

By Senator Lawson

6-01124A-09

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1 A bill to be entitled
2 An act relating to inactive licenses for health care
3 providers; allowing a health care provider to extend
4 the inactive period beyond 12 months and renew the
5 inactive designation under certain circumstances;
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 (3) of section 408.808, Florida
11 Statutes, is amended to read:

12 408.808 License categories.—

13 (3) INACTIVE LICENSE.—An inactive license may be issued to
14 a health care provider subject to the certificate-of-need
15 provisions in part I of this chapter when the provider is
16 currently licensed, does not have a provisional license, and
17 will be temporarily unable to provide services but is reasonably
18 expected to resume services within 12 months. Such designation
19 may be made for a period not to exceed 12 months but may be
20 renewed by the agency for up to 12 additional months upon
21 demonstration by the licensee of the provider's progress toward
22 reopening. However, if after 20 months in an inactive license
23 status, a rural hospital, as defined in s. 395.602, has
24 demonstrated progress toward reopening but is not able to reopen
25 before the expiration date of its inactive license, the inactive
26 designation may be renewed again by the agency for up to 12
27 additional months. A request by a licensee for an inactive
28 license or to extend the previously approved inactive period
29 must be submitted to the agency and must include a written

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30 justification for the inactive license with the beginning and
31 ending dates of inactivity specified, a plan for the transfer of
32 any clients to other providers, and the appropriate licensure
33 fees. The agency may not accept a request that is submitted
34 after initiating closure, after any suspension of service, or
35 after notifying clients of closure or suspension of service,
36 unless the action is a result of a disaster at the licensed
37 premises. For the purposes of this section, the term "disaster"
38 means a sudden emergency occurrence beyond the control of the
39 licensee, whether natural, technological, or manmade, which
40 renders the provider inoperable at the premises. Upon agency
41 approval, the provider shall notify clients of any necessary
42 discharge or transfer as required by authorizing statutes or
43 applicable rules. The beginning of the inactive license period
44 is the date the provider ceases operations. The end of the
45 inactive license period shall become the license expiration
46 date. All licensure fees must be current, must be paid in full,
47 and may be prorated. Reactivation of an inactive license
48 requires the approval of a renewal application, including
49 payment of licensure fees and agency inspections indicating
50 compliance with all requirements of this part, authorizing
51 statutes, and applicable rules.

52 Section 2. This act shall take effect July 1, 2009.