



The Florida Catholic Conference is the nonpartisan public policy voice of the Catholic Bishops of Florida.

2008 LEGISLATIVE SESSION: WEEK 7 SUMMARY

April 14-18, 2008

LEGISLATIVE REPORT

Our legislative report, updated daily, contains closely followed bills that are expected to continue to move through the legislative process.

> **Legislative Report**

LIFE AND DEATH

Ultrasound Prior to Abortion

On Thursday, **SB 2400 (Webster)** was found favorable by the Senate Health and Human Services Appropriations Committee (**3-2**) and is on the Senate calendar, on second reading. **SB 2400** requires an ultrasound be performed and reviewed with the patient prior to a first trimester abortion. The woman seeking the abortion can waive her right to review the ultrasound by completing a form. **HB 257 (Traviesa)**, which includes parental notice of abortion provisions in addition to the ultrasound requirement, passed the House (**70-45**) on April 2 and remains in Senate messages.

SOCIAL CONCERNS

Wrongful Incarceration Compensation

CS/CS/CS/SB 756 (Joyner) was found favorable with a Committee Substitute by Criminal and Civil Justice Appropriations (**3-0**) and read a second time by the full Senate on Thursday. This bill provides that persons who have been wrongfully incarcerated for a felony conviction may be financially compensated if determined to be eligible. Both the Senate and House bills now include language, referred to as the "clean hands" provision, that states a claimant is ineligible for compensation if they have a felony conviction other than the one dismissed, reversed or vacated. This proposed legislation will eliminate the necessity for a wrongfully convicted person to file a claims bill for compensation as has been the practice, most recently with the \$1.25 million awarded to Alan Crotzer this legislative session. **CS/CS/HB 1025 (Bogdanoff)** is on the House calendar on second reading.

HEALTH

Prevention First Act

CS/SB 780 Rich was found favorable with Committee Substitute by Health Regulation (7-0). This proposed legislation contains provisions that specify certain treatments for victims of sexual assault in hospitals and changes pharmacy policies. It also limits conscience protection for doctors and pharmacists. Michael Sheedy, Associate Director for Health provided testimony in opposition to the bill. The bill is not likely to advance further due to procedural requirements late in the session. Click [here](#) to read the Florida Catholic Conference position paper on the treatment of victims of sexual assault. **HB 385 (Gibson, A)** was workshopped earlier in the session and has not moved through committee.

KidCare

Although there was no action on Kidcare bills this week, improvements to the program's structure including removing barriers for eligible families and allowing children from the same family to participate in the same health plan with the same physician are being sought before the session's end. Other bills that address the availability of health care for the uninsured have incorporated some desirable Kidcare improvements.

Access to Care

CS/CS/SB 2534 (Peaden, Jr.) implements Governor Crist's "Cover Florida Health Care Act", which includes removing full pay caps in KidCare programs, expands and extends health flex plans and creates other health care options for the uninsured. The House laid on the table **CS/HB 7081 (Healthcare Council)**, took-up **CS/CS/SB 2534** in its place and amended it to include provisions which create other new programs for the purchase of health insurance coverage. These new products have fewer regulatory requirements and more flexibility than typical health insurance plans. The Conference is monitoring this legislation with guarded optimism. There is hope that the plans will increase access to care in a meaningful way for those who are uninsured, without undermining the current status of those with adequate health insurance who might forsake it for less expensive, less comprehensive coverage.

HEALTH BUDGET

Chair of the Conference's Catholic Health Executives Committee, Joseph M. Catania, sent a letter to Governor Crist and Senate and House leadership expressing concern over reductions in the proposed health budgets and their impact on the quality of health care in Florida. To read the letter, click [here](#).

EDUCATION

Select Committee on Autism and Developmental Disorders

The Committee heard presentations this past week from the Office of Insurance Regulation in which issues such as Medicaid, Florida Healthy Kids and Children's Medical Services were discussed. The Committee is expected to produce a proposed committee (PCB) bill in which federal and state medical services are coordinated on behalf of children with autism. Also at issue is whether the state will require up to 43 percent of the insurance companies in Florida to cover treatment or services for children with autism. Approximately 57 percent of the insurance companies in Florida are protected from a state mandate in accordance with a federal law known as the Employment Retirement Insurance Security Act (ERISA). If the PCB receives favorable passage from the Select Committee, then the bill will be forwarded to the Health Care Council next week.

Private School Students/Interscholastic Activities

CS/CS/SB 526 (Wise), which passed the Senate this week (**35-2**), allows private school students to participate in public high school athletics under certain circumstances. The House companion, **CS/HB 1481 (Bean)** has been referred to the House Policy and Budget Committee, which will not convene the balance of the session. For the House bill to be considered on the House floor, it will have to be withdrawn from the Policy and Budget Committee. The Conference has conveyed concerns regarding this proposed legislation to each of the bill sponsors and is preparing a call to action alert to be released early next week.

Corporate Income Tax Credit Scholarship Program

CS/CS/SB 1440 (Gaetz), was found favorable with a committee substitute by Education Pre-K-12 Appropriations (**4-1**) and has been placed on the Senate calendar on second reading. The bill increases the cap by \$30 million for corporations to contribute to the scholarship program and would increase the amount of the scholarship next year to 60 percent of the unweighted Florida Education Finance Fund (FEFP), which would be about \$4,320. Click [here](#) to read testimony by Larry Keough, Associate Director for Education before the Senate Education Pre-K-12 Appropriations Committee. **HB 653 (Traviesa)** was read a second time in the House.

Prevention of Bullying

HB 669 (Thompson, N.) is cited as the "Jeffrey Johnston Stand Up for All Students Act" and requires school districts to undertake steps to prevent bullying, which is defined as systematically and chronically inflicting physical hurt or physiological distress on one or more more students. The bill received favorable passage in the House (**112-0**) and will be forwarded to the Senate for consideration. **SB 790 (Baker)** is now in Education Pre-K-12 Appropriations, its final committee of reference.

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