

By the Committee on Health Care Standards & Regulatory Reform and Representative Gay

1                                   A bill to be entitled  
2           An act relating to health care; amending s.  
3           395.701, F.S.; exempting outpatient radiation  
4           therapy services provided by certain hospitals  
5           from the annual assessment on net operating  
6           revenues of such hospitals; amending s.  
7           395.7015, F.S.; removing freestanding radiation  
8           therapy centers from the annual assessment on  
9           net operating revenues of certain health care  
10          entities; providing an effective date.  
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12   Be It Enacted by the Legislature of the State of Florida:  
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14          Section 1. Subsection (6) is added to section 395.701,  
15   Florida Statutes, to read:  
16          395.701 Annual assessments on net operating revenues  
17   to fund public medical assistance; administrative fines for  
18   failure to pay assessments when due; exemption.--  
19          (6) Outpatient radiation therapy services provided by  
20   hospitals subject to this section are exempt from the  
21   provisions of this section.  
22          Section 2. Subsection (2) of section 395.7015, Florida  
23   Statutes, is amended to read:  
24          395.7015 Annual assessment on health care entities.--  
25          (2) There is hereby imposed an annual assessment  
26   against certain health care entities as described in this  
27   section:  
28          (a) The assessment shall be equal to 1.5 percent of  
29   the annual net operating revenues of health care entities.  
30          1. The first assessment shall be due on April 30,  
31   1992, and the second on April 30, 1993, and each shall be

1 based on the appropriate reports filed with the agency no  
2 later than March 31 of the year the assessment is due. By  
3 January 1, 1992, the health care entity shall make a one-time  
4 election to base the assessments on net operating revenue  
5 received in the health care entity's latest fiscal year ending  
6 on or before December 31, 1991, or December 31, 1992,  
7 respectively, or in the 12-month period ending March 31 of the  
8 year the assessment is due. The assessment shall be payable  
9 to and collected by the agency.

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

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

15 1. Ambulatory surgical centers licensed under s.  
16 395.003.

17 2. Clinical laboratories licensed under s. 483.091,  
18 excluding any hospital laboratory defined under s. 483.041(5),  
19 any clinical laboratory operated by the state or a political  
20 subdivision of the state, any clinical laboratory which  
21 qualifies as an exempt organization under s. 501(c)(3) of the  
22 Internal Revenue Code of 1986, as amended, and which receives  
23 70 percent or more of its gross revenues from services to  
24 charity patients or Medicaid patients, and any blood, plasma,  
25 or tissue bank procuring, storing, or distributing blood,  
26 plasma, or tissue either for future manufacture or research or  
27 distributed on a nonprofit basis, and further excluding any  
28 clinical laboratory which is wholly owned and operated by 6 or  
29 fewer physicians who are licensed pursuant to chapter 458 or  
30 chapter 459 and who practice in the same group practice, and  
31 at which no clinical laboratory work is performed for patients

1 referred by any health care provider who is not a member of  
2 the same group.

3 ~~3. Freestanding radiation therapy centers providing~~  
4 ~~treatment through the use of radiation therapy machines that~~  
5 ~~are registered under s. 404.22 and rules 10D-91.902,~~  
6 ~~10D-91.903, and 10D-91.904 of the Florida Administrative Code.~~

7 3.4. 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 3. This act shall take effect upon becoming a  
29 law.

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