

HB 5093

2008

1 A bill to be entitled
2 An act relating to tuberculosis control; amending ss.
3 392.51 and 392.69, F.S.; revising legislative intent with
4 respect to delivery of tuberculosis control services;
5 requiring appropriations to be designated for the
6 monitoring of and provision of services to persons with
7 contagious tuberculosis and to provide a system of
8 voluntary, community-oriented care; removing requirements
9 for the use of funds; revising duties of the advisory
10 board; removing references to the A.G. Holley State
11 Hospital; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 392.51, Florida Statutes, is amended to
16 read:

17 392.51 Findings and intent.--The Legislature finds and
18 declares that active tuberculosis is a highly contagious
19 infection that is sometimes fatal and constitutes a serious
20 threat to the public health. The Legislature finds that there is
21 a significant reservoir of tuberculosis infection in this state
22 and that there is a need to develop community programs to
23 identify tuberculosis and to respond quickly with appropriate
24 measures. The Legislature finds that some patients who have
25 active tuberculosis have complex medical, social, and economic
26 problems that make outpatient control of the disease difficult,
27 if not impossible, without posing a threat to the public health.
28 The Legislature finds that in order to protect the citizenry

29 | from those few persons who pose a threat to the public, it is
 30 | necessary to establish a system of mandatory contact
 31 | identification, treatment to cure, hospitalization, and
 32 | isolation for contagious cases and to provide a system of
 33 | voluntary, community-oriented care and surveillance in all other
 34 | cases. The Legislature finds that the delivery of tuberculosis
 35 | control services is best accomplished by the coordinated efforts
 36 | of the respective county health departments, ~~the A.G. Holley~~
 37 | ~~State Hospital,~~ and the private health care delivery system.

38 | Section 2. Section 392.69, Florida Statutes, is amended to
 39 | read:

40 | 392.69 Appropriation, ~~sinking,~~ and maintenance trust
 41 | funds; additional powers of the department.--

42 | (1) The Legislature may ~~shall~~ include in its annual
 43 | appropriations act funds ~~a sufficient sum~~ for the purpose of
 44 | carrying out the provisions of this chapter.

45 | (2) All moneys required to be paid by the several counties
 46 | and patients for the care and maintenance of patients
 47 | hospitalized by the department for tuberculosis shall be paid to
 48 | the department, and the department shall immediately transmit
 49 | these moneys to the Chief Financial Officer, who shall deposit
 50 | the moneys in the Operations and Maintenance Trust Fund, which
 51 | shall contain all moneys appropriated by the Legislature or
 52 | received from patients or other third parties and shall be
 53 | expended to support the surveillance, treatment to cure,
 54 | hospitalization, and isolation for contagious cases of
 55 | tuberculosis and to provide a system of voluntary, community-

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56 ~~oriented care for the operation and maintenance of the state-~~
57 ~~operated tuberculosis hospital.~~

58 ~~(3) In the execution of its public health program~~
59 ~~functions, notwithstanding s. 216.292(2)(b)2., the department is~~
60 ~~hereby authorized to use any sums of money which it may~~
61 ~~heretofore have saved or which it may hereafter save from its~~
62 ~~regular operating appropriation, or use any sums of money~~
63 ~~acquired by gift or grant, or any sums of money it may acquire~~
64 ~~by the issuance of revenue certificates of the hospital to match~~
65 ~~or supplement any state or federal funds, or any moneys received~~
66 ~~by said department by gift or otherwise, for the construction or~~
67 ~~maintenance of additional facilities or improvement to existing~~
68 ~~facilities, as the department deems necessary.~~

69 (3)~~(4)~~ The department shall appoint an advisory board,
70 which shall meet quarterly to review and make recommendations
71 relating to coordinating patient care for noncompliant
72 tuberculosis patients at A. G. Holley State Hospital. Members
73 shall be appointed for terms of 3 years, with such appointments
74 being staggered so that terms of no more than two members expire
75 in any one year. Members shall serve without compensation, but
76 they are entitled to be reimbursed for per diem and travel
77 expenses under s. 112.061.

78 Section 3. This act shall take effect January 1, 2009.