

Bill No. CS/HB 475, 1st Eng.

Amendment No. Barcode 492712

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Silver moved the following amendment:

Senate Amendment (with title amendment)

On page 39, between lines 6 and 7,

insert:

Section 28. Paragraph (e) of subsection (5) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.--It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

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1 (5) COUNTY PUBLIC HOSPITAL SURTAX.--Any county as
2 defined in s. 125.011(1) may levy the surtax authorized in
3 this subsection pursuant to an ordinance either approved by
4 extraordinary vote of the county commission or conditioned to
5 take effect only upon approval by a majority vote of the
6 electors of the county voting in a referendum. In a county as
7 defined in s. 125.011(1), for the purposes of this subsection,
8 "county public general hospital" means a general hospital as
9 defined in s. 395.002 which is owned, operated, maintained, or
10 governed by the county or its agency, authority, or public
11 health trust.

12 (e) The Public Health Trust, created by the county
13 commission, shall adopt and implement a health care plan for
14 indigent health care services for a period of one year
15 beginning July 1, 2001.~~A governing board, agency, or~~
16 ~~authority shall be chartered by the county commission upon~~
17 ~~this act becoming law. The governing board, agency, or~~
18 ~~authority shall adopt and implement a health care plan for~~
19 ~~indigent health care services. The governing board, agency,~~
20 ~~or authority shall consist of no more than seven and no fewer~~
21 ~~than five members appointed by the county commission. The~~
22 ~~members of the governing board, agency, or authority shall be~~
23 ~~at least 18 years of age and residents of the county. No~~
24 ~~member may be employed by or affiliated with a health care~~
25 ~~provider or the public health trust, agency, or authority~~
26 ~~responsible for the county public general hospital. The~~
27 ~~following community organizations shall each appoint a~~
28 ~~representative to a nominating committee: the South Florida~~
29 ~~Hospital and Healthcare Association, the Miami-Dade County~~
30 ~~Public Health Trust, the Dade County Medical Association, the~~
31 ~~Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade~~

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1 ~~County. This committee shall nominate between 10 and 14~~
2 ~~county citizens for the governing board, agency, or authority.~~
3 ~~The slate shall be presented to the county commission and the~~
4 ~~county commission shall confirm the top five to seven~~
5 ~~nominees, depending on the size of the governing board. Until~~
6 ~~such time as the governing board, agency, or authority is~~
7 ~~created, the funds provided for in subparagraph (d)2. shall be~~
8 ~~placed in a restricted account set aside from other county~~
9 ~~funds and not disbursed by the county for any other purpose.~~

10 1. The plan shall divide the county into a minimum of
11 four and maximum of six service areas, with no more than one
12 participant hospital per service area. The county public
13 general hospital shall be designated as the provider for one
14 of the service areas. Services shall be provided through
15 participants' primary acute care facilities.

16 2. The plan and subsequent amendments to it shall fund
17 a defined range of health care services for both indigent
18 persons and the medically poor, including primary care,
19 preventive care, hospital emergency room care, and hospital
20 care necessary to stabilize the patient. For the purposes of
21 this section, "stabilization" means stabilization as defined
22 in s. 397.311(30). Where consistent with these objectives, the
23 plan may include services rendered by physicians, clinics,
24 community hospitals, and alternative delivery sites, as well
25 as at least one regional referral hospital per service area.
26 The plan shall provide that agreements negotiated between the
27 Public Health Trust ~~governing board, agency, or authority~~ and
28 providers shall recognize hospitals that render a
29 disproportionate share of indigent care, provide other
30 incentives to promote the delivery of charity care to draw
31 down federal funds where appropriate, and require cost

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1 containment, including, but not limited to, case management.
2 From the funds specified in subparagraphs (d)1. and 2. for
3 indigent health care services, service providers shall receive
4 reimbursement at a Medicaid rate to be determined by The
5 Public Health Trust ~~the governing board, agency or authority~~
6 ~~created pursuant to this paragraph~~ for the initial emergency
7 room visit, and a per-member per-month fee or capitation for
8 those members enrolled in their service area, as compensation
9 for the services rendered following the initial emergency
10 visit. Except for provisions of emergency services, upon
11 determination of eligibility, enrollment shall be deemed to
12 have occurred at the time services were rendered. The
13 provisions for specific reimbursement of emergency services
14 shall be repealed on July 1, 2001, unless otherwise reenacted
15 by the Legislature. The capitation amount or rate shall be
16 determined prior to program implementation by an independent
17 actuarial consultant. In no event shall such reimbursement
18 rates exceed the Medicaid rate. The plan must also provide
19 that any hospitals owned and operated by government entities
20 on or after the effective date of this act must, as a
21 condition of receiving funds under this subsection, afford
22 public access equal to that provided under s. 286.011 as to
23 any meeting of the governing board, agency, or authority the
24 subject of which is budgeting resources for the retention of
25 charity care, as that term is defined in the rules of the
26 Agency for Health Care Administration. The plan shall also
27 include innovative health care programs that provide
28 cost-effective alternatives to traditional methods of service
29 and delivery funding.

30 3. The plan's benefits shall be made available to all
31 county residents currently eligible to receive health care

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1 services as indigents or medically poor as defined in
2 paragraph (4)(d).

3 4. Eligible residents who participate in the health
4 care plan shall receive coverage for a period of 12 months or
5 the period extending from the time of enrollment to the end of
6 the current fiscal year, per enrollment period, whichever is
7 less.

8 5. At the end of each fiscal year, the Public Health
9 Trust ~~governing board, agency, or Authority~~ shall prepare an
10 audit that reviews the budget of the plan, delivery of
11 services, and quality of services, and makes recommendations
12 to increase the plan's efficiency. The audit shall take into
13 account participant hospital satisfaction with the plan and
14 assess the amount of poststabilization patient transfers
15 requested, and accepted or denied, by the county public
16 general hospital.

17 Section 29. Section 11 of chapter 2000-312, Laws of
18 Florida, is amended to read:

19 Section 11. The provisions of this act shall be
20 reviewed by the Legislature prior to October 1, 2006 ~~2005~~, and
21 shall be repealed on that date unless otherwise reenacted by
22 the Legislature.

23
24 (Redesignate subsequent sections.)

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26

27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 On page 3, line 20

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31 after the semicolon, insert:

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amending s. 212.055, F.S.; revising provisions relating to the county public hospital surtax; revising procedures and requirements for adoption and implementation of the health care plan for indigent health care services; amending s. 11 of ch. 2000-312, Laws of Florida; postponing future review and repeal of said provisions;