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CHAMBER ACTION

Senate

House

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Floor: 1/AD/3R
4/23/2008 12:16 PM

1 Senator Jones moved the following **amendment**:

2
3 **Senate Amendment (with directory and title amendments)**

4 Delete line(s) 313-490

5 and insert:

6 400.471 Application for license; fee.--

7 (2) In addition to the requirements of part II of chapter
8 408, the initial applicant must file with the application
9 satisfactory proof that the home health agency is in compliance
10 with this part and applicable rules, including:

11 (d) A business plan, signed by the applicant, which details
12 the home health agency's methods to obtain patients and its plan
13 to recruit and maintain staff.

14 (e) Evidence of contingency funding equal to 1 month's
15 average operating expenses during the first year of operation.

16 (f) A balance sheet, income and expense statement, and
17 statement of cash flows for the first 2 years of operation which



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18 provide evidence of having sufficient assets, credit, and
19 projected revenues to cover liabilities and expenses. The
20 applicant has demonstrated financial ability to operate if the
21 applicant's assets, credit, and projected revenues meet or exceed
22 projected liabilities and expenses. An applicant may not project
23 an operating margin of 15 percent or greater for any month in the
24 first year of operation. All documents required under this
25 paragraph must be prepared in accordance with generally accepted
26 accounting principles and compiled and signed by a certified
27 public accountant.

28 (g) All other ownership interests in health care entities
29 for each controlling interest, as defined in part II of chapter
30 408.

31 (h) In the case of an application for initial licensure,
32 documentation of accreditation, or an application for
33 accreditation, from an accrediting organization that is
34 recognized by the agency as having standards comparable to those
35 required by this part and part II of chapter 408. Notwithstanding
36 s. 408.806, an applicant that has applied for accreditation must
37 provide proof of accreditation that is not conditional or
38 provisional within 120 days after the date of the agency's
39 receipt of the application for licensure or the application shall
40 be withdrawn from further consideration. Such accreditation must
41 be maintained by the home health agency to maintain licensure.
42 The agency shall accept, in lieu of its own periodic licensure
43 survey, the submission of the survey of an accrediting
44 organization that is recognized by the agency if the
45 accreditation of the licensed home health agency is not
46 provisional and if the licensed home health agency authorizes



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47 releases of, and the agency receives the report of, the
48 accrediting organization.

49 (7) The agency may not issue an initial license to an
50 applicant for a home health agency license if the applicant
51 shares common controlling interests with another licensed home
52 health agency that is located within 10 miles of the applicant
53 and is in the same county. The agency must return the application
54 and fees to the applicant.

55 (8) An application for a home health agency license may not
56 be transferred to another home health agency or controlling
57 interest before issuance of the license.

58 (9) A licensed home health agency that seeks to relocate to
59 a different geographic service area not listed on its license
60 must submit an initial application for a home health agency
61 license for the new location.

62
63 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

64 And the directory clause is amended as follows:

65 Delete line(s) 311-312

66 and insert:

67 Section 3. Paragraphs (d), (e), (f), (g), and (h) are added
68 to subsection (2) of section 400.471, Florida Statutes, and
69 subsections (7), (8), and (9), are added to that section, to
70 read:

71
72 ===== T I T L E A M E N D M E N T =====

73 And the title is amended as follows:

74 Delete line(s) 13-39

75 and insert:

Bill No. CS/CS/CS/SB 1374, 1st Eng.



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76 | to operate; requiring home health agencies to maintain
77 | certain accreditation to maintain licensure; permitting
78 | certain accrediting organizations to submit surveys
79 | regarding licensure of home health agencies; prohibiting
80 | the agency from issuing an initial license to an applicant
81 | for a home health agency license which is located within a
82 | certain distance of a licensed home health agency that has
83 | common controlling interests; prohibiting the transfer of
84 | an application to another home health agency before
85 | issuance of the license; requiring submission of an
86 | initial application to relocate a licensed home health
87 | agency to another geographic service area; amending s.
88 | 400.474, F.S.;