

By Senator Peaden

2-03349-08

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1 A bill to be entitled
2 An act relating to hospitals; amending s. 395.003, F.S.;
3 prohibiting the licensing of additional emergency
4 departments located off the premises of a licensed
5 hospital until January 1, 2010; providing exceptions;
6 providing an effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (1) of section 395.003, Florida
11 Statutes, is amended to read:

12 395.003 Licensure; denial, suspension, and revocation.--

13 (1)(a) The requirements of part II of chapter 408 apply to
14 the provision of services that require licensure pursuant to ss.
15 395.001-395.1065 and part II of chapter 408 and to entities
16 licensed by or applying for such licensure from the Agency for
17 Health Care Administration pursuant to ss. 395.001-395.1065. A
18 license issued by the agency is required in order to operate a
19 hospital, ambulatory surgical center, or mobile surgical facility
20 in this state.

21 (b)1. It is unlawful for a person to use or advertise to
22 the public, in any way or by any medium whatsoever, any facility
23 as a "hospital," "ambulatory surgical center," or "mobile
24 surgical facility" unless such facility has first secured a
25 license under the provisions of this part.

26 2. This part does not apply to veterinary hospitals or to
27 commercial business establishments using the word "hospital,"
28 "ambulatory surgical center," or "mobile surgical facility" as a

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29 part of a trade name if no treatment of human beings is performed
30 on the premises of such establishments.

31 (c) ~~Until July 1, 2006,~~ Additional emergency departments
32 located off the premises of licensed hospitals may not be
33 authorized by the agency until January 1, 2010, except that a
34 hospital that has commenced the licensure application process for
35 an emergency department located off the premises of a licensed
36 hospital, including the filing of initial documents on or before
37 April 30, 2008, and has submitted Stage 2 architectural plans for
38 an emergency department located off the premises of a licensed
39 hospital as of July 1, 2008, or has received approval of Stage 2
40 architectural plans for an emergency department located off the
41 premises of a licensed hospital as of July 15, 2008, may be
42 authorized and licensed by the agency upon compliance with the
43 same requirements as were imposed on off-premises emergency
44 departments licensed prior to July 1, 2008.

45 Section 2. This act shall take effect July 1, 2008.