

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

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

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