

HB 873

2009

1 A bill to be entitled
2 An act relating to licensure of health care providers;
3 amending s. 408.808, F.S.; providing for renewal of
4 inactive license status for statutory rural hospitals
5 under certain circumstances; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Subsection (3) of section 408.808, Florida
10 Statutes, is amended to read:

11 408.808 License categories.--

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

HB 873

2009

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

51 Section 2. This act shall take effect upon becoming a law.