

1 A bill to be entitled
 2 An act relating to hospice facilities; amending s. 553.73,
 3 F.S.; including hospice facilities within the purview of
 4 the Florida Building Code; amending s. 400.605, F.S.;
 5 deleting provisions requiring the Department of Elderly
 6 Affairs to adopt physical plant standards for hospice
 7 facilities; creating s. 400.6051, F.S.; requiring that
 8 construction standards for hospice facilities be in
 9 compliance with the Florida Building Code; requiring the
 10 Agency for Health Care Administration to provide technical
 11 assistance to the Florida Building Commission to update the
 12 Florida Building Code for hospice facilities; providing an
 13 effective date.

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

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

19 553.73 Florida Building Code.--

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

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29 | of radiation hazards, public or private educational facilities,
30 | swimming pools, and correctional facilities and enforcement of
31 | and compliance with such provisions or requirements. Further,
32 | the Florida Building Code must provide for uniform
33 | implementation of ss. 515.25, 515.27, and 515.29 by including
34 | standards and criteria for residential swimming pool barriers,
35 | pool covers, latching devices, door and window exit alarms, and
36 | other equipment required therein, which are consistent with the
37 | intent of s. 515.23. Technical provisions to be contained within
38 | the Florida Building Code are restricted to requirements related
39 | to the types of materials used and construction methods and
40 | standards employed in order to meet criteria specified in the
41 | Florida Building Code. Provisions relating to the personnel,
42 | supervision or training of personnel, or any other professional
43 | qualification requirements relating to contractors or their
44 | workforce may not be included within the Florida Building Code,
45 | and subsections (4), (5), (6), and (7) are not to be construed
46 | to allow the inclusion of such provisions within the Florida
47 | Building Code by amendment. This restriction applies to both
48 | initial development and amendment of the Florida Building Code.

49 | Section 2. Subsection (1) of section 400.605, Florida
50 | Statutes, is amended to read:

51 | 400.605 Administration; forms; fees; rules; inspections;
52 | fines.--

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

56 | (a) License application procedures and requirements.

57 (b) The qualifications of professional and ancillary
 58 personnel to ensure the provision of appropriate and adequate
 59 hospice care.

60 (c) Standards and procedures for the administrative
 61 management of a hospice.

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

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

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

67 (g) Procedures for maintaining and ensuring
 68 confidentiality of patient records.

69 (h) Standards for hospice care provided in freestanding
 70 inpatient facilities that are not otherwise licensed medical
 71 facilities and in residential care facilities such as nursing
 72 homes, assisted living facilities, adult family care homes, and
 73 hospice residential units and facilities.

74 ~~(i) Physical plant standards for hospice residential and~~
 75 ~~inpatient facilities and units.~~

76 (i)~~(j)~~ Components of a comprehensive emergency management
 77 plan, developed in consultation with the Department of Health,
 78 the Department of Elderly Affairs, and the Department of
 79 Community Affairs.

80 (j)~~(k)~~ Standards and procedures relating to the
 81 establishment and activities of a quality assurance and
 82 utilization review committee.

83 (k)~~(l)~~ Components and procedures relating to the
 84 collection of patient demographic data and other information on

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85 the provision of hospice care in this state.

86 Section 3. Section 400.6051, Florida Statutes, is created
87 to read:

88 400.6051 Construction and renovation; requirements.--The
89 requirements for the construction and the renovation of a
90 hospice residential or inpatient facility or unit must comply
91 with the provisions of chapter 553 which pertain to building
92 construction standards, including plumbing, electrical code,
93 glass, manufactured buildings, accessibility for persons with
94 disabilities, and the state minimum building codes. The Agency
95 for Health Care Administration shall provide technical
96 assistance to the Florida Building Commission in updating the
97 construction standards of the Florida Building Code which govern
98 hospice facilities.

99 Section 4. This act shall take effect July 1, 2005.