

This piece was originally published in the Wall Street Journal.

march 31, 2020

# Florida's Pioneering Medical Reforms

*Other states should repeal rules they've temporarily relaxed to deal with the coronavirus epidemic*

Sal Nuzzo & Vittorio Nastasi

**T**he Covid-19 epidemic is putting new strains on the U.S. health-care system. Many states are struggling with shortages of ventilators and personal protective equipment. But the shortfalls aren't limited to hardware. According to the Association of American Medical Colleges, the U.S. will face a shortage of as many as 122,000 physicians by 2032.

We recently published a study outlining state-level reforms to address the shortage, many of which one state—Florida—has already adopted. Other states are beginning to recognize the benefits of these reforms and are adopting measures to implement them temporarily.

Thirty-five states and the District of Columbia have certificate-of-need laws, which require clinics and hospitals to complete a lengthy and burdensome

approval process before adding new facilities and services. Florida repealed most of its certificate-of-need requirements last year. Within weeks, three hospitals that had previously had their expansion plans stymied announced immediate plans for new transplant services. Two other hospitals indicated that they would also expand in the near future. North Carolina and others are suspending laws that prevent hospitals from expanding their number of beds.

Even if states repeal certificate-of-need laws, medical facilities are likely to be overwhelmed by the surge of Covid-19 patients. Telemedicine can alleviate some of this strain by allowing for remote treatment. As infections approach their peak, technology will be essential to providing care for at-risk populations—like the elderly and immunocompromised—while keeping

health-care workers safe. It will also enable patients experiencing less severe symptoms to seek medical advice without spreading the virus.

The U.S. Department of Health and Human Services recently issued temporary licensure waivers that allow Medicare patients to receive telemedicine services from out-of-state providers. Federal authorities are also taking temporary measures to allow telehealth providers to communicate with patients through popular platforms like FaceTime, Facebook Messenger and Skype.

Last year, Florida enacted substantial reforms to facilitate the adoption of telemedicine. These included a registration process allowing professionals in other states to provide telemedicine services without obtaining an additional license to practice in Florida—a requirement that elsewhere has hindered widespread adoption of telehealth. Other states should follow Florida's lead. All states, including Florida, should go a step further by simply recognizing medical licenses from other states without imposing an additional registration process.

Most recently, Florida passed comprehensive scope-of-practice reform for advanced practice registered nurses,

physician assistants and pharmacists. Scope of practice refers to the range of services a medical professional is permitted to provide. In most states, advanced practice registered nurses and physician assistants aren't allowed to do everything they've been trained to do and are required to work under the supervision of physicians. Pharmacists in most states are allowed to administer flu vaccines but can't test patients for common illnesses.

Florida's recent reforms are expanding the range of services that advanced practice professionals may provide and eliminating direct-supervision requirements. Pharmacists in Florida will be able to test for common illnesses like strep throat and the flu. Other states should follow suit to lend greater flexibility to health-care providers and allow physicians to focus on caring for the patients in greatest need.

While most states are adopting these reforms temporarily in response to the coronavirus crisis, there is no reason they shouldn't consider permanently rolling back unnecessary regulations that limit access to care.

*Mr. Nuzzo is vice president of policy at the James Madison Institute. Mr. Nastasi is a policy analyst at the Reason Foundation.*