

1989

Session Law 89-283

Florida Senate & House of Representatives

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S 675 GENERAL BILL/1ST ENG by Malchon (Similar CS/H 934, CS/S 1428, Compare H 796, 1ST ENG/H 961, CS/H 1027, 1ST ENG/H 1326, CS/1ST ENG/H 1427, 1ST ENG/S 255, CS/S 850, CS/1ST ENG/S 1133)

Emergency Medical Services: redefines term "physician" re medical transportation services; requires H.R.S. Dept. to investigate certain complaints against hospitals; modifies provisions re local & regional trauma plans; authorizes H.R.S. Dept. to make grants to emergency medical service organizations; requires medical directors to provide for quality assurance review of emergency medical technicians & paramedics; creates regional poison control centers, etc. Amends F.S. Effective Date: 10/01/89 except s. 1 on 07/05/89.

03/27/89 SENATE Prefiled

04/07/89 SENATE Introduced, referred to Health Care -SJ 102

04/14/89 SENATE Extension of time granted Committee Health Care

04/28/89 SENATE Extension of time granted Committee Health Care

05/12/89 SENATE Extension of time granted Committee Health Care

05/15/89 SENATE On Committee agenda--Health Care, 05/17/89, 3:15 pm, Room-A-(LL-37)

05/17/89 SENATE Comm. Report: Favorable by Health Care, placed on Calendar -SJ 380

05/25/89 SENATE Placed on Special Order Calendar -SJ 450

05/26/89 SENATE Placed on Special Order Calendar -SJ 477

05/29/89 SENATE Placed on Special Order Calendar -SJ 493; Passed; YEAS 37 NAYS 0 -SJ 556

05/29/89 HOUSE In Messages

06/02/89 HOUSE Received, placed on Calendar -HJ 1290; Read second time; Amendments adopted; Read third time; Passed as amended; YEAS 108 NAYS 0 -HJ 1294

06/02/89 SENATE In Messages; Was taken up -SJ 1271; Concurred; Passed as amended; YEAS 37 NAYS 0 -SJ 1275

06/02/89 Ordered engrossed, then enrolled -SJ 1275

06/20/89 Signed by Officers and presented to Governor

07/05/89 Approved by Governor; Chapter No. 89-283; See also: SB 255 (Ch. 89-275), HB 1326 (Ch. 89-335), CS/SB 1133 (Ch. 89-85) & CS/HB 1427 (Ch. 89-374)

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NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

REVISED: _____

BILL NO. SB 675

DATE: May 12, 1989

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Williams</u>	<u>Wilson</u>	1. <u>HC</u>	<u>Favorable</u>
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Medical Transportation Services

BILL NO. AND SPONSOR:

SB 675 by
Senator Malchon

I. SUMMARY:

A. Present Situation:

Chapter 401, Florida Statutes, governs medical telecommunications and transportation. Part III of chapter 401 specifically governs medical transportation services. Subsection (14) of section 401.23, Florida Statutes, defines "medical direction" as direct supervision by a physician through two-way voice communication or, when such voice communication is unavailable, through established orders, pursuant to rules of the Department of Health and Rehabilitative Services (HRS). Subsection (19) of section 401.23, Florida Statutes, defines "physician" as a practitioner who is licensed under the provisions of chapter 458 or chapter 459.

Most physicians who work for the five hospitals in Florida which are operated by the United States Department of Veterans Affairs (VA) are not Florida licensed. The VA requires its physicians to be licensed by a state, and that state of licensure has no bearing on where such physicians practice. The VA physicians in Florida who are not Florida licensed are prohibited by current statutes from providing medical direction to emergency medical services (EMS) personnel for a patient being transported to a VA facility.

Veterans are being transported by EMS vehicles to non-VA hospitals from which EMS can receive medical direction by radio. This leads to episodes of non-VA hospital care at the veterans expense and disturbs the continuity of care, if and when such patients are ultimately transferred to a VA hospital.

The U.S. Department of Veterans Affairs Medical Center (VAMC), Bay Pines, Florida, is a member of the Bay Area Hospital Council, and as a participating hospital, participates in health care programs for the enhancement of the local EMS system. That system is being upgraded to include radio and telemetry communication with hospital emergency rooms. The VAMC would like to participate in this program, but is statutorily prohibited from doing so because of the lack of "medical direction."

B. Effect of Proposed Changes:

Senate Bill 675 amends subsection (19) of section 401.22, Florida Statutes, to stipulate that a physician employed by the VA may provide medical direction for the treatment of patients immediately prior to or during transportation to a VA hospital.

II. ECONOMIC IMPACT AND FISCAL NOTE:**A. Public:**

It should be financially beneficial for those Florida veterans who live in the proximity of VA hospitals and who are dependent on VA hospitals for their medical care, if VA physicians are allowed to receive communications on the acceptance of veterans for emergency care at VA hospitals. This would allow EMS providers to deliver veterans to VA hospitals instead of to civilian hospitals where costs would have to be borne by the veteran.

B. Government:

None.

III. COMMENTS:

Subsection (2) of section 394.455, Florida Statutes, the "Baker Act," authorizes VA physicians and psychiatrists to provide services pursuant to the Baker Act in those VA facilities which meet the requirements of receiving and treatment facilities.

There needs to be some assurance, at least at the regulatory, rule-making level, that the VA hospital receiving a patient has the emergency service capability appropriate for the level of care needed by the incoming patient.

IV. AMENDMENTS:

None.