

Professions and Public Health Subcommittee

Wednesday, January 27, 2021
10:00 AM - 11:00 AM
Webster Hall (212 Knott)

Meeting Packet

Chris Sprowls
Speaker

Will Robinson
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Professions & Public Health Subcommittee

Start Date and Time: Wednesday, January 27, 2021 10:00 am

End Date and Time: Wednesday, January 27, 2021 11:00 am

Location: Webster Hall (212 Knott)

Duration: 1.00 hrs

Introduction of Dr. Scott Rivkees, State Surgeon General, Florida Department of Health

Implementation briefing by Cassandra Pasley, Director of Medical Quality Assurance, Florida Department of Health on:

- HB 1061 (2016) Nurse Licensure Compact
- HB 607 (2020) Autonomous Advanced Practice Registered Nurses (APRN)
- HB 389 (2020) Practice of Pharmacy
- HB 23 (2019) Telehealth

Autonomous Advanced Nursing Practice – Vicky Stone-Gale, DNP, APRN, FNP-BC

This meeting will be live-streamed on https://thefloridachannel.org/. As no filed bills or draft legislation will be considered at this meeting, public testimony will not be solicited and seating will be limited to the Members, invited presenters, and the press. As always, you may contact any Representative prior to the start of the meeting. Contact information may be found at https://www.myfloridahouse.gov/Representatives.

NOTICE FINALIZED on 01/20/2021 4:06PM by Osborne.Erin

DOH
Implementation Update

Department of Health

Medical Quality Assurance
Legislative Implementation Update

Jennifer Wenhold, MSW, Chief
Bureau of Health Care Practitioner Regulation
Division of Medical Quality Assurance

Florida House of Representatives
Professions & Public Health Subcommittee
January 27, 2021

Regulatory Updates

Nurse Licensure Compact

HB 1061 (2016), Chapter 2016-139, Laws of Florida

Autonomous Advanced Practice Registered Nurses (APRN)

HB 607 (2020), Chapter 2020-9, Laws of Florida

Practice of Pharmacy

HB 389 (2020), Chapter 2020-7, Laws of Florida

Telehealth

HB 23 (2019), Chapter 2019-137, Laws of Florida

Nursing By the Numbers

Profession	Total Licensees
Advanced Practice Registered Nurse	40,850
Certified Nursing Assistant	183,347
Licensed Practical Nurse	77,199
Registered Nurse	361,726
Total	**663,122**

Nurse Licensure Compact – HB 1061 (2016)

The Nurse Licensure Compact (NLC) is an interstate compact.

- It allows a registered nurse (RN) or licensed practical nurse (LPN) to have a multistate license (in primary state of residency).
- This permits the nurse to practice in other member states (both physically and via telehealth) subject to each state's practice laws.

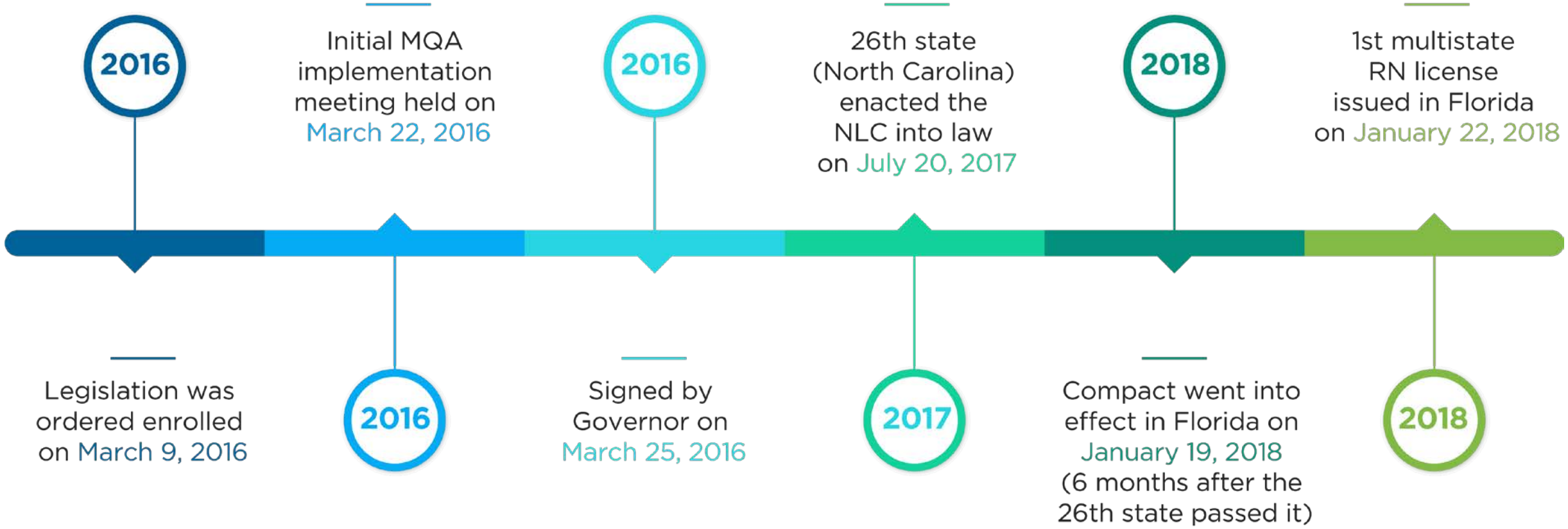
Nurse Licensure Compact - Summary

- Legislation passed during 2016 session.
- Compact went into effect in Florida on January 19, 2018.
- Board Executive Director serves as Florida's Commissioner.
- Compact currently has 34 party states.
- Total Florida multistate licenses issued:

RNs – 72,412

LPNs – 10,704

Nurse Licensure Compact - Timeline



Nurse Licensure Compact – Uniform Licensure Requirements

To receive a multistate license, a nurse must:

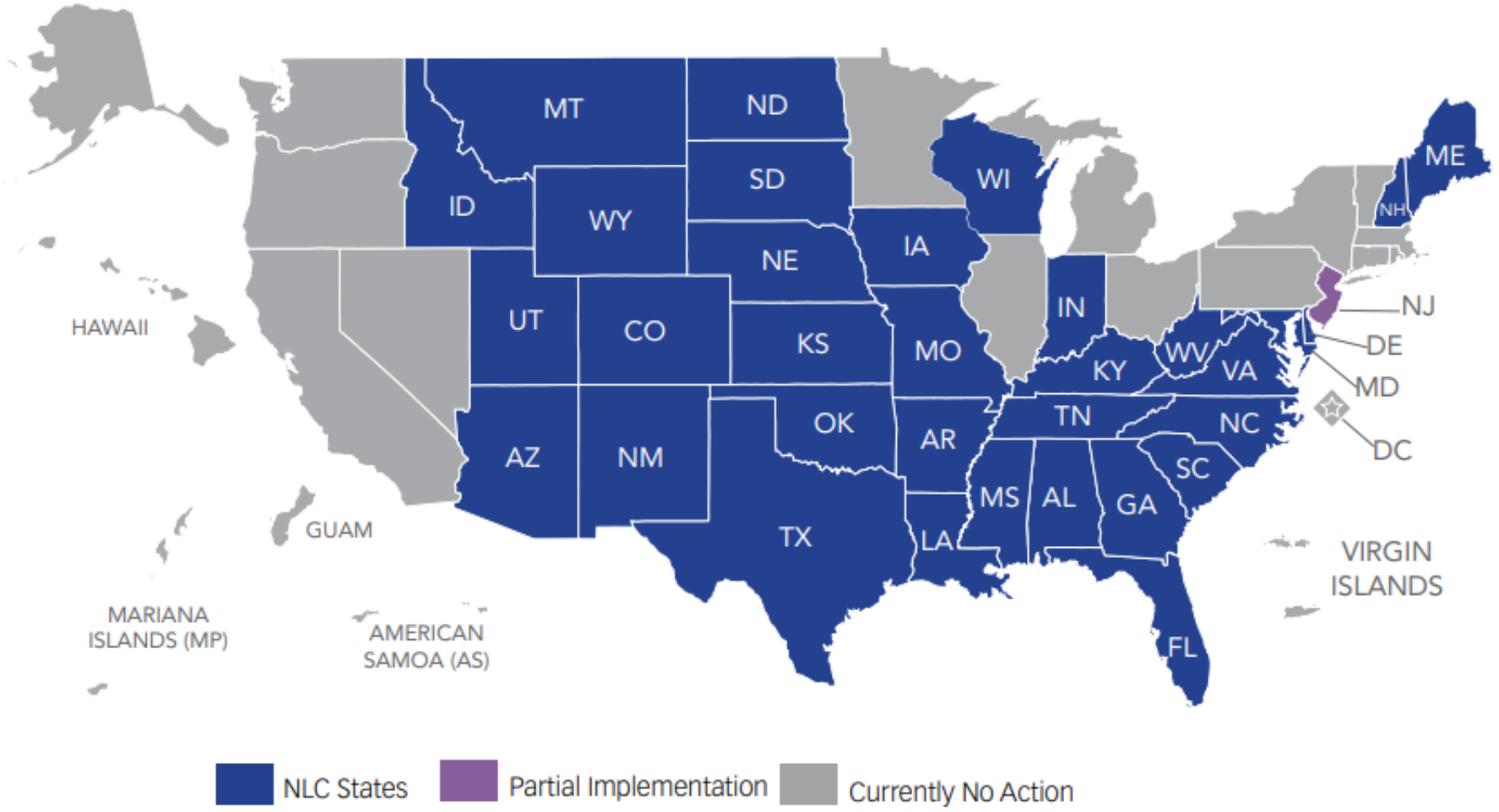
- Meet the home state's qualifications.
- Graduate from qualifying education program (or graduate from a foreign program verified by independent credentials review agency).
- Pass the NCLEX-RN® or NCLEX-PN® exam (or predecessor).
- Have no active discipline on a license.
- Submit to a federal criminal background check.

7

Nurse Licensure Compact – Discipline Process

- The state that issues a Compact license has jurisdiction to discipline the licensee.
- The state where a Compact licensee is practicing (remote state) has jurisdiction to discipline the privilege to practice in that state.
- Florida has disciplined two out-of-state Compact licensees.

Nurse Licensure Compact – National Implementation



Autonomous APRN – HB 607 (2020)

Authorizes eligible APRNs to practice autonomously if they meet certain legislatively mandated eligibility criteria.

Registration Criteria	No discipline within previous five years.
	Three hours of graduate-level education in pharmacology and differential diagnosis or an equivalency determined by the Board of Nursing.
	3,000 hours of supervised clinical practice within previous five years.

Autonomous APRN

APRNs

Practice under a supervisory protocol with a physician.

- Some physicians charge fees to supervise APRNs.
- APRNs may not provide health care services if the protocol is terminated or if the supervising physician leaves the practice.

Autonomous APRNs

Practice primary care or midwifery without a supervisory protocol with a physician.

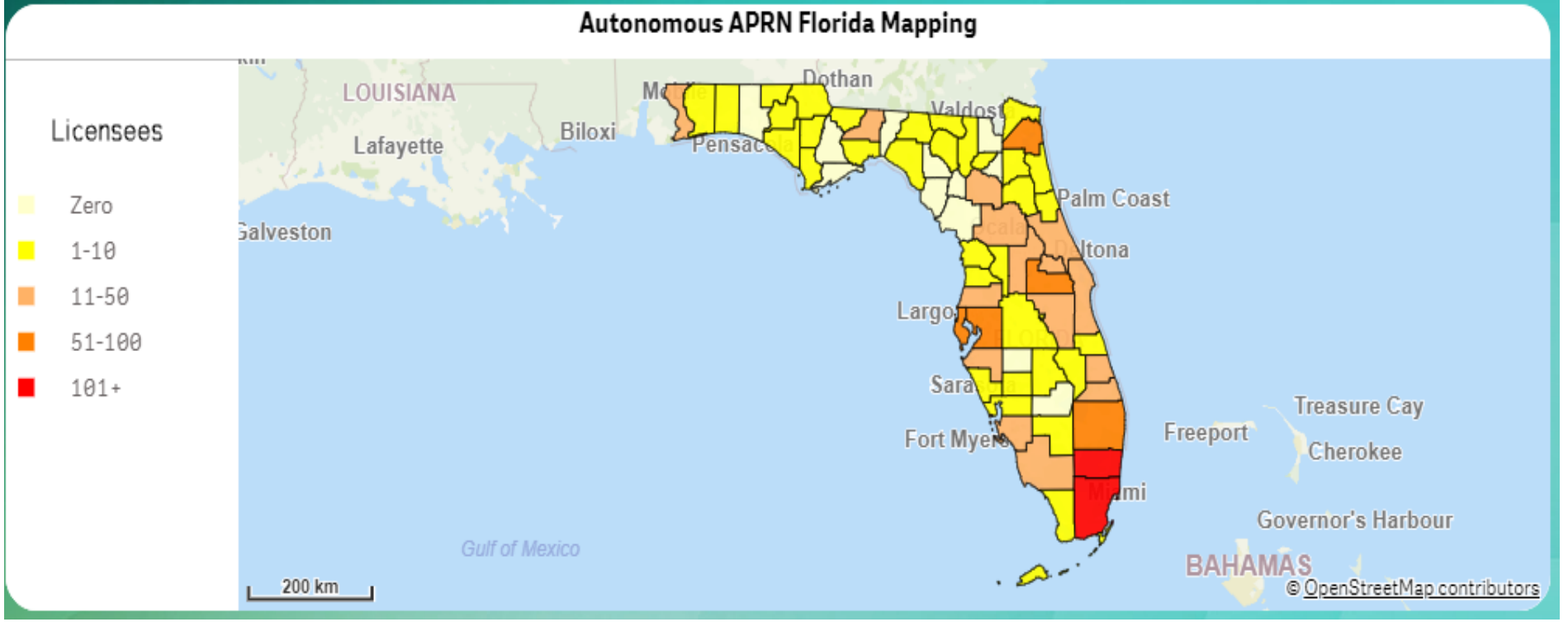
- Primary care includes family medicine, general pediatrics and general internal medicine.

Autonomous APRN

- Registration application in Rule 64B9-4.020, F.A.C., became effective on October 14, 2020.
- First applications were received on October 19, 2020.
  - Number of applications received: **1,867**
  - Number of applications approved: **1,262**

Autonomous APRN

State APRN Counties	Total APRNs	Not Practicing
55 82.09% Of 67	1,174	4



County	Licenses
Miami-Dade	281
Broward	117
Palm Beach	75
Orange	72
Hillsborough	72
Duval	69
Pinellas	60
Lee	33
Pasco	29
Brevard	24
Marion	24

Autonomous APRN - Rulemaking

Board directed to define "primary care practice" as part of the practice requirements [Rule 64B9-4.001, F.A.C.].

Board approved text on August 7, 2020; Rules workshop held on October 9, 2020.

Board approved proposed rule on December 4, 2020; sent to OFARR on January 6, 2021; becomes effective on approximately February 24, 2021.

Council on APRN Autonomous Practice

Council comprising of appointees from the Boards of Medicine (2), Osteopathic Medicine (2), and Nursing (4) along with the State Surgeon General's designee to recommend standards of practice to the Board for adoption by rule.

Council met on August 28, 2020, and November 19, 2020.

Council recommended language at the November meeting.

The Board of Nursing approved the recommended language on December 4, 2020; sent to OFARR on January 6, 2021; becomes effective on approximately March 18, 2021. [Rule 64B9-4.021, F.A.C.]

Autonomous APRN Medical Education Reimbursement and Loan Repayment Program

- Authorizes an annual reimbursement of up to $15,000 to eligible autonomous APRNs for tuition, books, medical equipment/supplies, uniforms, and living expenses.
- Department of Health is currently adopting rules to implement this program - Notice of Rule Development published on December 4, 2020.
- $5 million was appropriated for this program in recurring funds.

Pharmacy By the Numbers

Profession	Total Licensees
Consultant Pharmacist	3,641
Pharmacist	36,579
Pharmacy Intern	13,727
Registered Pharmacy Technician	57,699
Pharmacy	10,201
Total	**121,847**

Practice of Pharmacy – HB 389 (2020)

Expands the scope of practice for eligible pharmacists to:

- Provide specified patient care services through a written collaborative practice agreement with a physician.
- Test for and treat minor, nonchronic health conditions through a written protocol with a physician.

Requires consultation with the Boards of Medicine and Osteopathic Medicine.

Practice of Pharmacy - Certification for Collaborative Practice Pharmacists

Certification Criteria	Hold an active, unencumbered Florida pharmacist license.
	Have a doctor of pharmacy degree or five years of experience.
	Complete a 20-hour initial certification course.
	Maintain at least $250,000 of professional liability coverage.
	Have a system to maintain records of patients receiving services.

Practice of Pharmacy - Certification for Test and Treat Pharmacists

Certification Criteria	Hold an active, unencumbered Florida pharmacist license.
	Complete a 20-hour initial certification course.
	Maintain at least $250,000 of professional liability coverage.
	Have a system to maintain records of patients receiving services.

Practice of Pharmacy - Rulemaking

Rules developed by the Board of Pharmacy:

- Developed and incorporated certification application forms.
- Submission requirements for collaborative practice agreements and written protocols.
- A formulary of medicinal drugs for the treatment of minor, nonchronic health conditions.
- Furnishing patient records.
- Information on when to seek follow-up care.
- Continuing education requirements.

Rules developed in consultation with the Boards of Medicine and Osteopathic Medicine:

- Certification requirements.
- Initial course requirements.
- Additional chronic health conditions for collaborative management.
- Additional requirements for the written protocol.

Practice of Pharmacy – Joint Committee

Joint committee comprises members from the Board of Pharmacy (5), the Board of Medicine (2), and the Board of Osteopathic Medicine (2) to develop and recommend rules regarding collaborative practice and the testing and treating for minor conditions to the Board of Pharmacy.

Beginning in March 2020, the Board of Pharmacy held five meetings and three joint committee meetings to draft rules.

Engaged with association partners and stakeholders.

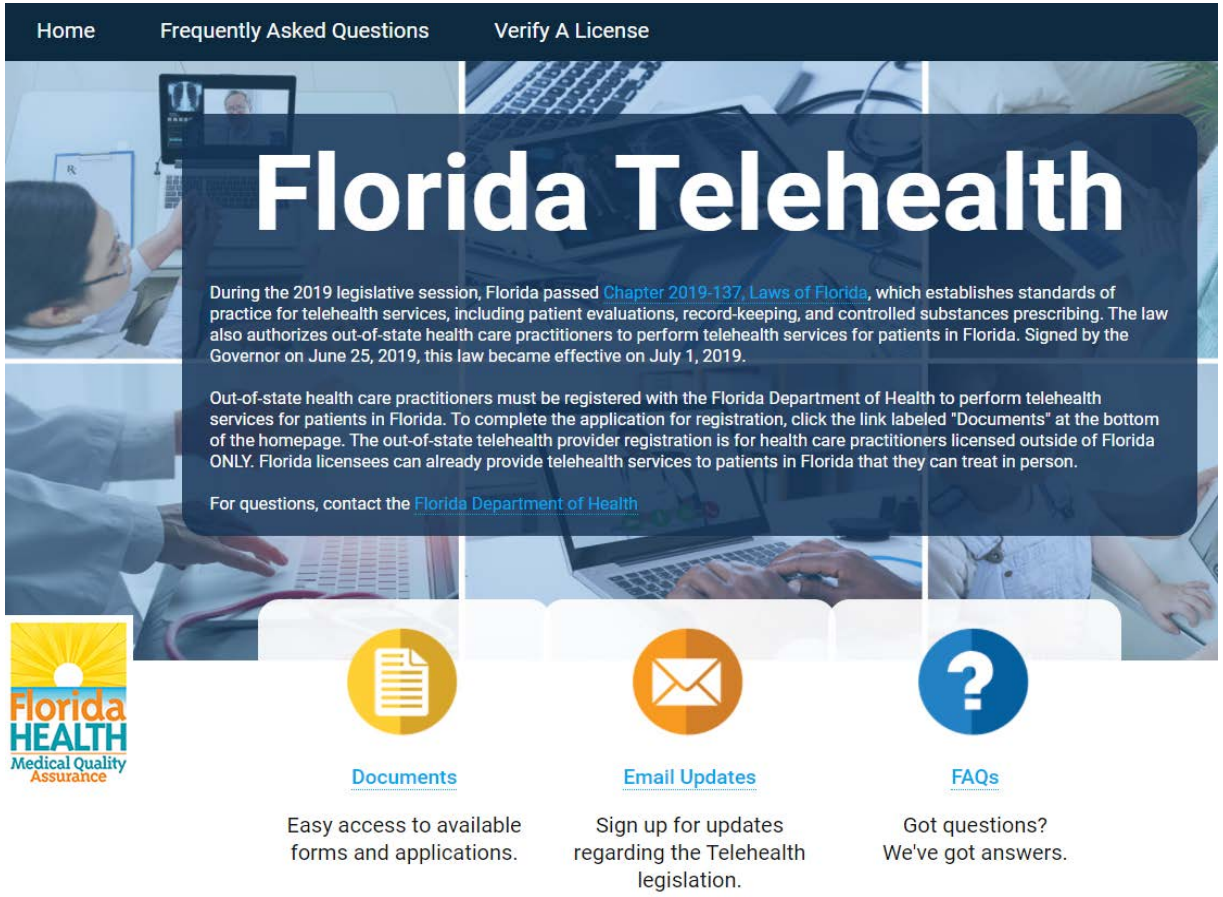
Pharmacy Implementation Timeline - 2020



23

Telehealth – HB 23 (2019)

- Established standards of practice.
- Authorized out-of-state telehealth provider registration.



www.flhealthsource.gov/telehealth/

24

Telehealth – Registration Requirements

Submit Application for Out-of-State Telehealth Provider Registration.

Maintain an active, unencumbered license.

Not have a pending investigation, discipline, or revocation within the last five years.

Designate a duly appointed registered agent for service of process in Florida.

Maintain liability coverage or financial responsibility.

- Not open a Florida office or provide in-person health care services to Florida patients.
- Only use a Florida-licensed pharmacy, registered nonresident pharmacy, or outsourcing facility to dispense medicinal drugs to patients in Florida **(pharmacists only)**.

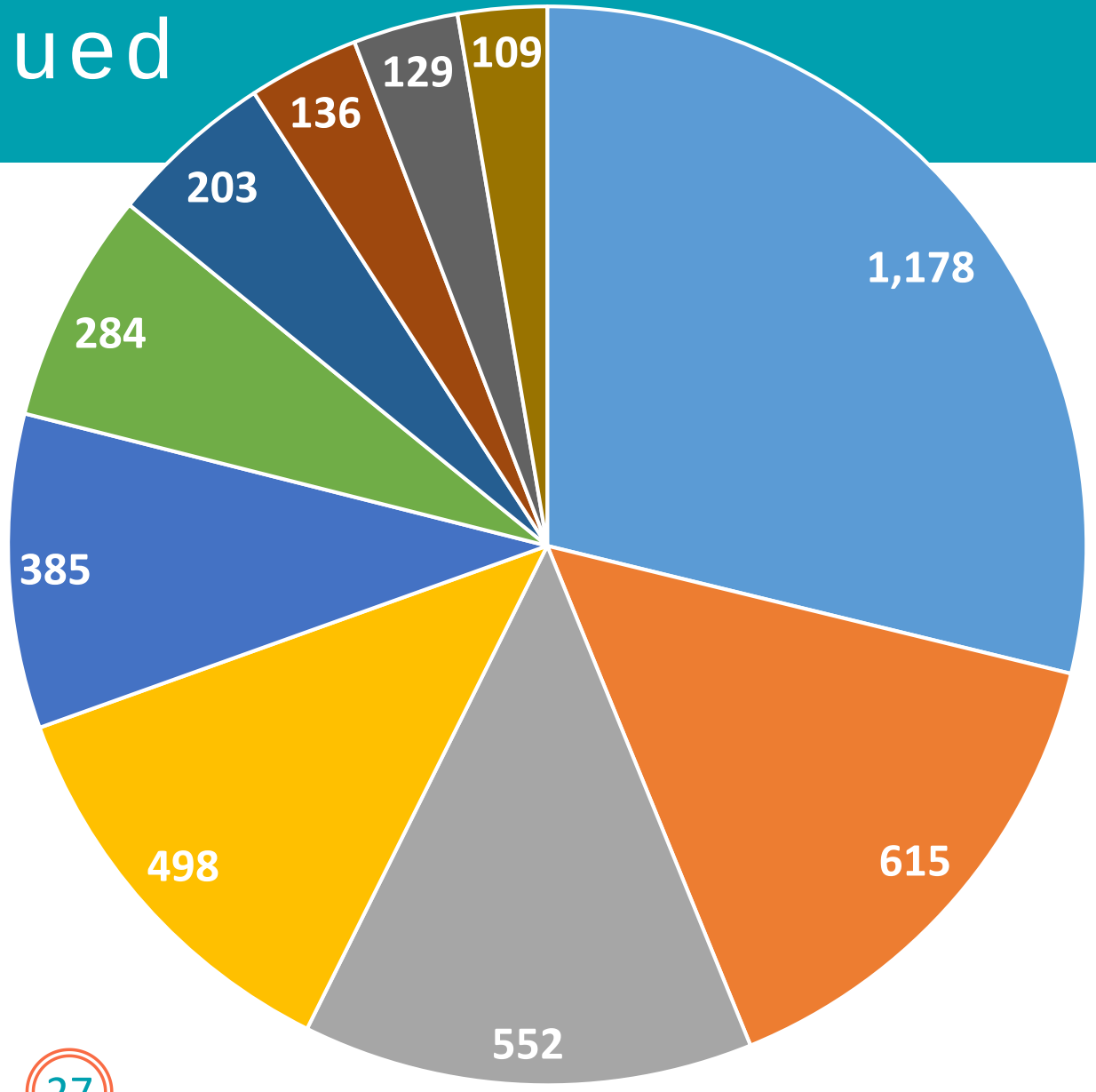
Telehealth

- The first application for out-of-state telehealth provider registration was received on October 23, 2019.
- As of December 31, 2020, **4,089** out-of-state telehealth providers have been registered with the Department of Health and a total of **4,517** applications have been submitted.
  - Physicians represent the largest number of registrants.
  - Mental health professionals and psychologists represent the second largest group.

Registrations Issued

Total: 4,089 (as of December 31, 2020)

- Medical Doctor
- Licensed Mental Health Counselor
- Psychologist
- Licensed Clinical Social Worker
- Other
- Advanced Practice Registered Nurse
- Licensed Marriage & Family Therapist
- Physical Therapist
- Osteopathic Physician
- Speech-Language Pathologist



27

Next Steps

- **Nurse Licensure Compact:** Forms discussion on future compacts.
- **Autonomous APRNs:** Continue to expedite licensure and increase access to care.
- **Pharmacy:** Joint committee will continue to receive and consider initial certification courses for approval.
- **Telehealth:** Continue to expedite registration and monitor the provision of telehealth in Florida.

Questions?

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Dr. Stone-Gale Bio

Dr. Stone-Gale received her diploma in nursing from Massillon Community Hospital School of Nursing in Massillon, Ohio, and her BSN and MSN, both from Barry University in Miami. She received her Doctor of Nursing Practice degree from the University of Alabama at Birmingham and completed coursework towards her PhD at UAB. She has practiced as a Family Nurse Practitioner in primary care for 28 years and currently practices in Plantation, Florida. She also is an Associate Professor in the Family Nurse Practitioner program at Frontier Nursing University where she teaches students in Primary Care I and is on various university committees, and currently is the Research Committee Chair. She is double board certified by the ANCC and AANP and was inducted as a Fellow of the American Association of Nurse Practitioners in 2016. Currently she serves on the Selection committee for FAANP.

Dr. Stone-Gale received a gubernatorial appointment to serve on the Florida Board of Nursing which she did for four years, serving as Chair for the BON, Chair of the Advanced Practice committee, and member of the Legislative committee and the Credentialing committee.

Dr. Stone-Gale was appointed to the Florida Board of Nursing Controlled Substance formulary committee to work with pharmacists and physicians to develop the formulary for prescribing and was appointed to the Council on Advanced Practice Registered Nurse Autonomous Practice. She is the Chair of the Florida Board of Nursing North Probable Cause Panel.

She also has served in various organizational leadership positions and is currently the President of the South Florida Council of Advanced Practice Nurses and First Vice President of Legislation for the Florida Nurse Practitioner Network. She was on the Board of Directors for the Florida Nurses Association and remains a current member. Dr. Stone-Gale has been actively involved with NP legislation for over 27 years. She has been a presenter at local and national conferences on various primary care and education topics and is an abstract and scholarship reviewer for two national organizations, National Organization of Nurse Practitioners and AANP. She is also on the Fellows Selection committee for AANP.