

1 when the need arises and acknowledges that these hospitals
2 serve a critical state purpose in providing this care, and

3 WHEREAS, it is an important state interest to ensure
4 that these hospitals continue to provide health care services
5 to the state's underserved populations, and

6 WHEREAS, many hospitals and health care facilities
7 sustained significant structural damage to their facilities in
8 2004, and

9 WHEREAS, hospitals that provide the majority of
10 safety-net care for indigent and charity cases were forced to
11 operate in facilities that were not structurally sound, and

12 WHEREAS, these hospitals do not have the ability to
13 care for patients at alternative sites during natural
14 disasters, and

15 WHEREAS, these hospitals do not have the capital needed
16 to invest in the significant infrastructure costs associated
17 with hurricane damage, and

18 WHEREAS, these hospitals have been in existence for
19 many years and have become geographically place-bound, with
20 little opportunity to expand beyond their current property
21 lines, NOW, THEREFORE,

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

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25 Section 1. (1) STUDY COMMISSION.--There is created a
26 study commission to address critical issues relating to
27 hospitals serving indigent populations and licensed under
28 chapter 395, Florida Statutes, which sustained significant
29 damage to their facilities during the 2004 hurricane season.

30 (2) SUBJECT OF STUDY.--

31 (a) The commission shall identify:

1 1. All hospitals that are currently not able to comply
2 with the provisions of the Florida Building Code as defined in
3 chapter 553, Florida Statutes, and any associated
4 administrative rules;

5 2. Hospitals that are located within 10 miles of the
6 coastline; and

7 3. Hospitals that are located in a designated flood
8 zone.

9 (b) The study commission shall make recommendations
10 for allowing these hospitals to find alternative methods of
11 renovating their existing facility in order to meet the
12 requirements of the Florida Building Code. The commission
13 shall review all alternatives that could be made available to
14 those hospitals when renovation is not financially practicable
15 or structurally feasible. The commission shall review existing
16 laws and agency rules and recommend needed changes to address
17 these issues.

18 (3) REPORT.--The commission shall meet by September 1,
19 2005, and shall submit recommendations, including
20 recommendations for statutory changes, to the Governor, the
21 President of the Senate, and the Speaker of the House of
22 Representatives by January 1, 2006. Such recommendations shall
23 also include an evaluation of whether grant funds should be
24 made available to assist hospitals with the cost of
25 reconstructing existing facilities.

26 (4) MEMBERSHIP.--The study commission shall be staffed
27 by the Department of Community Affairs and shall include:

28 (a) The Secretary of Community Affairs, or his or her
29 designee;

30 (b) The Director of the Division of Emergency
31 Management, or his or her designee;

1 (c) The Secretary of Health Care Administration, or
2 his or her designee;

3 (d) Four representatives of hospitals from regions of
4 the state where hospitals experienced significant hurricane
5 damage during 2004, with two members appointed by the
6 President of the Senate and two members appointed by the
7 Speaker of the House of Representatives;

8 (e) The Secretary of Health, or his or her designee;
9 and

10 (f) A director of county emergency management,
11 selected by the Florida Emergency Preparedness Association.

12 (5) REIMBURSEMENT.--Members of the study commission
13 shall serve without remuneration, but are entitled to
14 reimbursement in accordance with section 112.061, Florida
15 Statutes, for per diem and travel expenses incurred in
16 performing their duties in accordance with this section.

17 Section 2. (1) A 13-member
18 high-deductible-health-insurance plan study group is created,
19 to be composed of:

20 (a) Three representatives of employers offering
21 high-deductible health plans to their employees, one of whom
22 shall be a small employer as defined in section 627.6699,
23 Florida Statutes, who shall be appointed by the Florida
24 Chamber of Commerce.

25 (b) Three representatives of commercial health plans,
26 to be appointed by America's Health Insurance Plans.

27 (c) Three representatives of hospitals, to be
28 appointed by the Florida Hospital Association.

29 (d) Two physician representatives, one to be appointed
30 by the Florida Medical Association and one to be appointed by
31 the Florida Osteopathic Medical Association.

1 (e) The Secretary of the Health Care Administration,
2 who shall serve as co-chair.

3 (f) The Director of the Office of Insurance Regulation
4 or his or her designee, who shall serve as co-chair.

5 (2) The study group shall study the following issues
6 related to high-deductible health insurance plans, including,
7 but not limited to, health savings accounts and health
8 reimbursement arrangements:

9 (a) The impact of high deductibles on access to health
10 care services and pharmaceutical benefits.

11 (b) The impact of high deductibles on utilization of
12 health care services and overutilization of health care
13 services.

14 (c) The impact on hospitals' and physicians' inability
15 to collect deductibles and copayments.

16 (d) The ability of hospitals, physicians, and insureds
17 to determine, prior to service delivery, the level of
18 deductible and copayment required of the insured.

19 (e) Methods to assist hospitals, physicians, and
20 insureds in determining prior to service delivery the status
21 of the insured in meeting annual deductible requirements and
22 any subsequent copayments.

23 (f) Methods to assist hospitals and physicians in the
24 collection of deductibles and copayments, including electronic
25 payments.

26 (g) Alternative approaches to the collection of
27 deductibles and copayments when either the amounts of patient
28 financial responsibility are unknown in advance or there are
29 no funds electronically available from the patient to pay for
30 the deductible and any associated copayment.

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- 1 (3) The study group shall also study the following
2 issues in addition to those specified in subsection (2):
3 (a) The assignment of benefits attestations and
4 contract provisions that nullify the attestations of insureds.
5 (b) The standardization of insured or subscriber
6 identification cards.
7 (c) The standardization of claim edits or ensuring
8 that claim edits comply with nationally recognized editing
9 guidelines.
10 (d) The provision of comparative-cost information to
11 insureds and subscribers before service delivery.
12 (4) The study group shall meet by August 1, 2005, and
13 shall submit recommendations to the Governor, the President of
14 the Senate, and the Speaker of the House of Representatives by
15 January 1, 2006.

16 Section 3. The Office of Program Policy Analysis and
17 Government Accountability (OPPAGA) shall conduct a study to
18 evaluate whether the State of Florida should join the Nurse
19 Licensure Compact. The study's scope shall include, but not be
20 limited to, identifying the potential impact on the state's
21 nursing shortage, benefits to the state, implementation
22 barriers, and any fiscal impact. OPPAGA shall submit a report
23 to the President of the Senate and the Speaker of the House of
24 Representatives by February 1, 2006.

25 Section 4. This act shall take effect upon becoming a
26 law.

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