



REPORT OF ACTIONS FROM THE 2018 HOUSE OF DELEGATES AND UPDATES

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Resolutions Referred to the Board of Governors:

- 17-410 Physician Right to Decline Supervision of non-Physician Clinicians
Collier County Medical Society
- 18-103 Protection of Physician Communication
Dade County Medical Society
- 18-106 Initial Assessment and Treatment Recommendations by Specialists
Florida Academy of Family Physicians
- 18-112 Pharmacists Prescribing
Emerald Coast Medical Society
- 18-114 Sober House and Needle Exchange Programs
Dade County Medical Association
- 18-116 USMLE – Step 2 Transfer of Jurisdiction Over Required Clinical Skills Examinations to US Medical Schools
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- 18-301 FMA Campaign Initiative to Protect Public Safety
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- 18-309 Creation of Maintenance of a Database Between Mental Health Professionals and FDLE
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Hillsborough County Medical Society

18-313 Minimize Lead in School Drinking Water
Mobeen Rathore, M.D.

18-314 FMA Campaign Initiative to Educate, Advocate, Research, and Protect Public Safety
"EARP"
Broward County Medical Society

18-315 HB 21 Epilepsy Exemption
Florida Neurological Society

Action on Recommendations from the Board of Governors

Board Recommendation A-1 2010 FMA Policy Review – Reaffirmation and Sunset

House Action: Adopted policies to reaffirm and sunset as presented in original report.

Board Recommendation A-2 Resolution 17-203 Pharmacy Solicitation (2017 House of Delegates)

House Action: Resolution not adopted

RESOLVED, that when notified with appropriate documentation the FMA will send a letter of concern to the State Attorney General and the State Surgeon General to consider investigation of possible HIPPA violations by using personal health information.

Board Recommendation A-3 Informational Report from the FMA Board of Governors

House Action: Report A filed for information

Board Recommendation B-1 Bylaws Amendment, Chapter VI, Board of Governors, Section 1. Composition

House Action: Bylaws amendment not adopted

This recommendation would have allowed for the creation of three additional seats on the Board of Governors who shall be appointed by the President, for a term of three years, so that one member is appointed each year for three years. Each appointee must be a graduate within the last ten years of an FMA Board of Governors approved leadership academy.

Board Recommendation B-2 Bylaws Amendment Chapter III, Section 5, Section 10; Chapter VII, Section 7. House of Delegates and Sections

House Action: Bylaws amendment not adopted

This recommendation allows for a Women's Physician Section of the FMA, which will be allotted 1 delegate in the House of Delegates.

Board Recommendation B-3 Bylaws Amendment Chapter VI, Section I. Composition

House Action: Adopted

This recommendation removes the Alliance seat on the Board of Governors.

Board Recommendation B-4
Bylaws Amendment Chapter III, Section 5; Chapter IV, Section 4; Chapter VI, Section 6

House Action: Adopted

This recommendation allows for technical changes to be made to several areas of the bylaws to reflect previous amendments to the bylaws.

Board Recommendation B-5
Bylaws Amendment Chapter VI, Section 9. Appointments Outside of the FMA bylaws or Policies

House Action: Adopted

This recommendation allows for the FMA President to appoint all outside positions allotted to the FMA with the approval of the Board of Governors.

Board Recommendation B-6
Bylaws Amendment Chapter IV, Section 1. Elections and Term of Office

House Action: Adopted

This recommendation allows for the term of the Resident Physician's seat on the Board of Governors to last for 2 years or until the completion of their residency, whichever comes first.

Board Recommendation B-7
Bylaws Amendment Chapter III, Section 6 & Section 10. Delegates to the House of Delegates of the American Medical Association

House Action: Bylaws amendment not adopted

This recommendation would have allowed the process for electing the representatives to the House of Delegates of the American Medical Association be changed to provide that the FMA House of Delegates shall elect a slate of representatives and the representatives shall determine who shall serve as a delegate and who shall serve as an alternate delegate during each meeting of the AMA House of Delegates.

Board Recommendation C-1
Resolution 17-304 Recognition and Reimbursement for POLST (Physician-Orders for Life-Sustaining Treatment)
(2017 House of Delegates)

House Action: Adopted as amended

RESOLVED, That our Florida Delegation to the American Medical Association support the fundamental foundation of the goals and objectives of the Physician Orders for Life-Sustaining Treatment (POLST) Form **and support POLST legislation. The POLST form would neither force nor constrain the delivery of care the provider deems appropriate; and be it further**

~~RESOLVED, That our Florida Medical Association support POLST legislation in the next legislative session.~~

RESOLVED, That our Florida Medical Association support a financial reimbursement at the highest complexity to those providers that partake and document the discussion of the POLST form, whether the form is ultimately signed or not.

[The Policy Compendium has been updated \(P 160.014\).](#)

**Board Recommendation C-3
Informational Report from the FMA Board of Governors**

House Action: Report C filed for information.

**Board Recommendation D-1
Resolution 17-303, Physician Payments to Same Day of Service
(2017 House of Delegates)**

House Action: Adopted as amended.

RESOLVED, That the FMA ~~seek support~~ legislation to require health insurance companies to pay physicians within 15 days at the time of service (office visit, ER visit, procedure, treatment, radiologic test); be it further

RESOLVED, That the FMA establish policy to support ~~health insurance companies paying physicians at the time of service~~ prompt payments to physicians by reimbursement entities for services rendered (office visit, ER visit, procedure, treatment, radiologic test); be it further

RESOLVED, That the FMA AMA Delegation encourage the AMA to adopt a policy supporting ~~health insurance companies paying physicians at the time of service~~ prompt payments to physicians by reimbursement entities for services rendered (office visit, ER visit, procedure, treatment, radiologic test).

[The legislative agenda and Policy Compendium has been updated P 380.026.](#)

**Board Recommendation D-2
Resolution 17-410, Physician Right to Decline Supervision of Non-Physician Clinicians
(2017 House of Delegates)**

House Action: Referred to the Board of Governors for further study and report back.

RESOLVED, that the FMA affirm the rights of physicians to decline to supervise non-physician clinicians based on patient safety issues such as inadequate supervision time, lack of cooperation from non-physician clinicians, or quality of care concerns.

RESOLVED, that the FMA conduct research to propose legislation or regulatory changes that prohibit non-physician clinician supervision as a term of employment and protect physicians' right to decline supervision of non-physicians.

January Board of Governors: An extensive study was conducted on this issue. The Board of Governors explored three potential avenues to address the concern of the resolution. After multiple proposed amendments and extensive discussion, the Board of Governors voted to have the Council of Medical Economics further study this resolution and report back at the May Board of Governors meeting.

**Board Recommendation D-3
Informational Report from the FMA Board of Governors**

House Action: Report D filed for information.

Resolution 18-101
Physician Workforce Issues
Dade County Medical Association

House Action: Resolution not adopted

RESOLVED, That the Florida Medical Association (FMA) urges each local county medical society to analyze the physician workforce needs of its community; and further be it

RESOLVED, That the FMA recognizes that decisions regarding shortages in physician workforce numbers or composition must be made in consultation with the local medical community; and further be it

RESOLVED, That the FMA recommends supporting only those physician workforce initiatives that are also explicitly supported by the county medical societies in the communities those workforce initiatives are to be located.

Resolution 18-102
Board Certification Testing Disparities
Dade County Medical Association

House Action: Resolution not adopted

RESOLVED, That the Florida Medical Association ask the American Medical Association to study whether maintenance of certification programs by member boards of the American Board of Medical Specialties has a disparate impact on women and minorities and produce a report of the AMA's findings.

Resolution 18-103
Protection of Physician Communication
Broward County Medical Society

***House Action: Referred to the Board of Governors for Study and Report Back**

RESOLVED, That our Florida Delegation to the American Medical Association will submit a resolution to study and evaluate those issues involving prohibitions placed on physician communication that prevent physicians from providing excellent care to their patients, their families, and themselves; and be it further

RESOLVED, The resolution will make recommendations protecting physicians who professionally use information and their knowledge to optimize care for patients; and be it further

RESOLVED, The resolution should include a provision that will, when necessary, employ the services of our Litigation Center to protect affected physicians; and be it further

RESOLVED, That the resolution should include the right of physician communication be evaluated by our American Medical Association's Council of Ethical and Judicial Affairs, and be clearly incorporated in to our Code of Medical Ethics.

[January Board of Governors Meeting:](#) The resolution was reviewed and determined that AMA policy H5 989 mimics this resolution. It was recommended that that 2019 House of Delegates not adopt this resolution.

Resolution 18-104
Drug Prevention
South Florida Caucus

House Action: Resolution not adopted

RESOLVED, That the FMA seek an appropriation in the 2019-2020 State Budget to fund an effective statewide educational ad campaign through television and social media to prevent drug use.

Resolution 18-105
Medical Director and Physician Involvement in Treatment Facilities
South Florida Caucus

House Action: Adopted as amended

RESOLVED, That the Florida Medical Association will request that Department of Children and Families modify the existing rules in Chapter 65D-30 ~~thus by~~ requiring a qualified physician to serve as Medical Director for each and every component of care; ensuring the involvement of a ~~Board-certified~~ psychiatrist **or other qualified physician licensed under Chapter 458 or 459, Florida Statutes**, for evaluation and treatment recommendations; determination of admission/discharge; and, overseeing the provision of medically-indicated evidence-based treatment with proper documentation.

[Added to Policy Compendium as P 90.023](#)
[A letter was sent to Department of Children and Families](#)

Resolution 18-106
Initial Assessment and Treatment Recommendations by Specialists
Florida Academy of Family Physicians

***House Action: Referred to the Board of Governors for Decision – NOT ADOPTED**

RESOLVED, That the FMA submit a resolution to the AMA and petition all ABMS specialty boards to develop appropriate clinical guidelines that ensure patients referred to specialist physicians have an initial assessment, diagnostic evaluation, and formulation of a treatment plan performed by the specialty physician rather than a non-physician, allied health provider.

[January Board of Governors:](#) The Board of Governors reviewed this resolution, considered the function of the ABMS, and voted not to adapt.

Resolution 18-107

Physician Education Regarding Clinical Training of Nurse Practitioners
Florida Academy of Family Physicians

House Action: Adopted as amended

RESOLVED, That the FMA ~~Board develop a report for presentation at the 2019 House of Delegates focused on how best to educate physicians (MD/DO) regarding, but not limited to: understanding make available on their website information regarding~~ the wide range of training standards utilized by ~~NP Nurse Practitioners (NPs) and Physician Assistants (PAs)~~ educational institutions; ~~the training differences between physicians, and NPs and PAs in the last ten years; and a physician's specific medical and legal responsibilities regarding supervision and on-the-job clinical training of NPs and PAs, and the rising medico-legal risk to physicians who agree to supervise and train NPs; and be it further.~~

~~RESOLVED, That the FMA support efforts in Florida and nationally for requiring a Flexner type report to standardize current NP education and training in hopes of improving clinical training to protect patients and support the highest quality physician-led, team-based healthcare.~~

Added to Policy Compendium as P 340.007
Staff is working to prepare materials for website

Resolution 18-108
Epilepsy Treatment and Awareness
Orange County Medical Society

House Action: Adopted as amended

RESOLVED, That the Florida Medical Association support Epilepsy Awareness Month by shall work to increase awareness of possible system of care improvements, and treatments for refractory seizures including midazolam at home, rectal diazepam, auto injector of diazepam, implantable vagal stimulator, epilepsy alarms, CBD oil, and epilepsy dogs, by publishing an article in the FMA News during Epilepsy Awareness Month highlighting advances in care, new treatment options, and services that are available for patients on the FMA website; ~~further be it~~

~~RESOLVED, That our Florida Medical Association shall write a letter to the Surgeon General encouraging the creation of a work group to discuss advances in treatment and services that would include FMA volunteers, the Epilepsy Association of Florida, Florida Department of Health Chronic Disease Prevention, and the Florida Department of Health School Health Program.~~

Added to Policy Compendium as P 420.044
An epilepsy resource center has been added to the FMA's website

Resolution 18-109
CME Credit for Board Member Participation in County Medical Society Board Meetings
Manatee County Medical Society

House Action: Resolution not be adopted

RESOLVED, That the Florida Medical Association seek an amendment to 64B8-13.005, Florida Administrative Code, to provide that up to 5 hours every year or 10 hours per biennium, of continuing education credit may be fulfilled by attending County Medical Society Board meetings, with credit given on an hour per hour basis.

Resolution 18-110
Local Alliances for Drug Endangered Children
John L. Lanza, M.D.

House Action: Adopted as amended

~~RESOLVED, That the FMA shows support through the FMA News for the activities of the National and Florida Alliance for Drug Endangered Children (DEC) to break the cycle of abuse and neglect by empowering practitioners including physicians who work to transform the lives of children and families living in drug environments; and be it further~~

RESOLVED, That the FMA supports the development of local Drug Endangered Children alliances to reach the goals of: raising awareness of the issue of drug endangered children; providing support, information, and resources to all individuals and organizations that serve and care for drug endangered children; facilitating multi-disciplinary, coordinated provisioning of services and care to drug endangered children; preventing endangerment to children in dangerous drug environments by encouraging intervention at the earliest possible point; and, developing and sustaining a network of experts and professionals including physicians who can be called upon to conduct research, evaluate practices and procedures, and provide accurate advice and information regarding the needs of drug endangered children.

[Added to Policy Compendium as P 90.022](#)

Resolution 18-112
Pharmacists Prescribing
Emerald Coast Medical Society

***House Action: Referred to the Board of Governors for Decision - ADOPTED**

RESOLVED, That the FMA supports the modern healthcare needs of a pharmacy to monitor patient prescriptions for potential side effects and inter medication reactions, potential patient pharmaceutical abuse, and patient education and discourages pharmacists from refusing to fill valid prescriptions unless that denial is made because of potential side-effects or inter-medication reactions.

[October Board of Governors:](#) The Board of Governors reviewed this resolution and adopted it as policy P 130.021

Resolution 18-113
Post Doctorate Certification
Emerald Coast Medical Society

House Action: Resolution not adopted

RESOLVED, That the FMA believes that all Florida providers with prescriptive authority should be required by law to perform a medical history and physical examination before prescribing medication and properly maintain medical records in accordance with 64B8-9.003, Florida Administrative Code; and be it further

RESOLVED, That the FMA seek legislation to create a post-doctorate certification that all pharmacists must obtain prior to the prescribing of medications consistent with established law for all other prescribing providers.

Resolution 18-114
Sober Houses and Needle Exchange Programs
Dade County Medical Association

***House Action: Referred for the Board of Governors for Study and Report Back**

RESOLVED, That the Florida Medical Association work with the Florida Department of Health to standardize policies and procedures that will encourage community support and appropriate regulation and placement of sober houses and needle exchange programs utilizing statistical evidence and strategic placement to optimize the positive impact and minimize the negative impact to surrounding communities; and be it further

RESOLVED, That the Florida Medical Association advises the state legislature to consider providing an avenue for local engagement from elected officials, law enforcement and the community at-large prior to the development of new sober homes and needle exchange programs, and be it further

RESOLVED, That the Florida Medical Association send a letter to each county commission in the state recommending support of the development of sober houses and needle exchange programs following the recommendations to be articulated by the Florida Department of Health related to appropriate placement and community involvement.

January Board of Governors: Dr. Hansel Tookes reviewed the Annual Report of the IDEA Exchange with the Board of Governors. It was noted that needle exchange programs and sober houses are separate entities with different objectives. While other counties have seen a rise in deaths by overdose, Miami-Dade has had a decrease in deaths since the IDEA Exchange opened. Further, the FMA has policy in support of needle exchange programs, and legislation has been filed to expand the program statewide (HB 171 and SB 366). Based on this information the Board of Governors recommends that the 2019 House of Delegates not adopt this resolution.

Resolution 18-115
Emergency Resolution to Outpatient Medical Facilities and Offices
Aaron Elkin, M.D.

House Action: Resolution not adopted

RESOLVED, That the FMA supports legislation or rulemaking that would require power, telephone, internet or other utility providers to prioritize restoring services to outpatient medical facilities and outpatient physician's offices when those services are interrupted.

Resolution 18-116

USMLE – Step 2 – Transfer of Jurisdiction Over Required Clinical Skills Examinations to US Medical Schools

Medical Students

***House Action: Referred to the Board of Governors for Study and Report Back**

RESOLVED, That the Florida Medical Association support the American Medical Association's efforts to eliminate the Step 2 Clinical Skills component of the United States Medical Licensing Examination for graduates of Liaison Committee on Medical Education-accredited medical schools.

RESOLVED, That the FMA support legislation to eliminate Step 2 Clinical Skills from the requirements for licensure.

October Board of Governors: The Council on Medical Education, Science, and Public proposed a substitute resolution that focused the efforts on decreasing cost and travel time for students to take this exam versus eliminating the exam altogether. The Board of Governors discussed this resolution at length, the substitute resolution failed, and Resolution 18-116 was tabled until the January Board of Governors meeting, allowing the Council of Medical School Deans to review the information and testimony.

January Board of Governors: Dean Charles Lockwood reviewed the Council of Medical School Deans' findings. The cost and travel time were acknowledged, however as reflected by the AMA's Council on Medical Education, there are significant issues with eliminating the test altogether. Dean Lockwood outlined the Council of Medical School Deans' recommendations. After much debate, the Board of Governors voted to recommend that the 2019 House of Delegates adopt Resolution 18-116.

Resolution 18-201

FMA Website

South Florida Caucus

House Action: Adopted as amended

RESOLVED, That the FMA shall maintain an up-to-date copy of FMA Bylaws on the FMA website; and be it further

RESOLVED, That, starting in 2018, the FMA shall maintain a copy of all resolutions finally approved as policy by that year's House of Delegates on the FMA website for at least ~~two (2)~~ seven (7) years.

The website has been updated to reflect the current bylaws and resolutions from the last 7 years.

Resolution 18-202

Access to State Mandated Opioid CME

Clay County Medical Society, Collier County Medical Society, Dade County Medical Society, Duval County Medical Society, Escambia County Medical Society, Lee County Medical Society, Nassau County Medical Society, Palm Beach Medical Society, Santa Rosa County Medical Society

House Action: Resolution not adopted

RESOLVED, The Florida Medical Association will provide the state-mandated Opioid CME for free to all members of the Florida Medical Association as long as it is mandated by the state of Florida; and be it further,

RESOLVED, The Florida Medical Association shall provide access to the CME to State Specialty Societies and County Medical Societies with representation in the FMA House of Delegates at no charge, provided that entity also provides it at no charge to its members.

Resolution 18-204

Medical Marijuana

Family Society of Addiction Medicine

House Action: Adopted as amended

RESOLVED, That the Florida delegation to the AMA submit a resolution to take all necessary steps to remove regulatory barriers to cannabis research and to develop the resources and infrastructure needed to conduct comprehensive research and establish conclusive evidence on short- and long-term health effects of cannabis use and its efficacy regarding relief of manifestations of specific illnesses; and be it further,

RESOLVED, The FMA should petition the Florida Department of Health to maintain careful surveillance systems to monitor the long- and short-term health effects of cannabis use, both through the Office of Medical Marijuana ~~Use for use of marijuana as a medication (Florida Administrative Code Chapter 64-4)~~ and under its other offices for use of marijuana in communities including treatment for cannabis use disorders

~~RESOLVED, the Florida Medical Association should support and contribute to these research efforts and should refrain from promoting use of marijuana as a medication, including the development and offering of courses for the Office of Medical Marijuana, until sufficient data has been collected to serve as an evidence base for such recommendations~~

~~RESOLVED, Florida physicians should be educated in the appropriate use of already approved or close-to approval cannabinoid medications~~

- ~~• Dronabinol – a Schedule III drug approved for chemotherapy induced nausea and vomiting (CINV) and Wasting Syndrome in AIDS~~
- ~~• Nabilone – a Schedule II drug approved for CINV~~
- ~~• Nabiximols – currently in Phase III trials in U.S. for CINV, multiple sclerosis and cancer pain, already approved in Canada and Europe.~~

Policy compendium updated: P 307.005

Staff is preparing resolution for June AMA meeting and working on letter to DOH.

Resolution 18-301
FMA Campaign Initiative to Protect Public Safety
Broward County Medical Association

***House Action: Referred to the Board of Governors for Study and Report Back**

RESOLVED, That the Florida Delegation to the American Medical Association submit a resolution that accomplish the following:

Initiate a campaign and work with organizations to strengthen laws to protect citizens from misuse of fire arms; and

That assault rifles such as A.R. 15's and AK 47 and automatic weapons, would be declared illegal except when the owner has a federally issued certificate of competence; and

Fire arms could not be purchased by an individual under the age of 21; minors under the age of 21 could use a firearm when accompanied by a gun licensed adult; and

Individuals currently in possession of fire arms would have to register them and submit to the same prerequisites as individuals purchasing firearms. There would be an amnesty period of one year before fines and punishment would be determined by the courts; and

Firearms to no longer be purchased at gun shows – except from licensed dealers; individual transfer of firearms would require registration with local and federal authorities and be sold only to a person licensed to possess a firearm; and

The sale of “partially prepared” weapons, those parts that are currently unregistered, would be prohibited; and be it further

RESOLVED, The Florida Medical Associate would instruct its Delegation to the American Medical Association to seek adoption of these resolves at the Interim -2018 AMA meeting, to become policy of the American Medical Association.

October Board of Governors Meeting: The Board of Governors reviewed this resolution and after some debate thought that further discussion with the authors regarding the intent of the resolution was necessary. Further, the Board of Governors felt that a special task force should be created to study this issue. Resolution 18-301 was tabled to the January Board of Governors meeting.

January Board of Governors: The taskforce did not have a chance to meet prior to the January meeting. The resolution was tabled until the May Board of Governors meeting.

Resolution 18-303
Long Term Care Insurance
Palm Beach County Medical Society

House Action: Resolution not adopted

RESOLVED, That the Florida Medical Association support legislation to fund long term care to cover \$100/day by imposing a small payroll tax.

Resolution 18-304

Medicaid Access to Diabetes Prevention Program

Palm Beach County Medical Society, Orange County Medical Society, Duval County Medical Society

House Action: Resolution not adopted

RESOLVED, the Florida Medical Association will support legislation to mandate coverage of the Diabetes Prevention Program Lifestyle Change Program for Medicaid eligible patients.

Resolution 18-305

FMA on ARNP Compact

Florida Society of Anesthesiologists

House Action: Adopted

RESOLVED, That the Florida Medical Association reaffirms its position that health care teams are best led by physicians; and be it further

RESOLVED, That the Florida Medical Association oppose any legislation that would enact into law, directly or indirectly, the Advanced Practice Registered Nurse (APRN) Multistate Compact proposed by the National Council of the State Boards Nursing; and be it further

RESOLVED, That the Florida Medical Association's House of Delegates directs the attention of the FMA's Council on Legislation to prevent enactment of the APRN Compact; and be it further

RESOLVED, That the Florida Medical Association's Council on Legislation places the APRN Compact on its watch list of undesirable legislation; and be it further

RESOLVED, That the Florida Medical Association effectively educate the public, legislators, regulators, and healthcare administrators and effectively oppose state legislative efforts aimed at inappropriate scope of practice expansion.

The Policy Compendium was updated: P 340.006. This topic was added to the FMA's legislative agenda. The FMA is vigorously opposing all of the scope of practice bills filed during the 2019 legislative session.

Resolution 18-306

Reducing the Impact of Adding Pediatric Hospital Medicine Board Requirements

Orange County Medical Society

House Action: Resolution not adopted

RESOLVED, that the FMA support legislation or administrative rules that would prohibit hospitals from requiring pediatricians be board certified in pediatric hospital medicine.

Resolution 18-307
Indemnity for Physicians Recommending Medical Marijuana
Orange County Medical Society

House Action: Resolution not adopted

RESOLVED, That the Florida Medical Association create and support legislation that would accomplish the following:

- (1) Delete the provision in section 381.986 that requires physicians to recommend a specific route, dose, frequency and type of marijuana.
- (2) Ensure that any physician who opines in the medical records that the patient would benefit from medical marijuana is immune from civil liability.

Resolution 18-308
Controlled Substance Legislation Fixes
Florida Orthopaedic Society, Orange County Medical Society

***House Action: Referred to the Board of Governors for Decision – ADOPTED AS AMENDED**

RESOLVED, That the Florida Medical Association **seek support** legislation to address the following concerns with the current controlled substances statutes in Florida:

- 1) Restrict the mandatory consult of the prescription drug monitoring program to only those prescriptions for opioids, not all scheduled drugs;
- 2) Eliminate the mandate to prescribe an opioid antagonist for all patients with a **trauma severity score Injury Severity Score** of 9 or above;
- 3) Eliminate the mandate for those physician practices that need to claim an exemption from the pain clinic statutes to apply for a Certificate of Exemption every other year, enabling those practices to claim their exemption once and maintain that exemption unless their practice status changes eliminating their exemption.

January Board of Governors: The Board of Governors voted to adopt the resolution as amended. The first amendment changed “seek” to “support” and the second, amendment was a technical amendment that corrected “trauma severity score” to “Injury Severity Score”. Both amendments are reflected in the above resolution.

Resolution 18-309
Creation of Maintenance of a Database Between Mental Health Professionals and FDLE
Hillsborough County Medical Association

***House Action: Referred to House of Delegates for Study and Report Back**

RESOLVED, That the FMA seek legislation for the creation of a funded and staffed phone or online entity, to the Department within the FDLE that provides the background DATA for new gun purchases, allowing information from qualified healthcare providers to flow into the Registry and to be able to place certain patients who are deemed high risk for self-harm or harm to others on a “ No Sell/No Possession List” for fire arm purchases or ownership; be it further

RESOLVED, That the FMA also mandate the legislation includes a funded connectivity between the schools’ mental health system and the outside mental healthcare programs so to assure a better follow up on any suggested or mandated outside mental health assessments for students, even if recently graduated, if they have demonstrated concerning thoughts, behavior, or public display, by any method that suggests homicidal or suicidal ideation.

October Board of Governors: The Board of Governors reviewed this resolution and recommends that the 2019 House of Delegates not adopt this resolution. The recommendation is based on testimony in which the Board of Governors learned that the Department of Law Enforcement already has a database for background checks and new gun purchases, as well as a national database which provides results within 2 minutes when trying to sell a firearm. Recent legislation passed that included changes to the minimum age to purchase a firearm, law enforcement’s ability to seize firearms, and authority for the Court to takeaway firearms for up to a year if the person is proven to be homicidal.

Resolution 18-310
Make Texting While Driving a Primary Offense
Hillsborough County Medical Association

House Action: Adopted as amended

RESOLVED, That the Florida Medical Association ~~seek~~ **support** legislation to make texting while driving a primary offense in the State of Florida.

Resolution 18-310 has been added to the legislative agenda, and the Policy Compendium (P 420.043).

Resolution 18-311
Mandatory PDMP Checking
Hillsborough County Medical Society

***House Action: Referred to the Board of Governors for Decision**

RESOLVED, That the FMA seek legislation to change the existing requirement under Florida Statute 893.055 concerning the PDMP, so that the physician is no longer required to check the PDMP before providing a controlled substance prescription to the patient, mandating that the requirement is SOLELY

the responsibility of the dispenser, or their designee, to consult the PDMP prior to dispensing any controlled substance that is an opiate or opiate-like substance.

October Board of Governors: The Board of Governors felt that the legislature would not be amenable to a drastic change based on the fact that HB 21 just passed. It was suggested that the FMA work with the legislature to tweak the bill as opposed to fighting to overturn the bill. The Board of Governors voted to not adopt Resolution 18-311.

Resolution 18-312
Prescription Resolution
Hillsborough County Medical Association

House Action: Resolution not adopted

RESOLVED, That the FMA again seek legislation which will allow medical conditions to be included on all prescription bottles.

Resolution 18-313
Minimizing Lead in School Drinking Water
Mobeen Rathore, M.D.

***House Action: Referred to the Board of Governors Study and Report Back**

RESOLVED, That the FMA supports statewide legislation to mandate that all Florida schools, kindergartens, pre-schools, and child care centers filter their drinking water and ice machines with NSF/ANSI 53 filters or an equivalent technology for lead removal and that these filters be maintained and changed on a regularly scheduled basis per manufacturer's recommendations; and be it further

~~RESOLVED, That the FMA supports the AMA in seeking federal legislation that changes the EPA's lead in drinking water action level from 15 parts per billion to 1 part per billion; and be it further~~

RESOLVED, That the FMA supports the training of school officials to raise awareness of the potential occurrences, causes, and health effects of lead in drinking water; and be it further

RESOLVED, That the FMA supports open communication with students, parents, school board staff, and the larger community including physicians about monitoring programs, potential risks, the results of testing, and remediation actions.

October Board of Governors: The Board of Governors recommends that the 2019 House of Delegates adopt Resolution 18-313 as amended in the above resolution.

Resolution 18-314
FMA Campaign Initiative to Educate, Advocate, Research, and Protect Public Safety "EARP"
Broward County Medical Society

***House Action: Referred to the Board of Governors for Decision**

RESOLVED, That the Florida Delegation to the American Medical Association submit a resolution at the AMA Interim Meeting that would direct the AMA to (1) initiate a campaign and work with organizations to research and educate the public about gun safety, responsible gun ownership and ways to prevent gun violence; (2) create model state and/or federal legislation that would protect citizens from the misuse of fire arms, teach the public about responsible gun ownership and address the problem of gun violence; (3) seek Congressional funding to allow the Centers for Disease Control and Prevention to conduct research into gun violence; and be it further

RESOLVED, That the FMA (1) promote research and education to the public and physicians about gun safety, responsible gun ownership and ways to prevent gun violence, and (2) promote unfettered dialogue about firearm related issues between physicians, their patients and the public at large.

[January Board of Governors:](#) The Board of Governors voted to table this resolution until the May Board of Governors meeting, giving the newly formed taskforce (see Resolution 18-301) time to study.

Resolution 18-315
HB 21 Epilepsy Exemption
Florida Neurological Society

***House Action: Referred to Board of Governors for Decision**

RESOLVED, That the FMA seek legislative action to amend HB21 to exempt Phenobarbital, Parempanel and Clonazepam from mandatory PDMP database consultation and three-day limits, provided that the diagnosis of epilepsy is included on the prescription.

[Staff is working with the Department of Health on this issue and is lobbying the legislature to include their exemption in any bill dealing with the PDMP that move during the 2019 session.](#)

Resolution 18-316
Denial of Prescriptions by Walmart Health & Wellness Practice Compliance Office
Escambia County Medical Society

House Action: Adopted

RESOLVED, That the FMA communicate to Walmart the need for their community pharmacists to collaborate with the local physicians by openly publishing and providing specific “prescribing patterns and other factors” parameters that they are monitoring and offer a time frame for recourse; and be it further

RESOLVED, That the FMA request Walmart discontinue sending, and rescind, physicians’ letters addressing “the physician’s prescribing patterns and other factors” until a more collaborative approach to the opioid crisis can be agreed upon; and be it further

RESOLVED, That the FMA request the AMA, state associations, and national specialty societies engage national pharmacist organizations and corporate entities to ensure that physicians and pharmacists are

collaborating to more effectively address the opioid crisis while not endangering patients or interfering with physician's ability to care for patients.

The Policy Compendium was updated (P 130.21) and a letter has been sent to the appropriate parties.

Resolution 18-401
Provider Insurance Credentialing Delay
American College of Obstetricians and Gynecologists District XII

House Action: Resolution adopted

RESOLVED, The Florida Medical Association will survey its members within the next 6 months to gain insight into issues members are having with delays in credentialing; and be it further

RESOLVED, The Florida Medical Association will work on behalf of its members with the appropriate agency to address issues with specific payers, If systematic credentialing delays are noted with a payer or class of payers. To be included in the potential remedies considered is pursuit of regulations that mandate insurer response to a credentialing application within 90 days of submission.

The FMA surveyed its members and appropriate action was taken. This is included in the Policy Compendium as P 104.006.

Resolution 18-402
Unfair Medicare Penalty
South Florida Caucus

House Action: Adopted as amended

RESOLVED, That the Florida Delegation to the AMA submit a resolution requesting the AMA to ~~petition~~ **lobby CMS to rescind all penalties related to MIPS, including those related to the use of EHRs. the 2% penalty on physician practices that have not converted to certified computerized medical records.**

The Policy Compendium has been updated (P 235.018). The FMA AMA delegation sent a resolution on this issue to the 2018 AMA interim meeting of the House of Delegates. The resolution was referred to the AMA Board of Trustees.

Resolution 18-404
Duplicative Credentialing for In-Network Practice Transitions
Orange County Medical Society

House Action: Adopted

RESOLVED, That the FMA support legislation or administrative rules that would prohibit insurance carriers from subjecting in-network providers to re-credentialing while they transition to a new practice.

The Policy Compendium has been updated: P 260.047, and the issue has been added to the FMA legislative agenda.

Resolution 18-405
Denials for Substitute Procedures that can be Reasonably Anticipated
Florida Orthopaedic Society

House Action: Adopted as amended

RESOLVED, That the Florida Medical Association seek legislation to prohibit insurance carriers from denying claims for the performance of ~~substitute~~ **surrogate** procedures that can be reasonably anticipated to be a valid substitution for an authorized procedure to ~~cure~~ **treat** an underlying ailment or injury.

The legislative agenda and Policy Compendium has been updated (P 260.048).

Resolution 18-406
Prior Authorization for In-Patient Care and Non-Emergent Procedures
Florida Orthopaedic Society

House Action: Adopted as amended

RESOLVED, That the Florida Medical Association seek **support** legislation to prohibit insurance carriers from requiring prior authorization for patients who ~~have been admitted to~~ **are being treated in** the hospital; and be it further

RESOLVED, That the Florida Medical Association seek **support** legislation that would prohibit insurance carriers from requiring prior authorization for **treatment** ~~procedures codes that can be reasonably expected to be administered in connection with or substituted for~~ **associated with** an emergency **condition** ~~procedure that does not require prior authorization.~~

The legislative agenda and Policy Compendium has been updated (P 260.049).

Resolution 18-407
Sham Reviews and Transparent Authorization Process
Florida Orthopaedic Society

House Action: Adopted as amended

RESOLVED, That the Florida Medical Association seek **support** legislation to mandate that all treatment guidelines and authorization protocols implemented by insurance carriers must be 1) transparent **and readily available** to their insured and treating physician and 2) that Medical Directors making coverage determinations on the grounds of Medical Necessity must certify that they have **directly** reviewed the relevant medical records and received input from a physician in the same specialty as the treating physician, **prior to the denial**.

The legislative agenda and Policy Compendium has been updated (P 260.050).

Resolution 18-408
Insurers Practicing Medicine without a License
Hillsborough County Medical Association

House Action: Resolution not adopted

RESOLVED, That the Florida Medical Association seek legislation to eliminate insurance companies from delaying or overriding the practicing physicians' request for medical tests and procedures as there are established standards of care in place that are in the patients' best interest; and be it further

RESOLVED, That the Florida Medical Association request the American Medical Association seek legislation to eliminate medical management by insurance companies; and be it further

RESOLVED, That there should be any return of non-patient approved second opinion/medical management oversight.

Resolution 18-409
CMS Reduction of Evaluation and Management Reimbursement
Florida Chapter, American College of Physicians
Resolution 18-411
Opposing Blending Outpatient Reimbursement Rates
Escambia County Medical Society, Santa Rosa County Medical Society

House Action: Adopted in lieu of Resolutions 18-409 and 18-411 including title change

Proposed Changes to Evaluation and Management Codes

RESOLVED, That the Florida Medical Association work diligently with the AMA to urge CMS to not adopt any changes to E/M payments that would adversely impact physicians, and instead enact reforms that would reduce administrative burdens without compromising access to care.

The Policy Compendium has been updated (P 300.032). The FMA sent a letter to CMS outlining our strenuous opposition to the proposed rule. Subsequently, CMS issued a final rule in which the policy was modified and delayed for 2 years.

Resolution 18-410
Support for the CMS Proposal to Overhaul E/M Service Payments
John Ward, M.D.

House Action: Resolution not adopted

RESOLVED, That the FMA write a letter of support to CMS regarding this overhaul of the payment system; and further be it

RESOLVED, That the FMA also urge the AMA to support this overhaul of the E/M payment system.