

By Representative Gay

1 A bill to be entitled
2 An act relating to health care; amending s.
3 395.7015, F.S.; providing a credit against the
4 assessment on certain health care entities for
5 freestanding radiation therapy centers treating
6 medically indigent or Medicaid patients for
7 cancer; providing for calculation of the value
8 of the credit; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (2) of section 395.7015, Florida
13 Statutes, is amended to read:

14 395.7015 Annual assessment on health care entities.--

15 (2) There is hereby imposed an annual assessment
16 against certain health care entities as described in this
17 section:

18 (a) The assessment shall be equal to 1.5 percent of
19 the annual net operating revenues of health care entities.

20 1. The first assessment shall be due on April 30,
21 1992, and the second on April 30, 1993, and each shall be
22 based on the appropriate reports filed with the agency no
23 later than March 31 of the year the assessment is due. By
24 January 1, 1992, the health care entity shall make a one-time
25 election to base the assessments on net operating revenue
26 received in the health care entity's latest fiscal year ending
27 on or before December 31, 1991, or December 31, 1992,
28 respectively, or in the 12-month period ending March 31 of the
29 year the assessment is due. The assessment shall be payable
30 to and collected by the agency.

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1 2. Beginning July 1, 1993, assessments shall be based
2 on annual net operating revenues for the entity's most
3 recently completed fiscal year as provided in subsection (3).

4 (b) For the purpose of this section, "health care
5 entities" include the following:

6 1. Ambulatory surgical centers licensed under s.
7 395.003.

8 2. Clinical laboratories licensed under s. 483.091,
9 excluding any hospital laboratory defined under s. 483.041(5),
10 any clinical laboratory operated by the state or a political
11 subdivision of the state, any clinical laboratory which
12 qualifies as an exempt organization under s. 501(c)(3) of the
13 Internal Revenue Code of 1986, as amended, and which receives
14 70 percent or more of its gross revenues from services to
15 charity patients or Medicaid patients, and any blood, plasma,
16 or tissue bank procuring, storing, or distributing blood,
17 plasma, or tissue either for future manufacture or research or
18 distributed on a nonprofit basis, and further excluding any
19 clinical laboratory which is wholly owned and operated by 6 or
20 fewer physicians who are licensed pursuant to chapter 458 or
21 chapter 459 and who practice in the same group practice, and
22 at which no clinical laboratory work is performed for patients
23 referred by any health care provider who is not a member of
24 the same group.

25 3. Freestanding radiation therapy centers providing
26 treatment through the use of radiation therapy machines that
27 are registered under s. 404.22 and rules 10D-91.902,
28 10D-91.903, and 10D-91.904 of the Florida Administrative Code.
29 However, a freestanding radiation therapy center that treats
30 cancer patients who are medically indigent and accepts
31 Medicaid patients for cancer treatment shall be given a credit

1 against the amount of the assessment due under this section.
2 The value of this credit shall be an amount equal to the total
3 dollar value of the uncompensated care given by the radiation
4 therapy center in the most recently completed fiscal year.
5 The value of the uncompensated care shall be calculated using
6 Medicare reimbursement rates.

7 4. Diagnostic-imaging centers that are freestanding
8 outpatient facilities that provide specialized services for
9 the identification or determination of a disease through
10 examination and also provide sophisticated radiological
11 services, and in which services are rendered by a physician
12 licensed by the Board of Medicine under s. 458.311, s.
13 458.313, or s. 458.317, or by an osteopathic physician
14 licensed by the Board of Osteopathic Medicine under s.
15 459.006, s. 459.007, or s. 459.0075. For purposes of this
16 paragraph, "sophisticated radiological services" means the
17 following: magnetic resonance imaging; nuclear medicine;
18 angiography; arteriography; computed tomography; positron
19 emission tomography; digital vascular imaging; bronchography;
20 lymphangiography; splenography; ultrasound, excluding
21 ultrasound providers that are part of a private physician's
22 office practice or when ultrasound is provided by two or more
23 physicians licensed under chapter 458 or chapter 459 who are
24 members of the same professional association and who practice
25 in the same medical specialties; and such other sophisticated
26 radiological services, excluding mammography, as adopted in
27 rule by the board.

28 Section 2. This act shall take effect upon becoming a
29 law.

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HOUSE SUMMARY

Provides a credit against the assessment on certain health care entities for freestanding radiation therapy centers that treat medically indigent or Medicaid patients for cancer. Provides that the amount of the credit is the total dollar value of uncompensated care for the fiscal year, calculated using Medicare reimbursement rates.