

HB 1109

2004

1                                   A bill to be entitled  
 2           An act relating to hospice facilities; amending s. 553.73,  
 3           F.S.; including certain hospice facilities in the Florida  
 4           Building Code; amending s. 400.605, F.S.; deleting a  
 5           provision requiring the Department of Elderly Affairs to  
 6           adopt physical plant standards for hospice facilities;  
 7           creating s. 400.6055, F.S.; requiring construction  
 8           standards for certain hospice facilities to comply with  
 9           the Florida Building Code; providing an effective date.

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

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13           Section 1. Subsection (2) of section 553.73, Florida  
 14 Statutes, is amended to read:

15           553.73 Florida Building Code.--

16           (2) The Florida Building Code shall contain provisions or  
 17 requirements for public and private buildings, structures, and  
 18 facilities relative to structural, mechanical, electrical,  
 19 plumbing, energy, and gas systems, existing buildings,  
 20 historical buildings, manufactured buildings, elevators, coastal  
 21 construction, lodging facilities, food sales and food service  
 22 facilities, health care facilities, including assisted living  
 23 facilities, adult day care facilities, hospice residential  
 24 facilities, hospice inpatient facilities, and facilities for the  
 25 control of radiation hazards, public or private educational  
 26 facilities, swimming pools, and correctional facilities and  
 27 enforcement of and compliance with such provisions or  
 28 requirements. Further, the Florida Building Code must provide  
 29 for uniform implementation of ss. 515.25, 515.27, and 515.29 by

HB 1109

2004

30 including standards and criteria for residential swimming pool  
 31 barriers, pool covers, latching devices, door and window exit  
 32 alarms, and other equipment required therein, which are  
 33 consistent with the intent of s. 515.23. Technical provisions to  
 34 be contained within the Florida Building Code are restricted to  
 35 requirements related to the types of materials used and  
 36 construction methods and standards employed in order to meet  
 37 criteria specified in the Florida Building Code. Provisions  
 38 relating to the personnel, supervision or training of personnel,  
 39 or any other professional qualification requirements relating to  
 40 contractors or their workforce may not be included within the  
 41 Florida Building Code, and subsections (4), (5), (6), and (7)  
 42 are not to be construed to allow the inclusion of such  
 43 provisions within the Florida Building Code by amendment. This  
 44 restriction applies to both initial development and amendment of  
 45 the Florida Building Code.

46 Section 2. Subsection (1) of section 400.605, Florida  
 47 Statutes, is amended to read:

48 400.605 Administration; forms; fees; rules; inspections;  
 49 fines.--

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

53 (a) License application procedures and requirements.

54 (b) The qualifications of professional and ancillary  
 55 personnel to ensure the provision of appropriate and adequate  
 56 hospice care.

57 (c) Standards and procedures for the administrative  
 58 management of a hospice.

HB 1109

2004

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

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

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

64 (g) Procedures for maintaining and ensuring  
65 confidentiality of patient records.

66 (h) Standards for hospice care provided in freestanding  
67 inpatient facilities that are not otherwise licensed medical  
68 facilities and in residential care facilities such as nursing  
69 homes, assisted living facilities, adult family care homes, and  
70 hospice residential units and facilities.

71 ~~(i) Physical plant standards for hospice residential and~~  
72 ~~inpatient facilities and units.~~

73 (i)~~(j)~~ Components of a comprehensive emergency management  
74 plan, developed in consultation with the Department of Health,  
75 the Department of Elderly Affairs, and the Department of  
76 Community Affairs.

77 (j)~~(k)~~ Standards and procedures relating to the  
78 establishment and activities of a quality assurance and  
79 utilization review committee.

80 (k)~~(l)~~ Components and procedures relating to the  
81 collection of patient demographic data and other information on  
82 the provision of hospice care in this state.

83 Section 3. Section 400.6055, Florida Statutes, is created  
84 to read:

85 400.6055 Construction and renovation; requirements.--The  
86 requirements for the construction and the renovation of a  
87 hospice inpatient facility or unit or a hospice residence must

HB 1109

2004

88 comply with the provisions of chapter 553 which pertain to  
89 building construction standards, including plumbing, electrical,  
90 glass, manufactured buildings, accessibility by physically  
91 handicapped persons, and the state minimum building codes.

92           Section 4. This act shall take effect July 1, 2004.

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