

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Garcia offered the following:

**Amendment (with title amendment)**

On page 1, line 19, through page 3, line 11,  
remove: all of said lines

and insert:

(t)1. For the provision of adult open-heart services in a hospital located within the boundaries of Palm Beach, Polk, Martin, St. Lucie, or Indian River Counties or in a municipality with a population of more than 240,000 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

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27 submitted under this paragraph complies with the following  
28 criteria:

29 a. The applicant must certify that it will meet and  
30 continuously maintain the minimum licensure requirements adopted  
31 by the agency governing adult open-heart programs, including the  
32 most current guidelines of the American College of Cardiology  
33 and American Heart Association Guidelines for Adult Open Heart  
34 Programs.

35 b. The applicant must certify that it will maintain  
36 sufficient appropriate equipment and health personnel to ensure  
37 quality and safety.

38 c. The applicant must certify that it will maintain  
39 appropriate times of operation and protocols to ensure  
40 availability and appropriate referrals in the event of  
41 emergencies.

42 d. The applicant can demonstrate that it is referring 300  
43 or more patients per year from the hospital, including the  
44 emergency room, for cardiac services at a hospital with cardiac  
45 services, or that the average wait for transfer for 50 percent  
46 or more of the cardiac patients exceeds 4 hours.

47 e. The applicant is a general acute care hospital that has  
48 been in operation for 3 years or more.

49 f. The applicant is performing more than 300 diagnostic  
50 cardiac catheterization procedures per year, combined inpatient  
51 and outpatient.

52 g. The applicant's payor mix at a minimum reflects the  
53 community average for Medicaid, charity care, and self-pay  
54 patients or the applicant must certify that it will provide a

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55 minimum of 5 percent of Medicaid, charity care, and self-pay to  
56 open-heart-surgery patients.

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

61 2. By December 31, 2004, and annually thereafter, the  
62 Agency for Health Care Administration shall submit a report to  
63 the Legislature providing information concerning the number of  
64 requests for exemption received under this paragraph and the  
65 number of exemptions granted or denied.

66  
67 ===== T I T L E A M E N D M E N T =====

68 On page 1, line(s) 8-9,

69 remove: all of said lines

70  
71 and insert: to the Legislature; providing an effective date.