

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative(s) Bean offered the following:

2
3 **Substitute Amendment for Amendment (290947) to the Senate**
4 **Bill (with title amendment)**

5 On page 226, between line(s) 17 and 18, insert:

6 Section 122. Paragraph (a) of subsection (4) of section
7 400.9905, Florida Statutes, is amended, and paragraph (1) is
8 added to that subsection, to read:

9 400.9905 Definitions.--

10 (4) "Clinic" means an entity at which health care services
11 are provided to individuals and which tenders charges for
12 reimbursement for such services, including a mobile clinic and a
13 portable equipment provider. For purposes of this part, the term
14 does not include and the licensure requirements of this part do
15 not apply to:

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16 (a) Entities licensed or registered by the state under
17 chapter 395; or entities licensed or registered by the state and
18 providing only health care services within the scope of services
19 authorized under their respective licenses granted under ss.
20 383.30-383.335, chapter 390, chapter 394, chapter 397, this
21 chapter except part X, chapter 429, chapter 463, chapter 465,
22 chapter 466, chapter 478, part I of chapter 483, chapter 484, or
23 chapter 651; end-stage renal disease providers authorized under
24 42 C.F.R. part 405, subpart U; or providers certified under 42
25 C.F.R. part 485, subpart B or subpart H; or any entity that
26 provides neonatal or pediatric hospital-based health care
27 services or other health care services by licensed practitioners
28 solely within a hospital licensed under chapter 395.

29 (1) Orthotic or prosthetic clinical facilities that are a
30 publicly traded corporation or that are wholly owned, directly
31 or indirectly, by a publicly traded corporation. As used in this
32 paragraph, a publicly traded corporation is a corporation that
33 issues securities traded on an exchange registered with the
34 United States Securities and Exchange Commission as a national
35 securities exchange.

36
37
38 ===== T I T L E A M E N D M E N T =====

39 On page 1, line 2 through page 9, line 20
40 remove: all of said lines

41
42 and insert:

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HOUSE AMENDMENT

Bill No. SB 992

Amendment No.

43 An act relating to the licensure of health care providers
44 regulated by the Agency for Health Care Administration; amending
45 s. 112.0455, F.S.; providing applicability of licensure
46 requirements under pt. II of ch. 408, F.S., to drug-testing
47 standards of laboratories; authorizing the Agency for Health
48 Care Administration to adopt rules to implement pt. II of ch.
49 408, F.S., relating to the Drug-Free Workplace Act; revising a
50 license fee; amending s. 381.78, F.S.; conforming a cross-
51 reference; amending s. 383.301, F.S.; providing applicability of
52 licensure requirements under pt. II of ch. 408, F.S., to birth
53 centers; repealing s. 383.304, F.S., relating to the licensure
54 requirement for birth centers; amending s. 383.305, F.S.;
55 providing applicability of licensure requirements under pt. II
56 of ch. 408, F.S., to birth centers; providing for licensure fees
57 to be established by rule; amending s. 383.309, F.S.;
58 authorizing the agency to adopt and enforce rules to administer
59 pt. II of ch. 408, F.S., relating to standards for birth
60 centers; amending s. 383.315, F.S.; revising a provision
61 relating to consultation agreements for birth centers; amending
62 s. 383.324, F.S.; revising provisions relating to inspections
63 and investigations of birth center facilities; amending s.
64 383.33, F.S.; revising provisions relating to administrative
65 fines, penalties, emergency orders, and moratoriums on
66 admissions; repealing s. 383.331, F.S., relating to injunctive
67 relief; amending s. 383.332, F.S.; providing applicability of
68 licensure requirements under pt. II of ch. 408, F.S.; amending
69 s. 383.335, F.S.; providing an exemption from pt. II of ch. 408,
70 F.S., for specified birth centers; amending s. 383.50, F.S.;

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Amendment No.

71 conforming a cross-reference; amending s. 390.011, F.S.;

72 revising a definition; amending s. 390.012, F.S.; revising

73 rulemaking authority of the agency for abortion clinics;

74 repealing s. 390.013, F.S., relating to effective date of rules

75 applicable to abortion clinics; amending s. 390.014, F.S.;

76 providing applicability of licensure requirements under pt. II

77 of ch. 408, F.S., to abortion clinics; amending s. 390.015,

78 F.S.; revising provisions to applications for a license;

79 repealing s. 390.016, F.S., relating to expiration and renewal

80 of a license; repealing s. 390.017, F.S., relating to grounds

81 for suspension or revocation of a license; amending s. 390.018,

82 F.S.; providing applicability of licensure requirements under

83 pt. II of ch. 408, F.S., to administrative fines; repealing s.

84 390.019, F.S., relating an to administrative penalty in lieu of

85 revocation or suspension of a license to operate an abortion

86 clinic; repealing s. 390.021, F.S., relating to instituting

87 injunction proceedings against an abortion clinic; amending s.

88 394.455, F.S.; revising a definition; amending s. 394.4787,

89 F.S.; conforming a cross-reference; amending s. 394.67, F.S.;

90 deleting, revising, and providing definitions; amending ss.

91 394.74 and 394.82, F.S.; conforming cross-references; amending

92 s. 394.875, F.S.; providing the purpose of short-term

93 residential treatment facilities; providing applicability of

94 licensure requirements under pt. II of ch. 408, F.S., to crisis

95 stabilization units, short-term residential treatment

96 facilities, residential treatment facilities, and residential

97 treatment centers for children and adolescents; providing an

98 exemption from licensure requirements for hospitals licensed

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99 | under ch. 395, F.S., and certain programs operated therein;
100 | amending s. 394.876, F.S.; revising provisions relating to an
101 | application for licensure to provide community substance abuse
102 | and mental health services; amending s. 394.877, F.S.; providing
103 | applicability of pt. II of ch. 408, F.S., to license fees;
104 | repealing s. 394.878, F.S., relating to issuance and renewal of
105 | licenses; amending s. 394.879, F.S.; providing rulemaking
106 | authority to the Department of Children and Family Services;
107 | deleting a reference to deposit of certain fines in the Mental
108 | Health Facility Trust Fund; amending s. 394.90, F.S.; revising
109 | provisions relating to inspections of crisis stabilization units
110 | and residential treatment facilities; amending s. 394.902, F.S.;
111 | revising provisions relating to the moratorium on admissions for
112 | unsafe or unlawful provision of community substance abuse and
113 | mental health services; amending s. 394.907, F.S., relating to
114 | access to records of community mental health centers; providing
115 | for the department to determine licensee compliance with quality
116 | assurance programs; amending s. 395.002, F.S.; deleting a
117 | definition; conforming cross-references; amending ss. 395.003,
118 | 395.004, and 395.0161, F.S.; providing applicability of
119 | licensure requirements under pt. II of ch. 408, F.S., to
120 | hospitals, ambulatory surgical centers, and mobile surgical
121 | facilities; repealing s. 395.0055, F.S., relating to background
122 | screening of personnel of hospitals and other licensed
123 | facilities; amending s. 395.0163, F.S.; deleting a provision
124 | requiring the deposit of fees charged for review of plans for
125 | construction of hospitals and other licensed facilities in the
126 | Planning and Regulation Trust Fund; amending ss. 395.0193 and
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127 395.0197, F.S.; providing for the applicability of the reporting
128 requirements of pt. II of ch. 408, F.S., to hospitals and other
129 licensed facilities; conforming cross-references; amending ss.
130 395.0199 and 395.1046, F.S.; providing applicability of
131 licensure requirements under pt. II of ch. 408, F.S., to health
132 care utilization review and complaint investigation procedures;
133 amending s. 395.1055, F.S.; providing applicability of licensure
134 requirements under pt. II of ch. 408, F.S., to the adoption and
135 enforcement of rules; amending ss. 395.1065, 395.10973, and
136 395.10974, F.S.; providing applicability of licensure
137 requirements under pt. II of ch. 408, F.S., to administrative
138 penalties and injunctions, rulemaking, and health care risk
139 managers; amending ss. 395.602, 395.701, 400.0073, and 400.0074,
140 F.S.; conforming cross-references; amending s. 400.021, F.S.;
141 deleting definitions; amending s. 400.022, F.S.; providing
142 applicability of licensure requirements under pt. II of ch. 408,
143 F.S., to grounds for action for a violation of residents'
144 rights; amending s. 400.051, F.S.; conforming a cross-reference;
145 amending s. 400.062, F.S.; providing applicability of licensure
146 requirements under pt. II of ch. 408, F.S., to nursing homes and
147 related health care facilities; revising provisions relating to
148 license fees; amending s. 400.063, F.S.; conforming a cross-
149 reference; amending ss. 400.071 and 400.0712, F.S.; providing
150 applicability of licensure requirements under pt. II of ch. 408,
151 F.S., to license applications; revising provisions governing
152 inactive licenses; amending s. 400.102, F.S.; providing
153 applicability of licensure requirements under pt. II of ch. 408,
154 F.S., to grounds for action by the agency against a licensee;

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155 amending s. 400.111, F.S.; providing applicability of licensure
156 requirements under pt. II of ch. 408, F.S., to the disclosure of
157 a controlling interest of a nursing home facility; requiring a
158 licensee to disclose certain holdings of a controlling interest;
159 amending s. 400.1183, F.S.; revising grievance procedures for
160 nursing home residents; deleting a provision relating to an
161 administrative fine; amending s. 400.121, F.S.; providing
162 applicability of licensure requirements under pt. II of ch. 408,
163 F.S., to the denial, suspension, or revocation of a nursing home
164 facility license, fines imposed, and procedures for conducting
165 hearings; repealing s. 400.125, F.S., relating to instituting
166 injunction proceedings against a nursing home; amending s.
167 400.141, F.S.; conforming a cross-reference; amending s.
168 400.179, F.S.; revising provisions relating to liability for
169 Medicaid underpayments and overpayments; requiring that certain
170 licensure fees be paid annually; amending s. 400.18, F.S.;
171 revising provisions relating to the closing of a nursing home
172 facility; amending s. 400.19, F.S.; providing applicability of
173 licensure requirements under pt. II of ch. 408, F.S., to nursing
174 home facility inspections; amending s. 400.191, F.S.; revising
175 provisions relating to the availability, distribution, and
176 posting of reports and records; amending s. 400.23, F.S.;
177 providing applicability of pt. II of ch. 408, F.S., to
178 rulemaking for nursing home facilities; amending s. 400.241,
179 F.S.; deleting provisions relating to prohibited acts involving
180 the establishment, operation, or advertisement of nursing home
181 facilities; amending ss. 400.464, 400.471, 400.474, and 400.484,
182 F.S.; providing applicability of licensure requirements under

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183 | pt. II of ch. 408, F.S., to home health agencies; repealing s.
184 | 400.495, F.S., relating to the notice of a toll-free telephone
185 | number for the central abuse hotline; amending ss. 400.497,
186 | 400.506, 400.509, 400.602, 400.605, 400.606, 400.6065, 400.607,
187 | 400.801, 400.805, 400.903, 400.905, 400.907, 400.908, 400.912,
188 | 400.914, and 400.915, F.S.; providing applicability of licensure
189 | requirements under pt. II of ch. 408, F.S., to the toll-free
190 | central abuse hotline, rules establishing minimum standards for
191 | home health aides, nurse registries, the registration of
192 | companion or homemaker service providers that are exempt from
193 | licensure, hospices, homes for special services, transitional
194 | living facilities, and prescribed pediatric extended care (PPEC)
195 | centers; amending s. 400.512, F.S.; revising provisions relating
196 | to the screening of home health agency, nurse registry,
197 | companion, and homemaker personnel; repealing s. 400.515, F.S.,
198 | relating to instituting injunction proceedings against a home
199 | health agency or nurse registry; amending s. 400.6095, F.S.;
200 | clarifying provisions relating to protection from liability for
201 | hospice staff; amending s. 400.902, F.S.; revising a definition;
202 | amending s. 400.906, F.S.; revising provisions relating to
203 | applications for a license to operate a PPEC center; repealing
204 | s. 400.910, F.S., relating to expiration and renewal of a
205 | license and the issuance of a conditional license or permit to
206 | operate a PPEC center; repealing s. 400.911, F.S., relating to
207 | instituting injunction proceedings against a PPEC center;
208 | repealing s. 400.913, F.S., relating to right to enter and
209 | inspect a PPEC center; amending s. 400.916, F.S.; revising
210 | provisions relating to prohibited acts and penalties applicable

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211 to a PPEC center; repealing s. 400.917, F.S., relating to
212 disposition of moneys from fines and fees imposed on a PPEC
213 center; amending s. 400.925, F.S.; deleting and revising
214 definitions; amending ss. 400.93, 400.931, 400.932, 400.933,
215 400.935, and 400.955, F.S.; providing applicability of licensure
216 requirements under pt. II of ch. 408, F.S., to home medical
217 equipment providers; repealing s. 400.95, F.S., relating to
218 notice of the toll-free telephone number for the central abuse
219 hotline; repealing s. 400.956, F.S., relating to instituting
220 injunction proceedings against a home medical equipment
221 provider; amending ss. 400.962, 400.967, 400.968, and 400.969,
222 F.S.; providing applicability of licensure requirements under
223 pt. II of ch. 408, F.S., to intermediate care facilities for
224 developmentally disabled persons; repealing s. 400.963, F.S.,
225 relating to instituting injunction proceedings against an
226 intermediate care facility for developmentally disabled persons;
227 repealing s. 400.965, F.S., relating to agency action against an
228 intermediate care facility for developmentally disabled persons;
229 amending s. 400.980, F.S.; providing applicability of licensure
230 requirements under pt. II of ch. 408, F.S., to health care
231 services pools; amending s. 400.9905, F.S.; revising the
232 definition of the term "clinic" for purposes of pt. X of ch.
233 400, F.S., relating to clinic licensure; amending ss. 400.991,
234 400.9915,

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