

Bill No. CS for SB 1548

Barcode 774806

1 making the change.

2 (4) The license shall be displayed in a conspicuous
3 place inside the hospice program office; shall be valid only
4 in the possession of the person or public agency to which it
5 is issued; shall not be subject to sale, assignment, or other
6 transfer, voluntary or involuntary; and shall not be valid for
7 any hospice other than the hospice for which originally
8 issued.

9 ~~(5) Notwithstanding s. 400.601(3), any hospice~~
10 ~~operating in corporate form exclusively as a hospice,~~
11 ~~incorporated on or before July 1, 1978, may be transferred to~~
12 ~~a for-profit or not-for-profit entity, and may transfer the~~
13 ~~license to that entity.~~

14 ~~(6) Notwithstanding s. 400.601(3), at any time after~~
15 ~~July 1, 1995, any entity entitled to licensure under~~
16 ~~subsection (5) may obtain a license for up to two additional~~
17 ~~hospices in accordance with the other requirements of this~~
18 ~~part and upon receipt of any certificate of need that may be~~
19 ~~required under the provisions of ss. 408.031-408.045.~~

20 Section 3. Subsection (7) is added to section 400.606,
21 Florida Statutes, to read:

22 400.606 License; application; renewal; conditional
23 license or permit; certificate of need.--

24 (7) The agency may deny a license to an applicant that
25 fails to meet any condition for the provision of hospice care
26 or services imposed by the agency on a certificate of need by
27 final agency action, unless the applicant can demonstrate that
28 good cause exists for the applicant's failure to meet such
29 condition.

30 Section 4. Subsection (4) of section 400.6105, Florida
31 Statutes, is amended to read:

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1 400.6105 Staffing and personnel.--

2 (4) A hospice must maintain a trained volunteer staff
3 for the purpose of providing both administrative support and
4 direct patient care. A hospice must use trained volunteers who
5 work in defined roles and under the supervision of a
6 designated hospice employee for an amount of time that equals
7 at least 5 percent of the total patient care or administrative
8 hours provided by all paid hospice employees and contract
9 staff in the aggregate. The hospice shall document and report
10 the use of volunteers, including maintaining a record of the
11 number of volunteers, the number of hours worked by each
12 volunteer, and the tasks performed by each volunteer.

13 Section 5. No later than January 1, 2010, the Office
14 of Program Policy Analysis and Government Accountability shall
15 submit to the President of the Senate and the Speaker of the
16 House of Representatives a report analyzing the impact of
17 for-profit hospices on the delivery of care to terminally ill
18 patients and include in the report a review of the quality of
19 care offered by for-profit hospices, changes in the
20 competitive marketplace in hospice service areas, and any
21 other information deemed pertinent.

22 Section 6. To protect the citizens of the state, it is
23 the intent of the Legislature that no change in law be made to
24 the hospice licensure and certificate-of-need provisions until
25 the year 2012 to correctly analyze and evaluate the impact of
26 this act on the quality of hospice care in the state.

27 Section 7. (1) No later than December 31, 2007, the
28 Department of Elderly Affairs, in conjunction with the Agency
29 for Health Care Administration and all hospices licensed in
30 the state, shall develop outcome measures to determine the
31 quality and effectiveness of hospice care in the state. At a

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1 minimum, these outcome measures shall include a requirement
2 that 50 percent of patients who report severe pain on a
3 0-to-10 scale must report a reduction to 5 or less by the end
4 of the 4th day of care on the hospice program.

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