

By Senator Constantine

22-927-04

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

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

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

17           553.73 Florida Building Code.--

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

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

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

20 400.605 Administration; forms; fees; rules;  
21 inspections; fines.--

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

25 (a) License application procedures and requirements.

26 (b) The qualifications of professional and ancillary  
27 personnel to ensure the provision of appropriate and adequate  
28 hospice care.

29 (c) Standards and procedures for the administrative  
30 management of a hospice.

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

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

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

6 (g) Procedures for maintaining and ensuring  
7 confidentiality of patient records.

8 (h) Standards for hospice care provided in  
9 freestanding inpatient facilities that are not otherwise  
10 licensed medical facilities and in residential care facilities  
11 such as nursing homes, assisted living facilities, adult  
12 family care homes, and hospice residential units and  
13 facilities.

14 ~~(i) Physical plant standards for hospice residential~~  
15 ~~and inpatient facilities and units.~~

16 (i)~~(j)~~ Components of a comprehensive emergency  
17 management plan, developed in consultation with the Department  
18 of Health, the Department of Elderly Affairs, and the  
19 Department of Community Affairs.

20 (j)~~(k)~~ Standards and procedures relating to the  
21 establishment and activities of a quality assurance and  
22 utilization review committee.

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

26 Section 3. Section 400.6055, Florida Statutes, is  
27 created to read:

28 400.6055 Construction and renovation;  
29 requirements.--The requirements for the construction and the  
30 renovation of a hospice inpatient facility or unit or a  
31 hospice residence must comply with the provisions of chapter

1 553 which pertain to building construction standards,  
2 including plumbing, electrical, glass, manufactured buildings,  
3 accessibility by physically handicapped persons, and the state  
4 minimum building codes.

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

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8 SENATE SUMMARY

9 Includes hospice facilities in the Florida Building Code.  
10 Deletes requirements that the Department of Elderly  
11 Affairs adopt physical plant standards for a hospice.  
12 Requires construction standards for hospice facilities to  
13 comply with the Florida Building Code.

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