

By Senators Cowin, Smith and Sullivan

11-435A-01

1 A bill to be entitled
2 An act relating to certificates of need;
3 amending s. 408.039, F.S.; allowing hospitals
4 that have organ transplantation programs to
5 intervene in certificate of need proceedings
6 for such programs within the same service
7 planning area; providing an effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Present paragraph (e) of subsection (5) of
12 section 408.039, Florida Statutes, is redesignated as
13 paragraph (f), and a new paragraph (e) is added to that
14 subsection to read:

15 408.039 Review process.--The review process for
16 certificates of need shall be as follows:

17 (5) ADMINISTRATIVE HEARINGS.--

18 (e) A hospital may initiate or intervene in an
19 administrative proceeding involving the issuance or denial of
20 a certificate of need for an organ transplantation program
21 upon a showing that an established organ transplantation
22 program at the hospital will be substantially affected by the
23 issuance of the certificate of need to a competing program or
24 facility within the same service planning area delineated
25 under rules adopted by the agency.

26 Section 2. This act shall take effect July 1, 2001.

27
28 *****

29 SENATE SUMMARY

30 Allows hospitals that have organ transplantation programs
31 to intervene in certificate of need proceedings for such
 programs within the same service planning area.