

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.--

19 Section 2. Subsection (2) of section 395.7015, Florida
20 Statutes, is amended to read:

21 395.7015 Annual assessment on health care entities.--

22 (2) There is hereby imposed an annual assessment
23 against certain health care entities as described in this
24 section:

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

27 1. The first assessment shall be due on April 30,
28 1992, and the second on April 30, 1993, and each shall be
29 based on the appropriate reports filed with the agency no
30 later than March 31 of the year the assessment is due. By
31 January 1, 1992, the health care entity shall make a one-time

1 election to base the assessments on net operating revenue
2 received in the health care entity's latest fiscal year ending
3 on or before December 31, 1991, or December 31, 1992,
4 respectively, or in the 12-month period ending March 31 of the
5 year the assessment is due. The assessment shall be payable
6 to and collected by the agency.

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

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

12 1. Ambulatory surgical centers licensed under s.
13 395.003.

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

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

5 3.4. Diagnostic-imaging centers that are freestanding
6 outpatient facilities that provide specialized services for
7 the identification or determination of a disease through
8 examination and also provide sophisticated radiological
9 services, and in which services are rendered by a physician
10 licensed by the Board of Medicine under s. 458.311, s.
11 458.313, or s. 458.317, or by an osteopathic physician
12 licensed by the Board of Osteopathic Medicine under s.
13 459.006, s. 459.007, or s. 459.0075. For purposes of this
14 paragraph, "sophisticated radiological services" means the
15 following: magnetic resonance imaging; nuclear medicine;
16 angiography; arteriography; computed tomography; positron
17 emission tomography; digital vascular imaging; bronchography;
18 lymphangiography; splenography; ultrasound, excluding
19 ultrasound providers that are part of a private physician's
20 office practice or when ultrasound is provided by two or more
21 physicians licensed under chapter 458 or chapter 459 who are
22 members of the same professional association and who practice
23 in the same medical specialties; and such other sophisticated
24 radiological services, excluding mammography, as adopted in
25 rule by the board.

26 Section 3. There is hereby appropriated \$1,040,000
27 from General Revenue Fund to the Agency for Health
28 Administration to implement this act.

29 Section 4. This act shall take effect July 1, 1998.
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