

By Senator Wise

5-691-03

1 A bill to be entitled
2 An act relating to governmental reorganization;
3 abolishing the Agency for Health Care
4 Administration and transferring the duties and
5 responsibilities of the Agency for Health Care
6 Administration to the Department of Health;
7 repealing s. 20.42, F.S., relating to the
8 Agency for Health Care Administration; amending
9 s. 20.425, F.S.; redesignating the Agency for
10 Health Care Administration Tobacco Settlement
11 Trust Fund as the Department of Health Tobacco
12 Settlement Trust Fund; amending s. 20.43, F.S.;
13 revising provisions governing the duties and
14 responsibilities of the Department of Health to
15 conform to the reorganization; requiring the
16 Secretary of Health to report recommendations
17 to the Governor and the Legislature for
18 implementing the reorganization; directing the
19 Division of Statutory Revision of the Office of
20 Legislative Services to prepare a reviser's
21 bill conforming the Florida Statutes to the
22 changes made by the act; providing an effective
23 date.

24

25 Be It Enacted by the Legislature of the State of Florida:

26

27 Section 1. The Agency for Health Care Administration
28 is transferred to the Department of Health by a type two
29 transfer as provided in section 20.06(2), Florida Statutes.

30

31 Section 2. The Agency for Health Care Administration
is abolished.

1 Section 3. Section 20.42, Florida Statutes, is
2 repealed.

3 Section 4. Section 20.425, Florida Statutes, is
4 amended to read:

5 20.425 Department of ~~Agency for~~ Health Care
6 ~~Administration~~ Tobacco Settlement Trust Fund.--

7 (1) The Department of ~~Agency for~~ Health Care
8 ~~Administration~~ Tobacco Settlement Trust Fund is created within
9 the department ~~agency~~. Funds to be credited to the trust fund
10 shall consist of funds disbursed, by nonoperating transfer,
11 from the Department of Banking and Finance Tobacco Settlement
12 Clearing Trust Fund in amounts equal to the annual
13 appropriations made from this trust fund.

14 (2) Notwithstanding the provisions of s. 216.301 and
15 pursuant to s. 216.351, any unencumbered balance in the trust
16 fund at the end of any fiscal year and any encumbered balance
17 remaining undisbursed on December 31 of the same calendar year
18 shall revert to the Department of Banking and Finance Tobacco
19 Settlement Clearing Trust Fund.

20 Section 5. Subsections (1) and (3) of section 20.43,
21 Florida Statutes, are amended to read:

22 20.43 Department of Health.--There is created a
23 Department of Health.

24 (1) The purpose of the Department of Health is to
25 promote and protect the health of all residents and visitors
26 in the state through organized state and community efforts,
27 including cooperative agreements with counties. The department
28 shall be the chief health policy and planning entity for the
29 state. The department is responsible for health facility
30 licensure, inspection, and regulatory enforcement;
31 investigation of consumer complaints related to health care

1 facilities and managed care plans; the implementation of the
2 certificate-of-need program; the operation of the State Center
3 for Health Statistics; the administration of the Medicaid
4 program; the administration of the contracts with the Florida
5 Healthy Kids Corporation; the certification of health
6 maintenance organizations and prepaid health clinics as set
7 forth in part III of chapter 641; and any other duties
8 prescribed by law.The department shall:

9 (a) Prevent to the fullest extent possible, the
10 occurrence and progression of communicable and noncommunicable
11 diseases and disabilities.

12 (b) Maintain a constant surveillance of disease
13 occurrence and accumulate health statistics necessary to
14 establish disease trends and to design health programs.

15 (c) Conduct special studies of the causes of diseases
16 and formulate preventive strategies.

17 (d) Promote the maintenance and improvement of the
18 environment as it affects public health.

19 (e) Promote the maintenance and improvement of health
20 in the residents of the state.

21 (f) Provide leadership, in cooperation with the public
22 and private sectors, in establishing statewide and community
23 public health delivery systems.

24 (g) Provide health care and early intervention
25 services to infants, toddlers, children, adolescents, and
26 high-risk perinatal patients who are at risk for disabling
27 conditions or have chronic illnesses.

28 (h) Provide services to abused and neglected children
29 through child protection teams and sexual abuse treatment
30 programs.

31

1 (i) Develop working associations with all agencies and
2 organizations involved and interested in health and health
3 care delivery.

4 (j) Analyze trends in the evolution of health systems,
5 and identify and promote the use of innovative, cost-effective
6 health delivery systems.

7 (k) Serve as the statewide repository of all aggregate
8 data accumulated by state agencies related to health care;
9 analyze that data and issue periodic reports and policy
10 statements, as appropriate; require that all aggregated data
11 be kept in a manner that promotes easy utilization by the
12 public, state agencies, and all other interested parties;
13 provide technical assistance as required; and work
14 cooperatively with the state's higher education programs to
15 promote further study and analysis of health care systems and
16 health care outcomes.

17 (l) Include in the department's strategic plan
18 developed under s. 186.021 an assessment of current health
19 programs, systems, and costs; projections of future problems
20 and opportunities; and recommended changes that are needed in
21 the health care system to improve the public health.

22 (m) Regulate health practitioners, to the extent
23 authorized by the Legislature, as necessary for the
24 preservation of the health, safety, and welfare of the public.

25 (3) The following divisions of the Department of
26 Health are established:

27 (a) Division of Administration.

28 (b) Division of Environmental Health.

29 (c) Division of Disease Control.

30 (d) Division of Family Health Services.

31 (e) Division of Children's Medical Services Network.

1 (f) Division of Emergency Medical Services and
2 Community Health Resources.

3 (g) Division of Medical Quality Assurance, which is
4 responsible for the following boards and professions
5 established within the division:

6 1. The Board of Acupuncture, created under chapter
7 457.

8 2. The Board of Medicine, created under chapter 458.

9 3. The Board of Osteopathic Medicine, created under
10 chapter 459.

11 4. The Board of Chiropractic Medicine, created under
12 chapter 460.

13 5. The Board of Podiatric Medicine, created under
14 chapter 461.

15 6. Naturopathy, as provided under chapter 462.

16 7. The Board of Optometry, created under chapter 463.

17 8. The Board of Nursing, created under part I of
18 chapter 464.

19 9. Nursing assistants, as provided under part II of
20 chapter 464.

21 10. The Board of Pharmacy, created under chapter 465.

22 11. The Board of Dentistry, created under chapter 466.

23 12. Midwifery, as provided under chapter 467.

24 13. The Board of Speech-Language Pathology and
25 Audiology, created under part I of chapter 468.

26 14. The Board of Nursing Home Administrators, created
27 under part II of chapter 468.

28 15. The Board of Occupational Therapy, created under
29 part III of chapter 468.

30 16. Respiratory therapy, as provided under part V of
31 chapter 468.

- 1 17. Dietetics and nutrition practice, as provided
2 under part X of chapter 468.
- 3 18. The Board of Athletic Training, created under part
4 XIII of chapter 468.
- 5 19. The Board of Orthotists and Prosthetists, created
6 under part XIV of chapter 468.
- 7 20. Electrolysis, as provided under chapter 478.
- 8 21. The Board of Massage Therapy, created under
9 chapter 480.
- 10 22. The Board of Clinical Laboratory Personnel,
11 created under part III of chapter 483.
- 12 23. Medical physicists, as provided under part IV of
13 chapter 483.
- 14 24. The Board of Opticianry, created under part I of
15 chapter 484.
- 16 25. The Board of Hearing Aid Specialists, created
17 under part II of chapter 484.
- 18 26. The Board of Physical Therapy Practice, created
19 under chapter 486.
- 20 27. The Board of Psychology, created under chapter
21 490.
- 22 28. School psychologists, as provided under chapter
23 490.
- 24 29. The Board of Clinical Social Work, Marriage and
25 Family Therapy, and Mental Health Counseling, created under
26 chapter 491.
- 27 (h) Division of Children's Medical Services Prevention
28 and Intervention.
- 29 (i) Division of Information Resource Management.
- 30 (j) Division of Health Awareness and Tobacco.
- 31 (k) Division of Health Care Administration.

