

TALLAHASSEE WEEKLY REPORT

August 15-19, 2011

Redistricting Meetings

OIA attended the meetings that took place in Miami this week as part of the legislature's statewide redistricting tour. The morning hearing was held at Miami-Dade College's Wolfson campus, the evening hearing took place at the Florida International University College of Law. The designated presiding officers for each chamber for the 2012-2014 term serve as chairs, Senator Don Gaetz and Representative Will Weatherford.

The public hearing served as an opportunity for voters to voice their opinions with regards to how the new district lines are drawn for Congressional seats, as well as state Senate and House seats. Several speakers also presented their ideas for what the maps should look like.

It is expected that maps will be drafted after the new year. Next year's legislative session runs from January to March (as opposed to March through May) in order to give the legislature time to finalize the maps and allow time for possible lawsuits to be dispense of prior to the qualifying period for the 2012 elections.

Online Travel Companies

Please see the release below from the Florida Association of Counties (FAC), related to online travel companies:

Friday, August 12, 2011

The Department of Revenue has postponed making their recommendations to the Cabinet for the second meeting in a row.

In July, at the urging of Attorney General Pam Bondi, the Cabinet had requested that the Department make some recommendations regarding how the Cabinet or DOR could assist in resolving the OTC tax issues. FAC met early in July with many of the Cabinet aides along with representatives from the hotel industry.

Based on these meetings and the comments made by Cabinet members, it appeared there was little interest in taking on this issue. In fact, several stated publicly they believed this issue should be handled by the Legislature.

For more information please contact FAC Legislative Director John Wayne Smith

Florida Gains Residency Slots

The office of U.S. Senator Bill Nelson announced this week that the state will receive an additional 325 new medical residents. Medicare reimburses hospitals for a set number

of residencies but the number of slots that Medicare funds has been frozen since 1996. Since then, the state has established more medical colleges to address the physician shortage, but the number of residency slots has remained limited.

Senator Nelson worked to redistribute the number of slots Medicare pays for by allowing unused slots to be redistributed to sites that needed increased slots. These changes were part of the Affordable Care Act.

The slots gained by local hospitals is as follows:

- Palmetto General Hospital – 57 slots
- Jackson – 15 slots
- Miami Children’s Hospital – 14 slots
- University of Miami Hospital – 7 slots
- Mount Sinai – 1 slot
- University of Miami Hospital and Clinics – 1 slot

Medicaid

The Agency for Health Care Administration (AHCA) announced this week that its general counsel, Justin Senior, will serve as acting Medicaid Director upon the September 9 departure of Roberta Bradford. Bradford submitting her resignation on August 4. Bradford cited the relocation of her family as the reason for her resignation.

At a meeting of the Low Income Pool Council this week, AHCA Assistant Deputy Secretary for Medicaid Phil Williams said the agency will contract with Bradford after she leaves the state’s employment. Bradford is known her for expertise in Medicaid waivers having once worked for the Centers for Medicare and Medicaid Services (CMS) in Atlanta.

Bradford’s departure comes while the state is negotiating with federal authorities over the future of the state’s Medicaid program.

In other Medicaid news, Senator Joe Negrón, the chief architect of the sweeping changes to Medicaid passed last session, said this week he is open to changes in the plan in the midst of the state and the federal government continuing to work out differences that currently exist over a waiver the state needs to move forward with the program. The state is currently seeking a waiver to continue a five county Medicaid pilot program that began in 2006. The program was set to expire this summer, but federal authorities approved extensions while they continued negotiating with the state. The pilot program is the building block for the sweeping changes made this past session, which expand managed care statewide.

A sticking point in the negotiations between the state and CMS is the exclusion of a medical loss ratio in the state's Medicaid plans. A medical loss ratio requires that a certain amount of funds be spent directly on patient care as opposed to administrative expenses. The state creates an alternative savings model that will allow the state to model how much managed care plans spend.

Supreme Court

The Florida Supreme Court ruled this week that Governor Rick Scott overstepped his authority when he ordered a freeze on state agency rules when he took office in January. The original suit was filed by a blind South Florida woman by the name of Rosalie Whiley who felt the executive order would have postponed a rule making it easier for her to receive her food stamps.

The court ruled, 5-2, that the move by the Governor was a violation of the separation of powers between the governor and the legislature since lawmakers had delegated rulemaking powers to agency heads and not the governor himself.

The executive order, which Governor Scott issued shortly after being sworn-in, created the Office of Fiscal Accountability and Regulatory Reform and called on agencies to suspend rulemaking and to submit any proposed rules to the office before it began the process of rulemaking. The office was also asked to review existing rules for possible repeals.

Governor Scott's lawyers said the ruling would have a limited effect, as the office would no longer be allowed to review rules ahead of time but there was nothing preventing the governor from expressing his opinion to agency heads ahead of time.

Calendar

- Week of September 19 – Interim Committee Meetings
- Week of October 3 – Interim Committee Meetings
- Week of October 17 – Interim Committee Meetings
- Week of October 31 – Interim Committee Meetings
- Week of November 14 – Interim Committee Meetings
- Week of December 5 – Interim Committee Meetings
- January 10, 2012 – Opening Day of 2012 Session