker and Senate President. We also saw the unusual occurrence of veto by the Governor during the session. Gov. DeSantis vetoed Speaker Renner’s priority bill limiting children’s access to social media platforms. However, a compromise was developed, leading to the issue’s revival on another bill passed the day before the session’s close.

Legislators now return to their districts for a summer of campaigning, bill signings, and leadership transitions before returning to Tallahassee after the November general election.

Budget Issues

The Legislature passed significant policy initiatives in healthcare, education, and technology but, most importantly, met its constitutional responsibility by approving a \$117.46 billion state budget. The 2024-25 budget is 1.4% smaller than the current fiscal year and contains the following:

- \$717 million for a comprehensive healthcare initiative.
- \$500 million to pay down state debt as a post-pandemic adjustment to spending.
- A 3% raise for state employees.
- \$1.8 billion increase in public school funding.
- \$702 million for Everglades restoration.

You may view all budget issues tracked for BioFlorida in the attached budget tracker. Outlined below are a few of the funding decisions:

- Casey DeSantis Cancer Research Program - Level funding of \$127,500,000.
- Florida Cancer Innovation Fund - Increased funding of \$60 million.
- State Small Business Credit Initiatives - Increased funding to \$175,228.
- James and Esther King Biomedical Research Program -Level funding of \$7,850,000.
- Ed and Ethel Moore Alzheimer’s Disease Research Program - \$5 million.
- Bankhead and Coley Cancer Research Program – Level Funding at \$10 million.

The Governor’s Office has begun reviewing spending projects before the budget is delivered to him for action. There is no deadline for delivery, but it typically occurs within a few weeks after the session adjourns.

2024 Policy Issues Approved by the Legislature *(alphabetically)*

**Red font indicates the final action*

Artificial Intelligence | [SB 1680](#) by Sen. Jennifer Bradley (R-Fleming Island) creates the Government Technology Modernization Council in the Department of Management Services to:

- Recommend legislative and administrative actions the Legislature and state agencies may take to promote the development of data modernization.
- Assess and provide guidance on legislative reforms and creating a state code of ethics for artificial intelligence (AI) systems in state government.
- Assess the effect of automated decision systems or identity management on Floridians' constitutional and other legal rights, duties, and privileges.
- Evaluate common standards and security measures for AI safety.
- Assess how governmental entities and the private sector use AI, focusing on opportunity areas for deployment across the state.
- Determine how bad actors, including foreign countries of concern, exploit artificial intelligence.
- Evaluate the need for a curriculum that provides school-age audiences with digital media and visual literacy skills to navigate the digital information landscape.

The bill requires a report by December 31, 2024, and each year after to be submitted to the Governor and the Legislature on legislative recommendations the council considers necessary to modernize government technology.

Lastly, the bill defines and criminalizes the possession, control, viewing, or creation of generated child pornography and prohibits the reproduction of generated child pornography in criminal proceedings while ensuring material is available for defendants' inspection.

SB 1680 was approved by the Legislature on 3/6/24 and will be sent to the Governor for consideration. If approved, it will take effect on 7/1/24.

Biomarker Testing Coverage | [HB 885](#) by Rep. Karen Gonzalez-Pittman (R-Tampa) requires the state group health insurance program and the Medicaid program to cover biomarker testing when evidence supports its clinical use for enrollees. The bill also establishes criteria for supporting evidence, such as FDA approvals, national coverage determinations, and nationally recognized clinical practice guidelines. The bill also:

- Requires recipients or insureds and healthcare providers to have access to a process for requesting testing authorization through an insurer or plan's website;
- Specifies that coverage is not required for biomarker testing used for screening purposes.
- Allows the Agency for Health Care Administration to seek federal approval to implement biomarker testing coverage under Medicaid.
- Requires managed care plans to provide biomarker testing coverage at par with other medically necessary treatments under Medicaid.
- Directs the inclusion of rate impacts due to biomarker testing coverage in Medicaid program rates.

HB 885 was approved by the Legislature on 3/5/24 and will head to the Governor for consideration. If approved, it takes effect on 7/1/24.

Cancer Funding | [SB 7072](#) by Sen. Gayle Harrell (R-Stuart) expands the role of the Casey DeSantis Program to include promoting high-quality, innovative health care for cancer patients in Florida. The bills require the Department of Health (DOH) to make cancer innovation grant funding available

through the Cancer Connect Collaborative (Collaborative) to healthcare providers and facilities demonstrating excellence in patient-centered cancer treatment or research. The bill also:

- Codifies the Collaborative in statute and charges it with advising the DOH and the Legislature on developing a holistic approach to efforts to fund cancer research, cancer facilities, and treatments for cancer patients. The Collaborative also is:
 - Charged with recommending to the DOH grant awards to support innovative cancer research and treatment models, including emerging research and treatment trends and promising treatments.
 - Authorized to make recommendations on proposed legislation, rules, best practices, data collection and reporting, and grant fund issuance.
 - Required to develop a long-range comprehensive plan for the Casey DeSantis Program by soliciting input from cancer centers, research institutions, biomedical education institutions, hospitals, and medical providers.
 - Directed to prioritize applications seeking to expand innovative cancer treatment models into underserved areas of the state.
- Beginning July 1, 2024, increases requirements on the DOH allocation agreements for cancer payment to cancer centers to include:
 - A line-item budget narrative documenting the annual fund allocation to a cancer center;
 - A cap of administrative expenses at 15% of the annual award;
 - Quarterly reports of all expenditures made by cancer centers with funds received through the Casey DeSantis Program;
 - DOH audit authority of all financial records and any other documents pertinent to the allocation agreement; and
 - Annually report on outcome data and protocols used in achieving outcomes.

SB 7078 is the accompanying bill that provides an exemption from public records for proprietary business information within cancer research grant applications.

SB 7072 and SB 7078 were approved by the Legislature on 3/6/24 and will now be sent to the Governor for consideration. If approved, the bills take effect on 7/1/24.

Cultivated Meat | [SB 1084](#) by Sen. Jay Collins (R-Tampa) is the Department of Agriculture and Consumer Affairs (DACCS) legislative package. One provision of particular interest to BioFlorida addressed “cultivated meat,” a meat or food product produced from cultured animal cells. The bill initially sought to prohibit the manufacture and sale of cultivated meat. However, following input from research organizations manufacturing this protein, the final language only prohibited cultivated meat manufactured for sale or distribution in Florida

SB 1084 was approved by the Legislature on 3/6/24 and will be sent to the Governor for consideration. If approved, it takes effect 7/1/24; however, the cultivated meat provision takes effect upon becoming law.

Department of Health | [SB 1582](#) by Sen. Ana Maria Rodriguez (R-Doral) is a Department of Health (DOH) legislative proposal that contains many health-related provisions. Of particular interest to BioFlorida members are the following provisions:

- Creates the Andrew John Anderson Pediatric Rare Disease Grant Program to advance research and cures for rare pediatric diseases by awarding grants through a competitive process.
- Allows parents or guardians of newborns who have been identified as having sickle cell disease or carrying the sickle cell trait to opt out of the state’s sickle cell registry.

- Adds a representative of Mayo Clinic in Jacksonville to the Florida Cancer Control and Research Advisory Council.

SB 1582 was approved on 3/7/24 and will be sent to the Governor for consideration. If approved, it takes effect on 7/1/24.

Health Care Innovation | [SB 7018](#) by Sen. Gayle Harrell (R-Stuart) is one piece of the Senate President’s “Live Healthy” initiative to foster healthcare innovation. The bill:

- Creates the Health Care Innovation Council, a 15-member council within the Department of Health (DOH), to facilitate public meetings with innovators, developers, and implementers of technologies on workforce pathways, service delivery models, or other healthcare-related solutions.
- Requires the council to create best practice recommendations and focus areas for the advancement of the delivery of health care in Florida, with an emphasis on increasing efficiency in the delivery of health care; reducing strain on the healthcare workforce; increasing public access to health care; improving patient outcomes; reducing unnecessary emergency department visits; and reducing costs for patients and the state without reducing the quality of patient care.
- Creates a revolving loan program within the DOH to provide up to 10-year term low-interest loans for up to 50% of the proposal cost or up to 80% of the costs for an applicant located in a rural or medically underserved area that is either a rural hospital or a nonprofit entity that accepts Medicaid patients.
- Requires the Council to review applications and prioritize proposals recommended for funding to DOH.

SB 7018 was approved by the Legislature on 2/24/24 and will now be sent to the Governor for consideration. If approved, it takes effect upon becoming law.

Health Care Workforce | [SB 7016](#) by Sen. Colleen Burton (R-Lakeland) is the workforce development component of the Senate President’s “Live Healthy” initiative, which amends numerous Florida statutes regarding healthcare practitioners and educational programs, facility licensure, and the Medicaid program. Specific provisions include:

- Providing no cost health care screenings or services for Floridians by nonprofit entities through the Health Care Screening and Services Grant Program.
- Providing educational experiences for students and residents preparing for licensure while supporting participating federally qualified health centers, community mental health centers, rural health clinics, and certified community behavioral health clinics through the Training, Education, and Clinicals in Health (TEACH) Funding Program. The program will also support the state Medicaid program and underserved populations.
- Requiring hospitals and managed care plans to create emergency department diversion plans to help patients access appropriate care settings when they present at the emergency department for nonemergent needs.
- Creating limited licenses for graduate assistant physicians and temporary certificates for physician assistants (PA) and advanced practice registered nurses (APRN) to practice in areas of critical need.
- Requiring Medicaid managed care plans to report to the AHCA if a new enrollee has not scheduled a primary care visit within 30 days of enrolling.

- Entering into the Interstate Medical Licensure Compact, the Audiology and Speech-Language Pathology Interstate Compact, and the Physical Therapy Licensure Compact.
- Allowing the Board of Medicine (BOM) to grant unrestricted licensure to a foreign-trained physician who has not completed the residency program required under current law if the BOM determines the applicant has completed a substantially similar postgraduate training program that meets U.S. and Florida standards.
- Authorizing the BOM to grant unrestricted licensure to a physician licensed out-of-state or by a foreign country who has held an active medical faculty certificate and has taught at a Florida medical school for at least three years.
- Expanding eligibility for the Florida Reimbursement Assistance for Medical Education (FRAME) Program and the Dental Student Loan Repayment Program (DSLRL).
- Expanding the Telehealth Minority Maternity Care pilot program into a statewide program and requiring a DOH report to the Governor and Legislature beginning October 31, 2025.
SB 7016 was approved by the House on 2/22/24 and will be sent to the Governor for consideration. If approved, it takes effect upon becoming law, except where otherwise indicated in the bill.

Interstate Mobility | [SB 1600](#) by Sen. Jay Collins (R-Tampa) establishes the Mobile Opportunity by Interstate Licensure Endorsement (MOBILE) Act and requires the Department of Health to issue a license by endorsement to a qualified applicant within seven days of receipt of all required documents for specified DOH regulated health care professions when the applicant meets certain specific criteria, and the DOH verified the information using the National Practitioner Data Bank.

The bill establishes specific criteria that make a person ineligible for licensure. Further, it requires the DOH to submit an annual report by December 31 to the Governor, the Senate President, and the House Speaker on the number of applications for licensure received, the number of licenses issued, the number of denied applications, and the number of complaints, investigations, or other disciplinary actions taken against health care practitioners licensed under the MOBILE Act.

SB 1600 was approved by the Legislature and will be sent to the Governor for consideration. If approved, it takes effect on 7/1/24.

Progressive Supranuclear Palsy and Other Neurodegenerative Diseases Policy Committee | [SB 186](#) by Sen. Jason Brodeur (R-Lake Mary) establishes a 20-member policy committee on progressive supranuclear palsy and other neurodegenerative diseases to focus on various research and policy development duties. The committee members will include healthcare providers, family members of patients, advocates, and legislative leader appointees. The meetings must begin by October 1, 2024, and a progress and final report is due to the Governor and the Legislature by January 4, 2025, and January 4, 2026, respectively. The committee will sunset on July 1, 2026.

SB 186 was approved by the Legislature on 3/6/24 and will be sent to the Governor for consideration. If approved, it takes effect 7/1/24.

Rare Disease Day | HB 8039 by Rep. Adam Anderson (R-Tarpon Springs) designates February 29, 2024, as “Rare Disease Day” in Florida.

The resolution was adopted by publication on 2/29/24.

Rural Regional Economic Development Program | [HB 141](#) by Rep. Joel Rudman (R-Navarre) The bill eliminates several requirements related to the Regional Rural Development Grants Program. Specifically, the bill:

- Removes the requirements for grant funds received by a regional development organization to be matched each year by nonstate resources in an amount equal to 25% of the state contributions;
- Removes the requirement for local governments and private businesses to make financial or in-kind commitments to the regional organization and
- Removes the requirement that the Department of Commerce consider the demonstrated need of the applicant for assistance when approving participants for the program.

HB 141 was approved by the Legislature on 3/4/24 and will be sent to the Governor for consideration. If approved, it takes effect on 7/1/24.

Sickle Cell Disease Research and Treatment Grant Program | [HB 7085](#) by Rep. Kelly Skidmore (D-Delray Beach) establishes the Sickle Cell Disease Research and Treatment Grant Program within the Department of Health (DOH) to fund projects that improve the quality and accessibility of care available for persons living with sickle cell disease (SCD) in Florida and advance the collection and analysis of comprehensive data to support the research of SCD. The bill also:

- Specifies project areas eligible for funding, including workforce development, education, and support for Sickle Cell Disease Treatment Centers of Excellence.
- Requires the DOH to publicize the availability of funds, establish an application process, develop uniform data reporting requirements, and monitor grant recipients' progress.
- Mandates an annual report detailing the status, progress, and outcomes of funded projects, including recommendations for program improvement.
- Limits administrative expenses to no more than 5% of grant funds and allows unexpended funds to be carried forward for up to 5 years.
- Revises newborn and infant screening requirements for sickle cell disease and trait, mandating notification of the newborn's parent or guardian and including results in the sickle cell registry.
- Expands the registry to include individuals, not just newborns, identified with sickle cell disease or trait, allowing them to choose inclusion in the registry.

HB 7085 was approved by the Legislature on 3/6/24 and will be sent to the Governor for consideration. If approved, it takes effect upon becoming law.

Tax Cut Package | [HB 7073](#) is the \$915 million tax cut package approved each session. Outlined below are some provisions of this legislation:

Alcoholic Beverage Tax

- Provides a \$30 million annual distribution from the tax to the University of Miami Sylvester Comprehensive Cancer Center, the University of Florida Health Shands Cancer Center, and the Mayo Clinic Comprehensive Cancer Center in Jacksonville until 2054.

Ad Valorem Property Taxes

- Extends the time from 3 to 5 years, during which a property owner may begin rebuilding homestead property and continue to maintain homestead property tax benefits.
- Increases from \$5000 to \$10,000 the exemption for disabled ex-servicemembers.
- Relieves homestead property taxpayers from owing back taxes due to a clerical error and requires property appraisers to include additional information in a tax lien notice.
- Expands the tax benefits for renewable energy source devices to facilities that capture and convert biogas to renewable natural gas.

Corporate Income Tax

- Adopts the internal revenue code as it existed on January 1, 2024.
- Creates a tax credit for corporations employing persons with unique abilities.

- Provides credit to taxpayers operating a childcare facility or contributing to childcare facilities on behalf of employees.

Property Insurance Premium Discounts

- Requires insurers to provide a discount on residential property and personal and commercial flood insurance policies and the State Fire Marshal 2908 regulatory assessment and allows the insurer to take a credit against its insurance premium tax liability for all discounts extended to policyholders.

Sales Tax

- Grants an automatic due date extension for corporations or retail dealers to file corporate income tax or sales and use tax returns and remittances during a federally declared disaster or a state of emergency.

Sales Tax Holidays

- “Back-to-School” items for specific clothing, school supplies, learning aids and puzzles, and personal computers from July 29, 2024, to August 11, 2024.
- “Disaster Preparedness” items and supplies from June 1, 2024, to June 14, 2024, and from August 24, 2024, to September 6, 2024.
- From specific admissions, boating and water activity supplies, camping supplies, fishing supplies, general outdoor supplies, residential pool supplies, and electric scooters from July 1, 2024, to July 31, 2024.
- From specific tools and safety equipment from September 1, 2024, to September 7, 2024.

Strong Families Tax Credit program

- Increases the cap from \$20 to \$40 million beginning in Fiscal Year 2024-2025.
- Establishes the date and time a taxpayer may apply to the Department of Revenue (DOR) and provides an increased allocation limit for Fiscal Year 2024-2025 may be applied for beginning July 1, 2024.

HB 7073 was approved by the Legislature on 3/8/24 and will be sent to the Governor for consideration. If approved, it takes effect 7/1/24.

2024 Policy Issues Not Approved by the Legislature (*alphabetically*)

340B Drug Prohibitions | [SB 1608](#), by Sen. Jason Brodeur (R-Lake Mary), prohibited specific actions by health insurance issuers, pharmacy benefit managers, or other third-party payors related to reimbursement to a 340B entity for 340B drugs. The bill also prohibited actions by manufacturers related to acquiring a 340B drug and a pharmacy’s right to contract with a 340B entity.

SB 1608 did not receive a hearing, and a House companion was not filed.

Health Insurance Cost Sharing | [SB 228](#) by Sen. Tom Wright (R-Port Orange) and [HB 363](#) by Rep. Lindsay Cross (R-St. Petersburg) and Rep. Dr. Joel Rudman (R-Navarre) defined the term “cost-sharing requirement” and require specified individual health insurers and their pharmacy benefit managers to apply for payments by or on behalf of insureds toward the total contributions of the insureds’ cost-sharing requirements.

Neither bill received a hearing.

Immunization Requirement | [SB 636](#) by Sen. Ileana Garcia (R-Miami) and [SB 1094](#) by Sen. Jonathan Martin (R-Ft. Myers) authorized persons to claim an exemption from any immunization requirement if no FDA-approved vaccine meets specified criteria. The bills also prohibited employers, school

districts, the Department of Health, and specific public entities from requiring a person to meet other conditions to claim the exemption.

Neither bill received a hearing.

International Drug Reference Pricing | [HB 1431](#) by Rep. Randy Fine (R-Melbourne) and [SB 1750](#) by Sen. Jason Brodeur (R-Lake Mary) implemented international drug reference pricing to ensure prescription drugs in Florida do not cost more than those in international markets. Specifically, the bills:

- Required prescription drug manufacturer permit holders to report annually international price data to the Agency for Health Care Administration (AHCA), including actual payment amounts in each reference price source country.
- Established a \$10,000 per day fine for non-compliance for the first 30 days, followed by permit suspension until compliance.
- Required a contracted entity to designate reference price source countries based on specific economic criteria, excluding countries with single-payer health systems.
- Required annual updates of reference prices and required them to be published online.
- Prohibited pharmacies from charging no more than the reference price to cash-paying patients and exempted dispensing fees.
- Required health insurers to reimburse no more than the reference price for covered prescribed drugs and required savings to reduce policyholder costs.
- Required health insurers to annually report certain information and required a joint report by the Office of Insurance Regulation and the AHCA on the act's impact.

HB 1431 was approved by one committee. SB 1750 did not receive a hearing.

Pharmacy | [SB 444](#) by Sen. Jay Collins (R-Tampa) and [HB 493](#) by Rep. Spencer Roach (R-North Fort Myers) expanded the pharmacy practice scope and the role of pharmacy technicians. The bill also:

- Provided for the remote supervision of pharmacy technicians by offsite pharmacists;
- Authorized registered pharmacy technicians to dispense medicinal drugs under specific circumstances with remote supervision;
- Prohibited the dispensing of Schedule II medications at remote-site pharmacies without a pharmacist present;
- Required periodic visits to remote-site pharmacies by prescription department managers and restricted managerial responsibilities to a maximum of three pharmacies.

HB 493 was approved by one committee. SB 444 did not receive a hearing..

Prescription Drug Formularies | [HB 1543](#) by Rep. Karen Gonzalez-Pittman (R-Tampa) and [SB 924](#) by Sen. Anna Maria Rodriguez (R-Doral) required health insurers and health maintenance organizations (HMOs) to notify insureds and physicians about prescription drug formulary changes at least 60 days before they take effect. The bills also outlined the process for treating physicians to submit notices of medical necessity to maintain continued coverage and prohibited insurers from increasing out-of-pocket costs, moving drugs to a more restrictive tier, denying coverage, or imposing new restrictions on drugs for which a notice of medical necessity is submitted. Lastly, the bills required insurers to report annually to the Office of Insurance Regulation on formulary changes.

Neither bill received a hearing.

Public Health Emergency Declarations | [SB 402](#) by Sen. Clay Yarborough (R-Jacksonville) and [HB 459](#) by Rep. Joel Rudman (R-Navarre) authorized an individual to refuse examination, testing, or treatment under a State Health Officer's order during a public health emergency by submitting a written refusal to the State Health Officer. Further, the bills deleted the State Health Officer's authority to use any means necessary to treat an individual who poses a danger to public health.

Neither bill received a hearing.

Public Health Mandates and Policies | [SB 680](#) by Sen. Joe Gruters (R-Sarasota) and [HB 1535](#) by Rep. Rachel Plakon (R-Orlando) prohibited the Department of Health (DOH) from requiring enrollment in the state's immunization registry or otherwise requiring persons to submit to immunizations or immunization tracking. The bills also prohibited a government or educational entity from adopting, implementing, or enforcing international public health policies or guidelines unless specifically approved by the Legislature. Further, the bills prohibited the DOH from requiring, as a school-entry requirement, that children receive immunizations approved only for emergency use unless specifically approved by the Legislature.

Neither bill received a hearing.

Research Animals | [SB 368](#) by Sen. Jennifer Bradley (R-Fleming Island) and [HB 1201](#) by Rep. Joel Rudman (R-Navarre) established requirements for research facilities to offer certain dogs and cats for adoption to societies or associations for the prevention of cruelty to animals rather than euthanizing the animals. The bills authorized research facilities to enter into collaborative agreements with adoption organizations and required certain publicly funded institutions to make reports on animal testing activities each year.

Neither bill received a hearing.

Serious Mental Illness Medications/Step-Therapy Protocols | [HB 491](#) by Rep. Karen Gonzalez Pittman (R-Tampa) and [SB 268](#) by Sen. Gayle Harrell (R-Stuart) required the Agency for Healthcare Administration (AHCA) to approve certain drug products for Medicaid recipients for treatment of serious mental illness without step-therapy prior authorization.

Neither bill received a hearing.

Surgical Smoke Protections | [HB 63](#) by Rep. Marie Paule Woodson (D-Pembroke Pines) and [SB 410](#) by Sen. Ileana Garcia (R-Miami) required hospitals and ambulatory surgical centers to adopt and implement policies requiring the use of smoke evacuation systems during specific surgical procedures.

HB 63 was approved by the House on 2/15/24. SB 410 was approved by one committee.

Important Dates

- *BioFlorida Post Session Report – Wednesday, March 13th, 3:00pm EST*
- *BioFlorida Federal Update – To Be Announced*
- *BioFlorida Annual Conference – November 18-20, 2024 – Orlando, Florida*

The BioFlorida Government Relations Committee assists the legislative advocacy team in addressing BioFlorida's legislative priorities and goals and formulates positions in support or opposition of proposed legislation. If you would like to join the Committee, have any questions, or need further information, please don't hesitate to contact Leslie Dughi at Leslie.Dughi@MHDfirm.com.