

Bill No. CS for CS for SB 574

Amendment No. ____ Barcode 103826

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
		.	
2	05/02/2003	.	
	1/AD/3R	.	
	04:02 PM	.	
3		.	
		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	Senator Constantine moved the following amendment:		
12			
13	Senate Amendment (with title amendment)		
14	On page 5, between lines 7 and 8,		
15			
16	insert:		
17	Section 4. Subsection (2) of section 553.73, Florida		
18	Statutes, is amended to read:		
19	553.73 Florida Building Code.--		
20	(2) The Florida Building Code shall contain provisions		
21	or requirements for public and private buildings, structures,		
22	and facilities relative to structural, mechanical, electrical,		
23	plumbing, energy, and gas systems, existing buildings,		
24	historical buildings, manufactured buildings, elevators,		
25	coastal construction, lodging facilities, food sales and food		
26	service facilities, health care facilities, including assisted		
27	living facilities, adult day care facilities, <u>hospice</u>		
28	<u>residential facilities, inpatient facilities,</u> and facilities		
29	for the control of radiation hazards, public or private		
30	educational facilities, swimming pools, and correctional		
31	facilities and enforcement of and compliance with such		

Bill No. CS for CS for SB 574

Amendment No. ____ Barcode 103826

1 provisions or requirements. Further, the Florida Building Code
2 must provide for uniform implementation of ss. 515.25, 515.27,
3 and 515.29 by including standards and criteria for residential
4 swimming pool barriers, pool covers, latching devices, door
5 and window exit alarms, and other equipment required therein,
6 which are consistent with the intent of s. 515.23. Technical
7 provisions to be contained within the Florida Building Code
8 are restricted to requirements related to the types of
9 materials used and construction methods and standards employed
10 in order to meet criteria specified in the Florida Building
11 Code. Provisions relating to the personnel, supervision or
12 training of personnel, or any other professional qualification
13 requirements relating to contractors or their workforce may
14 not be included within the Florida Building Code, and
15 subsections (4), (5), (6), and (7) are not to be construed to
16 allow the inclusion of such provisions within the Florida
17 Building Code by amendment. This restriction applies to both
18 initial development and amendment of the Florida Building
19 Code.

20 Section 5. The Florida Building Commission may
21 expedite the adoption and implementation of the State Existing
22 Building Code as part of the Florida Building Code pursuant
23 only to the provisions of chapter 120, Florida Statutes. The
24 special update and amendment requirements of section 553.73,
25 Florida Statutes, and the administrative rule requiring
26 additional delay time between adoption and implementation of
27 such code are waived.

28 Section 6. Subsection (1) of section 399.13, Florida
29 Statutes, is amended to read:

30 399.13 Delegation of authority to municipalities or
31 counties.--

Bill No. CS for CS for SB 574

Amendment No. ____ Barcode 103826

1 (1) The department may enter into contracts with
2 municipalities or counties under which such municipalities or
3 counties will issue construction permits and certificates of
4 operation; will provide for inspection of elevators, including
5 temporary operation inspections; and will enforce the
6 applicable provisions of the Florida Building Code, as
7 required by this chapter. The municipality or county may
8 choose to require inspections to be performed by its own
9 inspectors or by private certified elevator inspectors and may
10 assess a reasonable fee for inspections performed by its
11 inspectors. Each contract ~~such agreement~~ shall include a
12 provision that the municipality or county shall maintain for
13 inspection by the department copies of all applications for
14 permits issued, a copy of each inspection report issued, and
15 proper records showing the number of certificates of operation
16 issued; shall include a provision that each required
17 inspection be conducted by a certified elevator inspector; and
18 may include such other provisions as the department deems
19 necessary. The county shall enforce the provisions of the
20 Florida Building Code as it applies to this chapter and may
21 impose fees and assess and collect fines as part of that
22 enforcement. A county or municipality may neither issue nor
23 take disciplinary action against certificates of competency,
24 elevator inspector certifications, elevator technician
25 certifications, or elevator company registrations. However,
26 the department may initiate disciplinary action against such
27 registration or certifications at the request of a county or
28 municipality.

29 Section 7. Subsection (1) of section 400.605, Florida
30 Statutes, is amended to read:

31 400.605 Administration; forms; fees; rules;

Bill No. CS for CS for SB 574

Amendment No. ____ Barcode 103826

1 inspections; fines.--

2 (1) The department, in consultation with the agency,
3 shall by rule establish minimum standards and procedures for a
4 hospice. The rules must include:

5 (a) License application procedures and requirements.

6 (b) The qualifications of professional and ancillary
7 personnel to ensure the provision of appropriate and adequate
8 hospice care.

9 (c) Standards and procedures for the administrative
10 management of a hospice.

11 (d) Standards for hospice services that ensure the
12 provision of quality patient care.

13 (e) Components of a patient plan of care.

14 (f) Procedures relating to the implementation of
15 advanced directives and do-not-resuscitate orders.

16 (g) Procedures for maintaining and ensuring
17 confidentiality of patient records.

18 (h) Standards for hospice care provided in
19 freestanding inpatient facilities that are not otherwise
20 licensed medical facilities and in residential care facilities
21 such as nursing homes, assisted living facilities, adult
22 family care homes, and hospice residential units and
23 facilities.

24 ~~(i) Physical plant standards for hospice residential~~
25 ~~and inpatient facilities and units.~~

26 ~~(i)(j)~~ Components of a comprehensive emergency
27 management plan, developed in consultation with the Department
28 of Health, the Department of Elderly Affairs, and the
29 Department of Community Affairs.

30 ~~(j)(k)~~ Standards and procedures relating to the
31 establishment and activities of a quality assurance and

Bill No. CS for CS for SB 574

Amendment No. ____ Barcode 103826

1 utilization review committee.

2 ~~(k)(1)~~ Components and procedures relating to the
3 collection of patient demographic data and other information
4 on the provision of hospice care in this state.

5 Section 8. Subsection (5) is added to section 1013.45,
6 Florida Statutes, to read:

7 1013.45 Educational facilities contracting and
8 construction techniques.--

9 (5)(a) To assure that the public receives the best
10 value in the provision of public school facilities, local
11 school districts must use life-cycle, cost-analysis as one of
12 the criteria for selecting new, expanded, or reconstructed
13 facilities. Such analysis must consider:

14 1. The annual anticipated energy consumption;

15 2. The structural component's ability to withstand
16 wind and associated debris;

17 3. The structural component's ability to resist wood
18 destroying organisms;

19 4. The perpetual maintenance costs of the facility;

20 5. The structural component's ability to resist fire;

21 and

22 6. The annual insurance costs.

23 (b) In completing such analysis, the school district
24 may rely on information provided by the contractor if such
25 information is based on the best available construction
26 methods and products, as identified by the National Institute
27 of Standards and Technology, the United States Department of
28 Housing and Urban Development, other federal and state
29 agencies, and other technical or professional organizations.

30 Section 9. Section 400.6055, Florida Statutes, is
31 created to read:

Bill No. CS for CS for SB 574

Amendment No. ____ Barcode 103826

1 400.6055 Construction and renovation;
2 requirements.--The requirements for the construction and the
3 renovation of a hospice inpatient facility or unit or a
4 hospice residence must comply with the provisions of chapter
5 553 which pertain to building construction standards,
6 including plumbing, electrical, glass, manufactured buildings,
7 accessibility by physically handicapped persons, and the state
8 minimum building codes.

9 Section 10. The administrative rule of the Florida
10 Building Commission for the type of products for local or
11 statewide use, as authorized by section 553.842, Florida
12 Statutes, shall take effect no earlier than January 1, 2004.
13 The commission shall conduct a review of the costs of
14 operation of this rule and determine the benefits to the
15 health, safety, and welfare of such state approvals. It shall
16 report the results of its cost and benefit analysis together
17 with any recommendations to the 2004 Florida Legislature.
18 Funds may not be expended for optional state approval without
19 determination of a positive cost and benefit of such
20 regulation to the public.

21
22 (Redesignate subsequent sections.)
23
24

25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 1, line 26, after the semicolon,

28
29 insert:

30 amending s. 553.73, F.S.; including hospice
31 facilities in the Florida Building Code;

Bill No. CS for CS for SB 574

Amendment No. ____ Barcode 103826

1 authorizing the commission to expedite adoption
2 and implementation of the existing state
3 building code as part of the Florida Building
4 Code pursuant to limited procedures; allowing
5 the commission to stay enforcement of
6 provisions of the Florida Building Code under
7 certain conditions; amending s. 399.13, F.S.;
8 authorizing counties and municipalities to
9 impose certain fees and fines; amending s.
10 400.605, F.S.; deleting requirements to adopt
11 physical plant standards for a hospice;
12 creating s. 400.6055, F.S.; requiring
13 construction standards for hospice facilities
14 to comply with the Florida Building Code;
15 amending s. 1013.45, F.S.; requiring
16 life-cycle, cost-analysis in selection of
17 public school facilities; delaying the
18 implementation of the administrative rule
19 providing for product approval;

20
21
22
23
24
25
26
27
28
29
30
31