

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends
2 the following:

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to hospice facilities; amending s. 553.73,
8 F.S.; including certain hospice facilities in the Florida
9 Building Code; amending s. 400.605, F.S.; deleting a
10 provision requiring the Department of Elderly Affairs to
11 adopt physical plant standards for hospice facilities;
12 creating s. 400.6055, F.S.; requiring construction
13 standards for certain hospice facilities to comply with
14 the Florida Building Code; requiring the Agency for Health
15 Care Administration to provide technical assistance to the
16 Florida Building Commission to update the Florida Building
17 Code for hospice facilities; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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

23 553.73 Florida Building Code.--

HB 1109

2004
CS

24 (2) The Florida Building Code shall contain provisions or
25 requirements for public and private buildings, structures, and
26 facilities relative to structural, mechanical, electrical,
27 plumbing, energy, and gas systems, existing buildings,
28 historical buildings, manufactured buildings, elevators, coastal
29 construction, lodging facilities, food sales and food service
30 facilities, health care facilities, including assisted living
31 facilities, adult day care facilities, hospice residential and
32 inpatient facilities and units, and facilities for the control
33 of radiation hazards, public or private educational facilities,
34 swimming pools, and correctional facilities and enforcement of
35 and compliance with such provisions or requirements. Further,
36 the Florida Building Code must provide for uniform
37 implementation of ss. 515.25, 515.27, and 515.29 by including
38 standards and criteria for residential swimming pool barriers,
39 pool covers, latching devices, door and window exit alarms, and
40 other equipment required therein, which are consistent with the
41 intent of s. 515.23. Technical provisions to be contained within
42 the Florida Building Code are restricted to requirements related
43 to the types of materials used and construction methods and
44 standards employed in order to meet criteria specified in the
45 Florida Building Code. Provisions relating to the personnel,
46 supervision or training of personnel, or any other professional
47 qualification requirements relating to contractors or their
48 workforce may not be included within the Florida Building Code,
49 and subsections (4), (5), (6), and (7) are not to be construed
50 to allow the inclusion of such provisions within the Florida

HB 1109

2004
CS

51 Building Code by amendment. This restriction applies to both
52 initial development and amendment of the Florida Building Code.

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

55 400.605 Administration; forms; fees; rules; inspections;
56 fines.--

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

60 (a) License application procedures and requirements.

61 (b) The qualifications of professional and ancillary
62 personnel to ensure the provision of appropriate and adequate
63 hospice care.

64 (c) Standards and procedures for the administrative
65 management of a hospice.

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

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

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

71 (g) Procedures for maintaining and ensuring
72 confidentiality of patient records.

73 (h) Standards for hospice care provided in freestanding
74 inpatient facilities that are not otherwise licensed medical
75 facilities and in residential care facilities such as nursing
76 homes, assisted living facilities, adult family care homes, and
77 hospice residential units and facilities.

HB 1109

2004
CS

78 ~~(i) Physical plant standards for hospice residential and~~
79 ~~inpatient facilities and units.~~

80 (i)(j) Components of a comprehensive emergency management
81 plan, developed in consultation with the Department of Health,
82 the Department of Elderly Affairs, and the Department of
83 Community Affairs.

84 (j)(k) Standards and procedures relating to the
85 establishment and activities of a quality assurance and
86 utilization review committee.

87 (k)(l) Components and procedures relating to the
88 collection of patient demographic data and other information on
89 the provision of hospice care in this state.

90 Section 3. Section 400.6055, Florida Statutes, is created
91 to read:

92 400.6055 Construction and renovation; requirements.--The
93 requirements for the construction and the renovation of hospice
94 residential or inpatient facilities or units must comply with
95 the provisions of chapter 553 which pertain to building
96 construction standards, including plumbing, electrical, glass,
97 manufactured buildings, accessibility by physically handicapped
98 persons, and the state minimum building codes. The Agency for
99 Health Care Administration shall provide technical assistance to
100 the Florida Building Commission in updating the construction
101 standards of the Florida Building Code relative to hospice
102 facilities.

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