

By the Committee on Health, Aging, and Long-Term Care; and
Senator Constantine

317-2060-04

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; requiring the Agency for Health Care
12 Administration to provide technical assistance
13 to the Florida Building Commission to update
14 the Florida Building Code for hospice
15 facilities; providing an effective date.

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

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

21 553.73 Florida Building Code.--

22 (2) The Florida Building Code shall contain provisions
23 or requirements for public and private buildings, structures,
24 and facilities relative to structural, mechanical, electrical,
25 plumbing, energy, and gas systems, existing buildings,
26 historical buildings, manufactured buildings, elevators,
27 coastal construction, lodging facilities, food sales and food
28 service facilities, health care facilities, including assisted
29 living facilities, adult day care facilities, hospice
30 residential and inpatient facilities and units, and facilities
31 for the control of radiation hazards, public or private

1 educational facilities, swimming pools, and correctional
2 facilities and enforcement of and compliance with such
3 provisions or requirements. Further, the Florida Building Code
4 must provide for uniform implementation of ss. 515.25, 515.27,
5 and 515.29 by including standards and criteria for residential
6 swimming pool barriers, pool covers, latching devices, door
7 and window exit alarms, and other equipment required therein,
8 which are consistent with the intent of s. 515.23. Technical
9 provisions to be contained within the Florida Building Code
10 are restricted to requirements related to the types of
11 materials used and construction methods and standards employed
12 in order to meet criteria specified in the Florida Building
13 Code. Provisions relating to the personnel, supervision or
14 training of personnel, or any other professional qualification
15 requirements relating to contractors or their workforce may
16 not be included within the Florida Building Code, and
17 subsections (4), (5), (6), and (7) are not to be construed to
18 allow the inclusion of such provisions within the Florida
19 Building Code by amendment. This restriction applies to both
20 initial development and amendment of the Florida Building
21 Code.

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

24 400.605 Administration; forms; fees; rules;
25 inspections; fines.--

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

29 (a) License application procedures and requirements.
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1 (b) The qualifications of professional and ancillary
2 personnel to ensure the provision of appropriate and adequate
3 hospice care.

4 (c) Standards and procedures for the administrative
5 management of a hospice.

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

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

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

11 (g) Procedures for maintaining and ensuring
12 confidentiality of patient records.

13 (h) Standards for hospice care provided in
14 freestanding inpatient facilities that are not otherwise
15 licensed medical facilities and in residential care facilities
16 such as nursing homes, assisted living facilities, adult
17 family care homes, and hospice residential units and
18 facilities.

19 ~~(i) Physical plant standards for hospice residential~~
20 ~~and inpatient facilities and units.~~

21 (i)~~(j)~~ Components of a comprehensive emergency
22 management plan, developed in consultation with the Department
23 of Health, the Department of Elderly Affairs, and the
24 Department of Community Affairs.

25 (j)~~(k)~~ Standards and procedures relating to the
26 establishment and activities of a quality assurance and
27 utilization review committee.

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

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1 Section 3. Section 400.6055, Florida Statutes, is
2 created to read:

3 400.6055 Construction and renovation;
4 requirements.--The requirements for the construction and the
5 renovation of a hospice residential or inpatient facility or
6 unit must comply with the provisions of chapter 553 which
7 pertain to building construction standards, including
8 plumbing, electrical, glass, manufactured buildings,
9 accessibility by physically handicapped persons, and the state
10 minimum building codes. The Agency for Health Care
11 Administration shall provide technical assistance to the
12 Florida Building Commission in updating the construction
13 standards of the Florida Building Code relative to hospice
14 facilities.

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

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17 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
18 COMMITTEE SUBSTITUTE FOR
19 Senate Bill 1344

20 The committee substitute makes the following changes to SB
21 1344:

22 Requires the Agency for Health Care Administration to provide
23 technical assistance to the Florida Building Commission in
24 updating the construction standards of the Florida Building
25 Code relative to hospice facilities.
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