



HB 0777

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A bill to be entitled  
 An act relating to acute care hospitals; amending s.  
 408.043, F.S.; providing for certain acute care hospitals  
 in high growth counties to add additional beds, with the  
 approval of the Agency for Health Care Administration;  
 reenacting s. 395.0191, F.S.; incorporating an amendment  
 by cross reference; providing an effective date.

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

Section 1. Subsection (5) is added to section 408.043,  
 Florida Statutes, to read:

408.043 Special provisions.--

(5) SOLE ACUTE CARE HOSPITALS IN HIGH GROWTH  
 COUNTIES.--Notwithstanding any other provision of law, an acute  
 care hospital licensed under chapter 395 may add up to 180  
 additional beds without agency review if such hospital is  
 located in a county that has experienced at least a 60-percent  
 growth rate since 1990, was under construction on January 1,  
 2002, is the sole acute care hospital in the county, and is the  
 only acute care hospital within a 10-mile radius of the  
 hospital.

Section 2. For the purpose of incorporating the amendment  
 to section 408.043, Florida Statutes, in references thereto,  
 subsection (10) of section 395.0191, Florida Statutes, is  
 reenacted to read:

395.0191 Staff membership and clinical privileges.--

(10) Nothing herein shall be construed by the agency as  
 requiring an applicant for a certificate of need to establish  
 proof of discrimination in the granting of or denial of hospital



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31 staff membership or clinical privileges as a precondition to  
32 obtaining such certificate of need under the provisions of s.  
33 408.043.

34       Section 3. This act shall take effect July 1, 2003.