

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Galvano offered the following:

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3 **Amendment to Amendment (954111) (with title amendment)**

4 Between lines 31 and 32 insert:

5 Section 2. Subsections (9), (10), and (11) are added to  
6 section 395.003, Florida Statutes, to read:

7 395.003 Licensure; issuance, renewal, denial,  
8 modification, suspension, and revocation.--

9 (9) A hospital may not be licensed or relicensed if:

10 (a) The diagnosis-related groups for 65 percent or more of  
11 the discharges from the hospital, in the most recent year for  
12 which data is available to the Agency for Health Care  
13 Administration pursuant to s. 408.061, are for diagnosis, care,  
14 and treatment of patients who have:

15 1. Cardiac-related diseases and disorders classified as  
16 diagnosis-related groups 103-145, 478-479, 514-518, or 525-527;

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17 2. Orthopedic-related diseases and disorders classified as  
18 diagnosis-related groups 209-256, 471, 491, 496-503, or 519-520;

19 3. Cancer-related diseases and disorders classified as  
20 diagnosis-related groups 64, 82, 172, 173, 199, 200, 203, 257-  
21 260, 274, 275, 303, 306, 307, 318, 319, 338, 344, 346, 347, 363,  
22 366, 367, 400-414, 473, or 492; or

23 4. Any combination of the above discharges.

24 (b) The hospital restricts its medical and surgical  
25 services to primarily or exclusively cardiac, orthopedic,  
26 surgical, or oncology specialties.

27 (10) A hospital licensed as of June 1, 2004, shall be  
28 exempt from subsection (9) as long as the hospital maintains the  
29 same ownership, facility street address, and range of services  
30 that were in existence on June 1, 2004. Any transfer of beds, or  
31 other agreements that result in the establishment of a hospital  
32 or hospital services within the intent of this section, shall be  
33 subject to subsection (9). Unless the hospital is otherwise  
34 exempt under subsection (9), the agency shall deny or revoke the  
35 license of a hospital that violates any of the criteria set  
36 forth in that subsection.

37 (11) The agency may adopt rules implementing the licensure  
38 requirements set forth in subsection (9). Within 14 days after  
39 rendering its decision on a license application or revocation,  
40 the agency shall publish its proposed decision in the Florida  
41 Administrative Weekly. Within 21 days after publication of the  
42 agency's decision, any authorized person may file a request for  
43 an administrative hearing. In administrative proceedings  
44 challenging the approval, denial, or revocation of a license

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45 pursuant to subsection (9), the hearing must be based on the  
46 facts and law existing at the time of the agency's proposed  
47 agency action. Existing hospitals may initiate or intervene in  
48 an administrative hearing to approve, deny, or revoke licensure  
49 under subsection (9) based upon a showing that an established  
50 program will be substantially affected by the issuance or  
51 renewal of a license to a hospital within the same district or  
52 service area.

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54 ===== T I T L E A M E N D M E N T =====

55 Remove line 3953 and insert:

56 conforming, or removing references; amending s. 395.003, F.S.;

57 providing additional conditions for the licensure or relicensure

58 of hospitals; exempting currently licensed hospitals; amending

59 ss. 395.0197,