Bill No. CS for SB 1548

Barcode 774806

CHAMBER ACTION

	<u>Senate</u> <u>House</u>
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3	floor: 1/AD/2R .
4	04/26/2006 03:15 PM .
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11	Senator Atwater moved the following amendment:
12	
13	Senate Amendment
14	On page 3, line 2, through
15	page 5, line 26, delete those lines
16	
17	and insert: services. This requirement excludes any materials
18	relating to the care and treatment of an existing hospice
19	patient.
20	(2) Services provided by a hospital, nursing home, or
21	other health care facility, health care provider, or
22	caregiver, or under the Community Care for the Elderly Act, do
23	not constitute a hospice unless the facility, provider, or
24	caregiver establishes a separate and distinct administrative
25	program to provide home, residential, and homelike inpatient
26	hospice services.
27	(3)(a) A separately licensed hospice may not use a
28	name which is substantially the same as the name of another
29	hospice licensed under this part.
30	(b) A licensed hospice which intends to change its
31	name or address must notify the agency at least 60 days before 1

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making the change.

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

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

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

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

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

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

Section 4. Subsection (4) of section 400.6105, Florida 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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