

CHAMBER ACTION

1 The Committee on Future of Florida's Families recommends the
2 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. 400.601, F.S.; limiting the
10 definition of hospice to an entity exempt from federal
11 taxation under s. 501(c)(3) of the Internal Revenue Code;
12 amending s. 400.605, F.S.; deleting a provision requiring
13 the Department of Elderly Affairs to adopt physical plant
14 standards for hospice facilities; creating s. 400.6055,
15 F.S.; requiring construction standards for certain hospice
16 facilities to comply with the Florida Building Code;
17 requiring the Agency for Health Care Administration to
18 provide technical assistance to the Florida Building
19 Commission to update the Florida Building Code for hospice
20 facilities; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:
23

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

26 553.73 Florida Building Code.--

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

52 | and subsections (4), (5), (6), and (7) are not to be construed
 53 | to allow the inclusion of such provisions within the Florida
 54 | Building Code by amendment. This restriction applies to both
 55 | initial development and amendment of the Florida Building Code.

56 | Section 2. Subsection (3) of section 400.601, Florida
 57 | Statutes, is amended to read:

58 | 400.601 Definitions.--As used in this part, the term:

59 | (3) "Hospice" means a centrally administered corporation
 60 | not for profit, as defined in chapter 617, exempt from federal
 61 | taxation under s. 501(c)(3) of the Internal Revenue Code of
 62 | 1986, as amended, providing a continuum of palliative and
 63 | supportive care for the terminally ill patient and his or her
 64 | family.

65 | Section 3. Subsection (1) of section 400.605, Florida
 66 | Statutes, is amended to read:

67 | 400.605 Administration; forms; fees; rules; inspections;
 68 | fines.--

69 | (1) The department, in consultation with the agency, shall
 70 | by rule establish minimum standards and procedures for a
 71 | hospice. The rules must include:

72 | (a) License application procedures and requirements.

73 | (b) The qualifications of professional and ancillary
 74 | personnel to ensure the provision of appropriate and adequate
 75 | hospice care.

76 | (c) Standards and procedures for the administrative
 77 | management of a hospice.

78 | (d) Standards for hospice services that ensure the
 79 | provision of quality patient care.

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

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

83 (g) Procedures for maintaining and ensuring
84 confidentiality of patient records.

85 (h) Standards for hospice care provided in freestanding
86 inpatient facilities that are not otherwise licensed medical
87 facilities and in residential care facilities such as nursing
88 homes, assisted living facilities, adult family care homes, and
89 hospice residential units and facilities.

90 ~~(i) Physical plant standards for hospice residential and~~
91 ~~inpatient facilities and units.~~

92 (i)(j) Components of a comprehensive emergency management
93 plan, developed in consultation with the Department of Health,
94 the Department of Elderly Affairs, and the Department of
95 Community Affairs.

96 (j)(k) Standards and procedures relating to the
97 establishment and activities of a quality assurance and
98 utilization review committee.

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

102 Section 4. Section 400.6055, Florida Statutes, is created
103 to read:

104 400.6055 Construction and renovation; requirements.--The
105 requirements for the construction and the renovation of hospice
106 residential or inpatient facilities or units must comply with
107 the provisions of chapter 553 which pertain to building

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108 | construction standards, including plumbing, electrical, glass,
109 | manufactured buildings, accessibility by physically handicapped
110 | persons, and the state minimum building codes. The Agency for
111 | Health Care Administration shall provide technical assistance to
112 | the Florida Building Commission in updating the construction
113 | standards of the Florida Building Code relative to hospice
114 | facilities.

115 | Section 5. This act shall take effect July 1, 2004.