



HOUSE MAJORITY OFFICE

FLORIDA HOUSE OF REPRESENTATIVES

REPRESENTATIVE RAY RODRIGUES, MAJORITY LEADER



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Florida House Passes Legislation to Protect Taxpayers

This week, the Florida House passed HJR 7001, a proposed constitutional amendment that would protect taxpayers and Florida's long-term economic future by requiring a supermajority vote to impose any new state tax or fee or to raise any existing state tax or fee. I believe this effort compliments the good work your Florida House has achieved over the years by cutting taxes, cutting regulations, and cutting fees. Governor Scott has echoed these sentiments and is committed to working with the Legislature to continue to keep more money in the pockets of Floridians.

Your Florida House is dedicated to passing legislation that will prevent future tax hikes that would endanger our workforce and the livelihood of Florida families. The bill will now go to the Senate for their consideration.

Florida House Passes "Certificate of Need" Reform

In the third week of the 2018 Legislative Session, your Florida House passed HB 27 to eliminate the state's "Certificate of Need" (CON) program for hospitals.

The CON program, administered by the Agency for Health Care Administration (AHCA), requires certain health care providers to obtain state approval before entering the market or offering certain new or expanded services. The CON program currently regulates hospices, skilled nursing facilities, intermediate care facilities for the developmentally disabled, hospitals and certain specialized hospital services.

The CON program reduces competition in the health care market, causing unnecessary and unfair cost increases for consumers. These market-entry barriers prevent or delay innovation, and they incentivize competitors to push each other out of the market with lawsuits rather than competing based on quality.

HB 27 removes hospitals and hospital-based services from Florida's CON review program. As a result, any person wishing to build or replace a hospital, or establish specialized services in a hospital, need only go through the AHCA licensure process. If an applicant can meet the licensure statutes and regulations, the applicant will be permitted to offer new or additional hospital facilities or services to patients in the state without first obtaining a CON from AHCA.

I believe this bill will reduce costs and increase quality of care for Floridians. The bill will now go to the Senate for their consideration.



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Florida House Passes “Direct Primary Care” Reform

In the third week of the 2018 Legislative Session, your Florida House passed HB 37 to specify that direct primary care agreements do not constitute insurance.

HB 37 helps expand the use of direct primary care (DPC) in Florida by preventing DPC agreements from being regulated like insurance. DPC is a medical practice model that eliminates third-party payers from the doctor-patient relationship. By written agreement, a patient or employer pays a monthly fee to the primary care provider for defined services. After paying the fee, a patient can use all services in the agreement at no extra charge.

One of the most critical problems in healthcare is out of control and unjustifiable costs. DPC cuts costs by eliminating the administrative hassles of the third-party payer system, and lets patients and doctors define their business relationships – not government.

Your Florida House is dedicated to passing legislation that will increase access to quality and affordable health care for all Floridians. The bill will now go to the Senate for their consideration.

Transparency and Accountably Bill Passes House Florida House

This week the Florida House passed HB 3, which will bring greater transparency to local tourism promotion agencies (TPA) and economic development agencies (EDA).

Throughout the state, TPA’s and EDA’s have shown a pattern of misuse and abuse when it comes to your tax dollars. A few of the much-needed accountability and transparency measures in the bill include: requiring all contracts valued over \$5,000 to be published on the TPA’s or EDA’s website; requiring all contracts valued over \$250,000 be submitted to the local governing authority before execution and published on their website 14 days in advance; establishing new standards for the auditing of TPA and EDA expenditures; instituting conflict of interest and other ethical provisions to safeguard the use of taxpayer money; and making it a criminal offense to avoid the transparency and accountability requirements in the bill.

I support holding these agencies accountable because I believe anyone receiving public dollars should have complete transparency and always disclose how they are spending taxpayer dollars. The bill now heads to the Senate for their consideration.

House Floor Passes Bill to Hold Public Employee Unions Accountable

This week the House passed HB 25, which reforms the annual public employee union registration renewal process to increase transparency and accountability. HB 25 requires public employee unions to be more transparent and accountable by requiring them to report the number of employees in the bargaining unit who are eligible for representation by the union and the number of employees represented by the union who do and do not pay dues to the union. If more than 50 percent of employees eligible to participate in the union do not pay dues, the union must apply for recertification. A union that does not comply with



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these requirements will have its certification revoked. Unions that represent law enforcement officers, firefighters, and corrections officers are not included in the recertification changes.

HB 25 is a positive step in increasing transparency and holding public employee unions accountable to the workers they represent.

Florida House passes State Investments in Venezuela bill

This week, the Florida House passed HB 359, which prohibits the state from investing, and requires the State Board of Administration (SBA) to divest if already invested, in any company who does business with the Maduro regime in Venezuela.

Venezuelans are a proud people with a rich heritage and beautiful country, but unfortunately their government has squandered their natural resources, committed countless human rights abuses, and left the country in ruin. Despite countless protests from its citizens who hope for freedom from the oppressive rule they live under today, the Venezuelan regime remains firmly entrenched in power.

Every dollar spent in Venezuela, whether intended or not, helps prop up the current tyrannical regime and promulgate its oppressive policies. HB 359 requires the SBA to divest any investment in stocks, securities, or other obligations of any institution or company doing business with the government of Venezuela and prohibits the SBA and state agencies from investing in any financial institution or company that does business with the government of Venezuela.

The situation in Venezuela pits the people against their government. I choose to stand with the people of Venezuela against the Maduro regime and end a source of funding for the many atrocities they commit against their own people.

Florida House Committee Votes to Protect the Sanctity of Life

In the third week of the 2018 Legislative Session, the Florida House Health Quality Subcommittee passed HB 1429 to prohibit dismemberment abortions.

A dilation and evacuation (D&E) abortion is a two-step process consisting of the nonsurgical dilation of the woman's cervix and the surgical evacuation of her uterus. D&Es commonly involve dismembering the fetus with forceps as part of the evacuation procedure. Usually, the fetus is alive when this dismemberment begins. The bill fully defines this part of the procedure, known as a dismemberment abortion, but the details may be too graphic for some readers. If you would like to view the full text of the bill it is available at: <http://bit.ly/2DsIVL4>.

HB 1429 makes it a crime and a licensure violation for a physician to dismember a living fetus.

The bill does not prohibit D&Es; only dismemberment of a living fetus as part of that procedure. The bill does not apply to a dismemberment abortion that is necessary to save the life of a mother, provided that



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no other medical procedure would suffice for that purpose. The bill also prohibits the state from prosecuting a patient for conspiracy, when a dismemberment abortion is performed on her.

Your Florida House is committed to protecting the unborn. The destruction of a living fetus by dismemberment runs contrary to the values we hold dear. This conversation - while difficult - is one from which the Florida House will not shy away when innocent life is at stake.

Military and Veterans Bill Passes House Committee

This week, the Commerce Committee passed HB 29, which eases professional licensing fees and requirements for certain military members, veterans, and their spouses.

A military and veteran presence will forever be important to our state. These brave men and women not only place themselves in harm's way to protect our freedom and liberty, they are also a stable and significant force in Florida's growing economy.

We are grateful to those courageous Floridians who have made the selfless decision to serve our country. We will never be able to repay them for the sacrifices they have made, but in an effort to express our gratitude, the bill will provide allowances for military members, veterans, and their spouses by expanding or creating fee waivers and select regulatory waivers for a variety of professional licensees.

The bill also designates March 25 every year as "Medal of Honor Day" and allows classroom instruction related to the values of the recipients of the Congressional Medal of Honor to meet certain instructional requirements on character development and the contributions of veterans to our country. I believe this goes a long way towards ensuring that future generations appreciate the sacrifices made to protect our freedoms and liberties.

I support this bill and any measure that strengthens support for our military and gives them the opportunity to succeed in Florida's workforce.

Florida House Appropriations Committee Passes Opioid Bill

In the third week of the 2018 Legislative Session, the House Appropriations Committee passed HB 21 to target the opioid crisis affecting our nation and state.

Opioid addiction has been recognized as a public health emergency on both federal and state level. Drug overdoses have steadily increased and now represent the leading cause of accidental death in the U.S., the majority of which involve an opioid. In our state, heroin caused 952 deaths, oxycodone caused 723 deaths, and hydrocodone caused 245 deaths in 2016.

This bill addresses opioid abuse by increasing regulation of prescribers and dispensers, expanding the use of the Prescription Drug Monitoring Program (PDMP) and aligning state criminal statutes with federal law.



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HB 21 limits prescriptions for Schedule II opioids to alleviate acute pain to a three-day supply, or a seven-day supply if deemed medically necessary by the prescriber. The bill requires the Department of Health (DOH) to establish guidelines for prescribing controlled substances for acute pain, similar to those for chronic pain, and requires prescribing practitioners to complete additional continuing education on prescribing controlled substances.

The bill also authorizes DOH to share data in Florida's PDMP with other states, and requires practitioners to review a patient's PDMP history prior to prescribing or dispensing a controlled substance.

I strongly support the efforts of the Florida House to pass policies that will bring a resolution to opioid addiction and suffering. This crisis requires all of us to take a stand and help our family, friends, and community. If you would like more information on this bill please contact our office. If you or someone you know is suffering with an opioid addiction please contact 1-800-662-HELP (4357).

Campus Free Expression Act Passes House Subcommittee

This week, the Post-Secondary Education Subcommittee passed HB 909, which provides stronger protections for free-speech on the campuses of public institutions of higher learning.

The right to speak freely and openly is one of our most iconic and fundamental rights as Americans. Currently, many campuses restrict outdoor free speech to just a few specified locations on campus known as "free speech zones." The bill prohibits public institutions of higher education from unreasonably restricting outdoor free speech on campuses and allows spontaneous free speech in any outdoor area of campus so long as that speech does not disrupt the functioning of those institutions.

Additionally, the bill gives the Attorney General and/or individuals who have had their right to free speech wrongfully curtailed, the right to sue for damages, court costs, and attorney's fees.

I took an oath to protect and defend the Constitution of the United States and I am proud support this legislation, which takes concrete steps to safeguard one of our most sacred Constitutional rights.

A House Subcommittee Passes Bill to Increase Budget Transparency

This week, the Oversight, Transparency & Administration Subcommittee advanced a budget transparency bill to address transparency and accountability in state entities' operating budgets.

Currently, state agencies are required to submit their operating budget and budget requests to the Legislature for the forthcoming year through the state budget. However, some state entities are not reliant on the state budget, and thus, their budgets are not subject to the same scrutiny.

This bill provides that any entity created by the Constitution or general law that receives its operating income through any source other than through the state budget must follow specific steps that provide transparency. Under this bill, the operating budget, along with any amendments, must be approved at a publicly noticed meeting and must be available online at the time the meeting is noticed. Once approved,



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the operating budget must be submitted to the chairs of the legislative appropriation committees and the Executive Office of the Governor by July 1 of each year. The bill also requires operating budget information to be posted to the entity's website.

I believe that without transparency and accountability in our government, we will never be able to hold the public's trust. This bill ensures that trust by guaranteeing all entity's budgets are available to the public. I support this bill because I believe Floridians have the right to know where and how their tax dollars are being spent.

House Committee passes bill to Strengthen Florida's Ban on 'Texting While Driving'

This week, the Judiciary Committee passed HB 33, Texting While Driving which makes the existing ban on texting, emailing, or instant messaging while driving a primary offense. Currently, law enforcement officers need a reason other than texting, mailing, or instant messaging while driving to pull over a driver and cite him or her for violating the ban. By making the existing ban on those activities a primary offense, law enforcement officers no longer need another reason to stop and cite a driver for texting, mailing, or instant messaging while driving. The bill maintains the current penalties and exceptions to the ban, and maintains that the ban does not apply to stationary motor vehicles. The bill also includes safeguards to protect individuals' privacy rights by ensuring law enforcement officers follow certain protocols before they can access a driver's wireless communications device during a traffic stop for a violation of the ban.

Texting and driving presents a real, life-threatening danger to Floridians both on and off the road. I believe that providing law enforcement the ability to enforce the 'Texting While Driving' ban as a primary offense will help save lives. I'm confident that this bill strikes the appropriate balance between roadway safety and protecting our individual civil liberties. I look forward to updating you further on the progress of this bill.

Florida House Committee Eliminates Unnecessary Regulation

The Health Quality Subcommittee passed HB 1047, which addresses matters relating to the Florida Department of Health, to reduce government regulation of nutrition advice.

The bill authorizes individuals to provide dietary or nutrition advice, even for compensation, as long as they do not hold themselves out as, or imply that they are licensed as, dietitians or nutritionists. This removes the regulations in our state that penalize individuals, such as fitness trainers and health coaches, for providing dietary or nutrition advice for compensation.

Your Florida House is dedicated to reducing regulations that will create an environment where businesses can grow and thrive while also protecting Floridian's safety and welfare.

Florida House Committee examines Hurricane Preparation Sales Tax Holiday

This week, the Ways & Means Committee discussed a recommendation from the Select Committee on Hurricane Response & Preparedness on the creation of a disaster preparedness sales tax holiday. The



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committee had a productive discussion focused on the various options to structure the sales tax holiday, which included: how many days, how many different periods, and what items should be included.

I strongly support the committee's efforts to spur discussion on Hurricane-related tax reductions and believe this is a good first step in deciding how to best prepare Floridians for the next storm.

House Judiciary Committee Passes Bill Protecting Property Rights

This week the Judiciary Committee heard HB 631, a bill dealing with possession of real property. Under certain circumstances, private property could be determined to be freely available for public use. A longstanding legal theory, 'customary use,' permits public use of private land only if the use is consistent with how it was historically used. While these determinations are normally made by a court, local governments have passed ordinances declaring private property open to the public. One example we heard about dealt with coastal towns passing blanket ordinances allowing public access to all beachfront property, including private property.

Under this bill, these determinations will only be made on a case-by-case basis by a neutral court. I recognize how important the 'customary use' doctrine is to our state. However, after hearing about local governments assuming the role of a court by making decisions that interfere with private property rights and then applying those decisions in sweeping, one-size fits all ordinances, it was clear the system needed to change. I strongly believe that this bill will help strengthen property rights by ensuring that only a court can make a 'customary use' determination. I look forward to updating you further on the progress of this bill.

House Subcommittee Workshops Interruption of Services Bill

On Wednesday, the Energy & Utilities Subcommittee workshopped HB 971, which forbids cable companies, landline telephone companies, and garbage pickup companies from charging the public for services when they are interrupted.

Currently, if services from cable companies, landline telephone companies, and garbage pickup companies are interrupted, they are under no obligation to prorate their customers' bills and customers are often charged for services that they are unable to use. The bill seeks to correct this by requiring these companies to prorate their customers' bills, if services have been interrupted for longer than 24 hours for cable companies and landline telephone companies, or 3 days for garbage pickup companies.

I support this bill because I believe hard working Floridians should not be charged for a service they are not receiving if it is through no fault of their own.