

CS/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; requiring plan approval and
6 commencement of construction under certain circumstances;
7 requiring certain proof of enforceable capital
8 expenditures under certain circumstances; providing an
9 effective date.

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

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13 Section 1. Subsection (3) of section 408.808, Florida
14 Statutes, is amended to read:

15 408.808 License categories.--

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

29 inactive designation may be renewed again by the agency for up
30 to 12 additional months. If construction or renovation is
31 required, the licensee's plans must have been approved by the
32 agency and construction must have commenced pursuant to s.
33 408.032(4). Where construction or renovation are not required,
34 the licensee must provide proof of having made an enforceable
35 capital expenditure of greater than 25 percent of the total
36 costs associated with the hiring of staff and the purchasing of
37 equipment and supplies needed to operate the facility upon
38 opening. A request by a licensee for an inactive license or to
39 extend the previously approved inactive period must be submitted
40 to the agency and must include a written justification for the
41 inactive license with the beginning and ending dates of
42 inactivity specified, a plan for the transfer of any clients to
43 other providers, and the appropriate licensure fees. The agency
44 may not accept a request that is submitted after initiating
45 closure, after any suspension of service, or after notifying
46 clients of closure or suspension of service, unless the action
47 is a result of a disaster at the licensed premises. For the
48 purposes of this section, the term "disaster" means a sudden
49 emergency occurrence beyond the control of the licensee, whether
50 natural, technological, or manmade, which renders the provider
51 inoperable at the premises. Upon agency approval, the provider
52 shall notify clients of any necessary discharge or transfer as
53 required by authorizing statutes or applicable rules. The
54 beginning of the inactive license period is the date the
55 provider ceases operations. The end of the inactive license
56 period shall become the license expiration date. All licensure

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57 | fees must be current, must be paid in full, and may be prorated.
58 | Reactivation of an inactive license requires the approval of a
59 | renewal application, including payment of licensure fees and
60 | agency inspections indicating compliance with all requirements
61 | of this part, authorizing statutes, and applicable rules.

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