

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Holloway offered the following:

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3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Paragraph (a) of subsection (1) and subsection
6 (4) of section 408.061, Florida Statutes, are amended to read:

7 408.061 Data collection; uniform systems of financial
8 reporting; information relating to physician charges;
9 confidential information; immunity.--

10 (1) The agency shall require the submission by health care
11 facilities, health care providers, and health insurers of data
12 necessary to carry out the agency's duties. Specifications for
13 data to be collected under this section shall be developed by
14 the agency with the assistance of technical advisory panels
15 including representatives of affected entities, consumers,

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16 purchasers, and such other interested parties as may be
17 determined by the agency.

18 (a) Data submitted by health care facilities, including
19 the facilities as defined in chapter 395, shall include, but are
20 not limited to: case-mix data, patient admission and discharge
21 data, hospital emergency department data which shall include the
22 number of patients treated in the emergency department of a
23 licensed hospital reported by patient acuity level, data on
24 hospital-acquired infections as specified by rule, data on the
25 number of patients assigned to each direct care registered nurse
26 in each unit of the facility for each shift, data on
27 complications as specified by rule, data on readmissions as
28 specified by rule, with patient and provider-specific
29 identifiers included, actual charge data by diagnostic groups,
30 financial data, accounting data, operating expenses, expenses
31 incurred for rendering services to patients who cannot or do not
32 pay, interest charges, depreciation expenses based on the
33 expected useful life of the property and equipment involved, and
34 demographic data. The agency shall adopt nationally recognized
35 risk adjustment methodologies or software consistent with the
36 standards of the Agency for Healthcare Research and Quality and
37 as selected by the agency for all data submitted as required by
38 this section. Data may be obtained from documents such as, but
39 not limited to: leases, contracts, debt instruments, itemized
40 patient bills, medical record abstracts, and related diagnostic
41 information. Reported data elements shall be reported
42 electronically in accordance with rule 59E-7.012, Florida

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43 Administrative Code. Data submitted shall be certified by the
44 chief executive officer or an appropriate and duly authorized
45 representative or employee of the licensed facility that the
46 information submitted is true and accurate.

47
48 (4) Within 120 days after the end of its fiscal year, each
49 health care facility, excluding continuing care facilities and
50 nursing homes as defined in s. 408.07(14) and (37) ~~(36)~~, shall
51 file with the agency, on forms adopted by the agency and based
52 on the uniform system of financial reporting, its actual
53 financial experience for that fiscal year, including
54 expenditures, revenues, and statistical measures. Such data may
55 be based on internal financial reports which are certified to be
56 complete and accurate by the provider. However, hospitals'
57 actual financial experience shall be their audited actual
58 experience. Every nursing home shall submit to the agency, in a
59 format designated by the agency, a statistical profile of the
60 nursing home residents. The agency, in conjunction with the
61 Department of Elderly Affairs and the Department of Health,
62 shall review these statistical profiles and develop
63 recommendations for the types of residents who might more
64 appropriately be placed in their homes or other noninstitutional
65 settings.

66 Section 2. Paragraph (j) of subsection (1) of section
67 408.062, Florida Statutes, is amended to read:

68 408.062 Research, analyses, studies, and reports.--

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69 (1) The agency shall conduct research, analyses, and
70 studies relating to health care costs and access to and quality
71 of health care services as access and quality are affected by
72 changes in health care costs. Such research, analyses, and
73 studies shall include, but not be limited to:

74 (j) The making available on its Internet website no later
75 than October 1, 2004, and in a hard-copy format upon request, of
76 the number of patients assigned per direct care registered nurse
77 and patient charge, volumes, length of stay, and performance
78 outcome indicators collected from health care facilities
79 pursuant to s. 408.061(1)(a) for specific medical conditions,
80 surgeries, and procedures provided in inpatient and outpatient
81 facilities as determined by the agency. In making the
82 determination of specific medical conditions, surgeries, and
83 procedures to include, the agency shall consider such factors as
84 volume, severity of the illness, urgency of admission,
85 individual and societal costs, and whether the condition is
86 acute or chronic. Performance outcome indicators shall be risk
87 adjusted or severity adjusted, as applicable, using nationally
88 recognized risk adjustment methodologies or software consistent
89 with the standards of the Agency for Healthcare Research and
90 Quality and as selected by the agency. The website shall also
91 provide an interactive search that allows consumers to view and
92 compare the information for specific facilities, a map that
93 allows consumers to select a county or region, definitions of
94 all of the data, descriptions of each procedure, and an
95 explanation about why the data may differ from facility to

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96 facility. Such public data shall be updated quarterly. The
97 agency shall submit an annual status report on the collection of
98 data and publication of performance outcome indicators to the
99 Governor, the Speaker of the House of Representatives, the
100 President of the Senate, and the substantive legislative
101 committees with the first status report due January 1, 2005.

102 Section 3. Subsection (2) of section 408.063, Florida
103 Statutes, is amended to read:

104 408.063 Dissemination of health care information.--

105 (2) The agency shall publish and disseminate information
106 to the public which will enhance informed decisionmaking in the
107 selection of health care providers, facilities, and services.
108 Such publications may identify average charges for specified
109 services, average number of patients assigned to each direct
110 care nurse in each unit of the hospital, lengths of stay
111 associated with established diagnostic groups, readmission
112 rates, mortality rates, recommended guidelines for selection and
113 use of health care providers, health care facilities, and health
114 care services, and such other information as the agency deems
115 appropriate.

116 Section 4. Present subsections (18) through (44) of
117 section 408.07, Florida Statutes, are renumbered as subsections
118 (19) through (45), respectively, and a new subsection (18) is
119 added to said section to read:

120 408.07 Definitions.--As used in this chapter, with the
121 exception of ss. 408.031-408.045, the term:

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122 (18) "Direct care registered nurse" or "direct care nurse"
123 means a registered nurse who has direct responsibility for
124 overseeing or carrying out medical regimens or nursing care for
125 one or more patients. A nurse administrator, nurse supervisor,
126 nurse educator, charge nurse, or other registered nurse who does
127 not have a specific patient assignment may not be included in
128 the calculation of the number of patients assigned to each
129 direct care registered nurse on a unit.

130 Section 5. Subsection (24) of section 395.002, Florida
131 Statutes, is amended to read:

132 395.002 Definitions.--As used in this chapter:

133 (24) "Premises" means those buildings, beds, and equipment
134 located at the address of the licensed facility and all other
135 buildings, beds, and equipment for the provision of hospital,
136 ambulatory surgical, or mobile surgical care located in such
137 reasonable proximity to the address of the licensed facility as
138 to appear to the public to be under the dominion and control of
139 the licensee. For any licensee that is a teaching hospital as
140 defined in s. 408.07~~(45)~~(44), reasonable proximity includes any
141 buildings, beds, services, programs, and equipment under the
142 dominion and control of the licensee that are located at a site
143 with a main address that is within 1 mile of the main address of
144 the licensed facility; and all such buildings, beds, and
145 equipment may, at the request of a licensee or applicant, be
146 included on the facility license as a single premises.

147 Section 6. Paragraph (e) of subsection (2) of section
148 395.003, Florida Statutes, is amended to read:

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149 395.003 Licensure; issuance, renewal, denial,
150 modification, suspension, and revocation.--

151 (2)

152 (e) The agency shall, at the request of a licensee that is
153 a teaching hospital as defined in s. 408.07~~(45)~~(44), issue a
154 single license to a licensee for facilities that have been
155 previously licensed as separate premises, provided such
156 separately licensed facilities, taken together, constitute the
157 same premises as defined in s. 395.002(24). Such license for the
158 single premises shall include all of the beds, services, and
159 programs that were previously included on the licenses for the
160 separate premises. The granting of a single license under this
161 paragraph shall not in any manner reduce the number of beds,
162 services, or programs operated by the licensee.

163 Section 7. Subsection (1) of section 458.345, Florida
164 Statutes, is amended to read:

165 458.345 Registration of resident physicians, interns, and
166 fellows; list of hospital employees; prescribing of medicinal
167 drugs; penalty.--

168 (1) Any person desiring to practice as a resident
169 physician, assistant resident physician, house physician,
170 intern, or fellow in fellowship training which leads to
171 subspecialty board certification in this state, or any person
172 desiring to practice as a resident physician, assistant resident
173 physician, house physician, intern, or fellow in fellowship
174 training in a teaching hospital in this state as defined in s.
175 408.07~~(45)~~(44) or s. 395.805(2), who does not hold a valid,

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176 active license issued under this chapter shall apply to the
177 department to be registered and shall remit a fee not to exceed
178 \$300 as set by the board. The department shall register any
179 applicant the board certifies has met the following
180 requirements:

181 (a) Is at least 21 years of age.

182 (b) Has not committed any act or offense within or without
183 the state which would constitute the basis for refusal to
184 certify an application for licensure pursuant to s. 458.331.

185 (c) Is a graduate of a medical school or college as
186 specified in s. 458.311(1)(f).

187 Section 8. Subsection (1) of section 459.021, Florida
188 Statutes, is amended to read:

189 459.021 Registration of resident physicians, interns, and
190 fellows; list of hospital employees; penalty.--

191 (1) Any person who holds a degree of Doctor of Osteopathic
192 Medicine from a college of osteopathic medicine recognized and
193 approved by the American Osteopathic Association who desires to
194 practice as a resident physician, assistant resident physician,
195 house physician, intern, or fellow in fellowship training which
196 leads to subspecialty board certification in this state, or any
197 person desiring to practice as a resident physician, assistant
198 resident physician, house physician, intern, or fellow in
199 fellowship training in a teaching hospital in this state as
200 defined in s. 408.07(~~45~~)(44) or s. 395.805(2), who does not hold
201 an active license issued under this chapter shall apply to the
202 department to be registered, on an application provided by the

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203 department, within 30 days of commencing such a training program
204 and shall remit a fee not to exceed \$300 as set by the board.

205 Section 9. This act shall take effect July 1, 2005.

206

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

208 Remove the entire title and insert:

209 A bill to be entitled

210 An act relating to health care administration; amending
211 ss. 408.061, 408.062, and 408.063, F.S.; requiring that
212 data relating to the number of patients per direct care
213 nurse be reported to the Agency for Health Care
214 Administration and made available to the public; amending
215 s. 408.07, F.S.; defining the synonymous terms "direct
216 care registered nurse" and "direct care nurse" as used in
217 ch. 408, F.S., except ss. 408.031-408.045, F.S.; amending
218 ss. 395.002, 395.003, 458.345, and 459.021, F.S.;
219 correcting cross references; providing an effective date.