

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

HB 441 — Regulation of Health Care Facilities and Services

by Rep. R. Rodrigues and others (CS/SB 816 by Fiscal Policy Committee and Senator Grimsley)

The bill (Chapter 2015-33, L.O.F.) amends s. 400.474, F.S., to eliminate the requirement for a home health agency (HHA) to provide a quarterly report to the Agency for Health Care Administration (AHCA) which details:

- The number of insulin-dependent diabetic patients receiving insulin injection services;
- The number of patients receiving both home health services from the HHA and a hospice services;
- The number of patients receiving HHA services; and
- The name and license number of nurses whose primary job responsibility is to provide home health services to patients and who received remuneration from the HHA in excess of \$25,000 during the quarter.

In place of the quarterly report, a HHA, when renewing its license biennially, is required to submit to the AHCA the number of patients who received home health services from the HHA on the day that the licensure renewal application is filed.

The bill also amends s. 408.036, F.S., to create a new exemption from the certificate of need (CON) process for applicants for initial licensure as health care facilities who:

- Were licensed as a health care facility within the past 21 days and which required an initial CON;
- Failed to submit a renewal application and whose license expired on or after January 1, 2015;
- Do not have a license denial or revocation action pending;
- Are applying for licensure as the same service type; in the same district, service area, and site; and for the same number of beds, if applicable, as the expired license;
- Agree to the same conditions previously imposed on the initial CON; and
- Applies for a new license within 21 days after the exemption request is approved.

An exemption granted under these provisions expires on the 22nd day after the exemption is approved. A health care facility whose license expired between January 1, 2015, and the effective date of the act may apply for the exemption, notwithstanding the 21 day time limit from the time when the health care facility's license expired, if such health care facility applies for the exemption within 30 days of the act becoming law.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-0; House 106-0