

Bill No. CS for CS for SB 2170

Amendment No. ____ Barcode 484362

CHAMBER ACTION

Senate

House

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Senator Saunders moved the following amendment:

Senate Amendment (with title amendment)

On page 11, between lines 14 and 15,

insert:

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

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

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

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

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

2. Orthopedic-related diseases and disorders classified as diagnosis-related groups 209-256, 471, 491,

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1 496-503, or 519-520;

2 3. Cancer-related diseases and disorders classified as
3 diagnosis-related groups 64, 82, 172, 173, 199, 200, 203,
4 257-260, 274, 275, 303, 306, 307, 318, 319, 338, 344, 346,
5 347, 363, 366, 367, 400-414, 473, or 492; or

6 4. Any combination of the above discharges.

7 (b) The hospital restricts its medical and surgical
8 services to primarily or exclusively cardiac, orthopedic,
9 surgical, or oncology specialties.

10 (10) A hospital licensed as of June 1, 2004, shall be
11 exempt from subsection (9) as long as the hospital maintains
12 the same ownership, facility street address, and range of
13 services that were in existence on June 1, 2004. Any transfer
14 of beds, or other agreements that result in the establishment
15 of a hospital or hospital services within the intent of this
16 section, shall be subject to subsection (9). Unless the
17 hospital is otherwise exempt under subsection (9), the agency
18 shall deny or revoke the license of a hospital that violates
19 any of the criteria set forth in that subsection.

20 (11) The agency may adopt rules implementing the
21 licensure requirements set forth in subsection (9). Within 14
22 days after rendering its decision on a license application or
23 revocation, the agency shall publish its proposed decision in
24 the Florida Administrative Weekly. Within 21 days after
25 publication of the agency's decision, any authorized person
26 may file a request for an administrative hearing. In
27 administrative proceedings challenging the approval, denial,
28 or revocation of a license pursuant to subsection (9), the
29 hearing must be based on the facts and law existing at the
30 time of the agency's proposed agency action. Existing
31 hospitals may initiate or intervene in an administrative

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1 hearing to approve, deny, or revoke licensure under subsection
2 (9) based upon a showing that an established program will be
3 substantially affected by the issuance or renewal of a license
4 to a hospital within the same district or service area.

5
6 (Redesignate subsequent sections.)

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8

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

10 And the title is amended as follows:

11 On page 1, line 8, after the semicolon,

12

13 insert:

14 amending s. 395.003, F.S.; providing additional
15 conditions for the licensure or relicensure of
16 hospitals; exempting currently licensed
17 hospitals;

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