

Agency for Health Care Administration, Annual Regulatory Plan, 2023 - 2024

Rule	Law enacted or amended during previous 12 months which creates or modifies duties or authority of Agency.	Must rules be adopted to implement law? If not, please explain.	NORD published in FAR? If yes, provide citation (Vol./No.)	Expected date of NOPR publication.	Law not enacted or amended during previous 12 months for which implementation by rulemaking is expected to occur before July 1, 2024.	For each law identified in the previous category, please state whether rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Law identified in a prior year as requiring rulemaking or for which rulemaking was expected but for which no NOPR has been published.	For each law identified in the previous category, provide the FAR citation (Vol./No.) for the NORD.	For each law in the previous 2 categories for which rulemaking has been determined unnecessary, explain why the law can be implemented without rulemaking.
<b>HEALTH QUALITY ASSURANCE RULES</b>									
59A-3.065	N/A	N/A	N/A	N/A	2020-009 L.O.F. (HB607) 2019-136 L.O.F. (HB21) 2018-24 L.O.F. (SB622)	Clarify	2019-136 L.O.F. (HB21)	NORD 10/2/2018 44/192 Withdrawn 47/116	N/A
59A-3.246	N/A	N/A	N/A	N/A	2020-156 L.O.F. (HB 731) 2019-136 L.O.F. (HB21), 2019-135 L.O.F. (SB1460), 2018-24 L.O.F. (SB622, HB283)	Clarify	2020-156 L.O.F. (HB 731) 2019-136 L.O.F. (HB21), 2019-135 L.O.F. (SB1460), 2018-24 L.O.F. (SB622, HB283)	NORD 11/8/2018 44/219 Withdrawn 47/116	N/A
59A-3.248	N/A	N/A	N/A	N/A	2018-24 L.O.F. (SB622)	Clarify	2018-24 L.O.F. (SB622)	NORD 10/31/2018 44/213 Withdrawn 47/116	N/A
59A-3.270	2023-040, L.O.F. (SB 1718, section 5)	Yes	2/27/2023 49/39	9/1/2023	N/A	Clarify submission requirements for patient immigration data	N/A	N/A	N/A
59A-3.278	N/A	N/A	N/A	N/A	2019-136 L.O.F. (HB21) 2018-24 L.O.F. (SB622)	Clarify	2019-136 L.O.F. (HB21) 2018-24 L.O.F. (SB622)	NORD 10/2/2018 44/192 Withdrawn 47/116	N/A

N/A	2023-250 L.O.F. (SB 558, section 1)	Requires DOH Board of Nursing, in consultation with Agency to adopt rules to implement.	N/A	N/A	N/A	Clarify allowance for nursing homes to authorize registered nurse to delegate tasks, including medication administration, to a certified nursing assistant who has met the required training	N/A	N/A	N/A
59A-8.0095	2023-183 L.O.F. (HB 391 section 4)	Yes	N/A	4/1/2024	N/A	Clarify annual in-service training requirements to include home health aides for medically fragile children	N/A	N/A	N/A
59A-8.0097	2023-183 L.O.F. (HB 391 sections 5, 6)	Yes	N/A	4/1/2024	N/A	Clarify annual in-service training requirements to include home health aides for medically fragile children	N/A	N/A	N/A
59A-8.0216	2023-183 L.O.F. (HB 391 sections 5, 6)	Yes	N/A	4/1/2024	N/A	Clarify annual in-service training requirements to include home health aides for medically fragile children	N/A	N/A	N/A
59A-8.0219	2023-183 L.O.F. (HB 391 sections 5, 6)	Yes	N/A	4/1/2024	N/A	Clarify annual in-service training requirements to include home health aides for medically fragile children	N/A	N/A	N/A
59A-8.0099 (new)	2023-183 L.O.F. (HB 391 section 4)	Yes	N/A	4/1/2024	N/A	Clarify and establish qualification and training requirements for home health aides for medically fragile children	N/A	N/A	N/A

59A-16.107	N/A	N/A	N/A	N/A	2020-156 L.O.F. (HB 731 section 33) 2020-068 L.O.F. (HB 767 section 11)	Clarify	2020-156 L.O.F. (HB 731 section 33)	3/24/2021 47/57	N/A
59A-16.110	2023-278 L.O.F (HB 299 section 11)	Yes	N/A	4/1/2024	N/A	Delete Obsolete Language	N/A	N/A	N/A
59A-16.111	2023-278 L.O.F (HB 299 section 11)	Yes	N/A	4/1/2024	N/A	Delete Obsolete Language	N/A	N/A	N/A
59A-18.0081	N/A	N/A	N/A	8/15/2023	2022-48 L.O.F. (HB 469 section 1)	Clarify tasks that home health aides and CNAs can assist with	N/A	NORD 3/29/2023 Vol. 49/61	N/A
59A-33.002	N/A	N/A	N/A	N/A	N/A	Clarify	2021-112 L.O.F. (HB1157 sections 1,3,9)	05/23/2019 Vol. 45/101	N/A
59A-33.006	N/A	N/A	N/A	N/A	N/A	Clarify	2021-112 L.O.F. (HB1157 sections 1, 3, 9)	7/23/2019 Vol. 45/142	N/A
59A-33.012	N/A	N/A	N/A	N/A	N/A	Clarify	2021-112 L.O.F. (HB1157 sections 1, 3, 9)	N/A	N/A
59A-35.060	2023-033, L.O.F. (SB 264, section 10)	Yes	2/1/2023 49/21	9/1/2023	2021-112 L.O.F. (HB1157) 2020-009 L.O.F. (HB 607 section 11)	Clarify	2021-112 L.O.F. (HB1157) 2020-009 L.O.F. (HB 607 section 11)	2/1/2023 49/21	N/A
59A-35.125 (new)	2023-043, L.O.F. (SB 252, section 5)	Yes	N/A	11/1/2023	N/A	Establish requirements for facial coverings in health care settings.	N/A	N/A	N/A
59A-35.310	N/A	N/A	N/A	N/A	2020-156 L.O.F. (HB 731 section 33)	Create; clarify CEMP plans	2020-156 L.O.F. (HB 731 section 33)	3/24/2021 47/57	N/A
59A-36.011	2023-278 L.O.F (HB 299 section 9,11)	Yes	N/A	N/A	N/A	Delete Obsolete Language	N/A	N/A	N/A

59A-36.019	N/A	N/A	N/A	6/23/2023	2020-156 L.O.F. (HB 731 section 33) 2020-068 L.O.F. (HB 767 section 11)	Clarify	N/A	7/5/2022 48/129	N/A
59A-36.025	N/A	N/A	N/A	6/23/2023	2020-156 L.O.F. (HB 731 section 33) 2020-068 L.O.F. (HB 767 section 11)	Clarify	N/A	7/5/2022 48/129	N/A
59A-38.007	N/A	N/A	N/A	7/14/2023	2020-156 L.O.F. HB 731, Section 16)	Clarify	N/A	NORD 03/24/2021 Vol 47/57	N/A
59C-1.002	N/A	N/A	N/A	N/A	2019-136 L.O.F. (HB 21)	Obsolete after hospital rules implemented	2019-136 L.O.F. (HB 21)	Repeal TBD	Hospitals were removed from CON effective July 1, 2021 s.408.036(1) FS
59C-1.032	N/A	N/A	N/A	N/A	2019-136 L.O.F. (HB 21)	Obsolete after hospital rules implemented	2019-136 L.O.F. (HB 21)	Repeal TBD	Repeal after hospital rules implemented
59C-1.033	N/A	N/A	N/A	N/A	2019-136 L.O.F. (HB 21)	Obsolete after hospital rules implemented	2019-136 L.O.F. (HB 21)	Repeal TBD	Repeal after hospital rules implemented
59C-1.039	N/A	N/A	N/A	N/A	2019-136 L.O.F. (HB 21)	Obsolete after hospital rules implemented	2019-136 L.O.F. (HB 21)	Repeal TBD	CMR remains in CON purview (because of specialty hospitals remaining as a project subject to review) until July 1, 2021. This rule will need to be repealed if hospital licensure rules have been promulgated

59C-1.040	N/A	N/A	N/A	N/A	2019-136 L.O.F. (HB 21)	Obsolete after hospital rules implemented	2019-136 L.O.F. (HB 21)	Repeal TBD	Psychiatric services remained in CON purview (because of specialty hospitals remaining as a project subject to review) until July 1, 2021. This rule will need to be repealed if hospital licensure rules have been promulgated
59C-1.041	N/A	N/A	N/A	N/A	2019-136 L.O.F. (HB 21)	Obsolete after hospital rules implemented	2019-136 L.O.F. (HB 21)	Repeal TBD	Repeal after hospital rules implemented
59C-1.044	N/A	N/A	N/A	N/A	2019-136 L.O.F. (HB 21)	Obsolete after hospital rules implemented	2019-136 L.O.F. (HB 21)	Repeal TBD	Repeal--rulemaking cannot occur until hospital licensure rules for this service are in place pursuant to Section 19 of HB 21

### MEDICAID RULES

59G-4.190	2023-239, L.O.F SB 2500 GAA (S.A. 207)	Yes	Yes Vol. 49/No. 167	11/1/2023	N/A	To clarify policy by including FFS coverage of rapid whole genome sequencing for enrollees who are 20 years of age or younger; have a complex or acute illness of unknown etiology that has not been caused by environmental exposure, toxic ingestion, an infection with normal response to treatment, or trauma; and are receiving inpatient treatment in a hospital ICU of high-acuity pediatric care unit.	N/A	N/A	N/A
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59G-4.150	2023-239, L.O.F SB 2500 GAA (S.A. 207)	Yes	Yes Vol. 49/No. 167	11/1/2023	N/A	To clarify policy by including FFS coverage of rapid whole genome sequencing for enrollees who are 20 years of age or younger; have a complex or acute illness of unknown etiology that has not been caused by environmental exposure, toxic ingestion, an infection with normal response to treatment, or trauma; and are receiving inpatient treatment in a hospital ICU of high-acuity pediatric care unit.	N/A	N/A	N/A
59G-4.250	2023-239, L.O.F SB 2500 GAA (S.A. 210) 2023-238, L.O.F HB 967	Yes	N/A	12/1/2023	N/A	To clarify policy including coverage of diabetic supplies/CGMs under the prescription drug benefit.	N/A	N/A	N/A
59G-4.072, 59G-4.073, 59G-4.074, 59G-4.075, 59G-4.076, 59G-4.077	2023-239, L.O.F SB 2500 GAA (S.A. 210) 2023-238, L.O.F HB 967	Yes	Yes Vol. 49/No.168	11/15/2023	N/A	Create six DME policies based upon service category groupings to clarify DME policy and remove coverage of diabetic supplies/CGMs.	N/A	N/A	N/A
59G-4.070	2023-239, L.O.F SB 2500 GAA (S.A. 210) 2023-238, L.O.F HB 967	Yes Rule Repeal	N/A	11/15/2023	N/A	Rule repeal to delete obsolete rule.	N/A	N/A	N/A

59G-4.002	2023-239, L.O.F SB 2500 GAA (S.A. 210) 2023-238, L.O.F HB 967 and 2023-239, L.O.F. SB 2500 GAA (S.A. 207)	Yes	N/A	1/30/2024	N/A	Update applicable fee schedules to comply with DME, prescribed drugs, and laboratory services policy changes.	N/A	N/A	N/A
59G-4.130	2023-183, L.O.F. HB 391	Yes, in consultation with DOH Board of Nursing	N/A	1/30/2024	N/A	Requires Agency in consultation with DOH Board of Nursing, to approve home health aide for medically fragile children training, standards, requirements, etc. To increase the efficiency of the health care provider workforce for medically fragile children by training family caregivers as home health aides and to authorize persons to provide trained nursing services as delegated by a registered nurse to eligible relatives.	N/A	N/A	N/A

59G-4.251	2023-29, L.O.F. SB 1550	Yes	N/A	1/15/2024	N/A	To increase transparency of drug price increases by manufacturers (compiled by DBPR-Interagency Agreement required) and provided to the AHCA Office of Data Dissemination and Transparency to post on Agency website	N/A	N/A	N/A
59G-1.060	2310-243, L.O.F. SB 2510 Lines 633-642	Yes	N/A	12/15/2023	N/A	Medicaid must distinguish private duty nursing services and attendant nursing care services provided through a home health agency, so that HHAs not providing Medicaid-skilled home health services do not have to meet the requirements of Medicare certification; thus reducing regulation and regulatory costs.	N/A	N/A	N/A