

Bill No. CS for CS for SB 1252

Amendment No. \_\_\_\_ Barcode 520542

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following **amendment to amendment**  
(435458):

**Senate Amendment**

On page 16, between lines 6 and 7,

insert:

(y)1. For the provision of adult open-heart services  
in a hospital located within the boundaries of Palm Beach,  
Polk, Martin, St. Lucie, and Indian River Counties if the  
following conditions are met: The exemption must be based upon  
objective criteria and address and solve the twin problems of  
geographic and temporal access. A hospital shall be exempt  
from the certificate-of-need review for the establishment of  
an open-heart-surgery program when the application for  
exemption submitted under this paragraph complies with the  
following criteria:

a. The applicant must certify that it will meet and  
continuously maintain the minimum licensure requirements  
adopted by the agency governing adult open-heart programs,  
including the most current guidelines of the American College

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1 of Cardiology and American Heart Association Guidelines for  
2 Adult Open Heart Programs.

3 b. The applicant must certify that it will maintain  
4 sufficient appropriate equipment and health personnel to  
5 ensure quality and safety.

6 c. The applicant must certify that it will maintain  
7 appropriate times of operation and protocols to ensure  
8 availability and appropriate referrals in the event of  
9 emergencies.

10 d. The applicant can demonstrate that it is referring  
11 300 or more patients per year from the hospital, including the  
12 emergency room, for cardiac services at a hospital with  
13 cardiac services, or that the average wait for transfer for 50  
14 percent or more of the cardiac patients exceeds 4 hours.

15 e. The applicant is a general acute care hospital that  
16 is in operation for 3 years or more.

17 f. The applicant is performing more than 300  
18 diagnostic cardiac catheterization procedures per year,  
19 combined inpatient and outpatient.

20 g. The applicant's payor mix at a minimum reflects the  
21 community average for Medicaid, charity care, and self-pay  
22 patients or the applicant must certify that it will provide a  
23 minimum of 5 percent of Medicaid, charity care, and self-pay  
24 to open-heart-surgery patients.

25 h. If the applicant fails to meet the established  
26 criteria for open-heart programs or fails to reach 300  
27 surgeries per year by the end of its third year of operation,  
28 it must show cause why its exemption should not be revoked.

29 2. By December 31, 2004, and annually thereafter, the  
30 Agency for Health Care Administration shall submit a report to  
31 the Legislature providing information concerning the number of

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1 requests for exemption received under this paragraph and the  
2 number of exemptions granted or denied.

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