

Bill No. SB 1758

Barcode 095760

CHAMBER ACTION

Senate

House

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The Committee on Health Regulation (Peaden) recommended the following amendment:

Senate Amendment (with title amendment)

On page 1, line 29, through
page 2, line 2, delete those lines

and insert:

~~3. Until July 1, 2006, additional emergency departments located off the premises of licensed hospitals may not be authorized by the agency.~~

(c) A hospital may apply for a license to operate an emergency department at a location off the hospital's premises and the agency shall approve such license if the hospital complies with all of the following criteria:

1. The off-premises emergency department must provide emergency services and care for any emergency medical condition that is within the service capability of the hospital seeking the license.

2. The off-premises emergency department must ensure that the same types of medical specialties that are available

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1 to the hospital seeking the license are available for
2 consultations to patients of the off-premises emergency
3 department.

4 3. The licenseholder must provide for the transport of
5 patients between the off-premises emergency department and its
6 licensed hospital. The department shall determine whether
7 statewide transport protocols should be developed with respect
8 to off-premises emergency departments and shall report its
9 findings to the Governor, the President of the Senate, and the
10 Speaker of the House of Representatives by January 31, 2008.

11 4. The off-premises emergency department must be
12 directed by a designated physician who is a member of the
13 organized medical staff.

14 5. The off-premises emergency department must treat
15 all patients who have an emergency medical condition without
16 regard to ability to pay.

17 6. The off-premises emergency departments must comply
18 with all adopted rules governing emergency care.

19 7. If the main hospital is accredited, the
20 off-premises emergency department must be accredited by the
21 same accrediting organization.

22 8. The off-premises emergency department must meet all
23 physical plant requirements, including electrical,
24 architectural, and mechanical of an onsite emergency
25 department as specified in the Florida Building Code. The
26 facility must also meet the requirements for Definitive
27 Emergency Care, as described in the Guidelines for the Design
28 and Construction of Health Care Facilities, 2006 edition,
29 incorporated by reference in Section 419.2.1.2 of the Florida
30 Building Code.

31 Section 2. An off-premises emergency department of a

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1 hospital operating as of July 1, 2007, may continue to operate
 2 in accordance with the licensure criteria under which it was
 3 originally approved by the agency. A hospital that has
 4 received a letter of nonreviewability from the agency for an
 5 off-premises emergency department and has had Stage 2
 6 architectural plans approved by July 1, 2007, is subject to
 7 the licensure criteria in existence before July 1, 2007.

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 9 (Redesignate subsequent sections.)

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

13 And the title is amended as follows:

14 On page 1, lines 3-7, delete those lines

15

16 and insert:

17 395.003, F.S.; authorizing hospitals to operate
 18 an off-premises emergency department; requiring
 19 a license; providing criteria; providing that
 20 all off-premises emergency departments
 21 operating as of a certain date may continue to
 22 operate in accordance with the criteria in
 23 effect at the time of approval and that an
 24 off-premises emergency department that has had
 25 architectural plans approved by a certain date
 26 is subject to the license criteria in effect at
 27 the time of submission; providing an effective
 28 date.

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