

By Senator Wise

5-67-03

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A bill to be entitled
An act relating to hospital licensing and
regulation; defining terms; prohibiting certain
transfers of open-heart surgery services;
providing for a shared open-heart certificate
of need in specified circumstances; providing
an evidentiary presumption; providing a
penalty; providing an effective date.

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

Section 1. Transfer of open-heart surgery services
prohibited; shared certificate of need; penalty for closing
staff or removing services.--

(1) As used in this section, the term:

(a) "Closed-staff hospital" means a hospital in which
the physicians are salaried employees.

(b) "Open-staff hospital" means a hospital in which
physicians in the community can apply for admitting
privileges.

(2) A private interest group or a licensed general
hospital as defined under section 395.002, Florida Statutes,
may not remove open-heart surgery services from a licensed
general hospital that has an open medical staff to a
closed-staff general hospital.

(3) If the situation described in subsection (2)
arises, the Agency for Health Care Administration may allow a
shared open-heart certificate of need between the two licensed
general hospitals to prevent the interruption of open-heart
services at either of the two hospitals.

