



542436

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/22/2011	.	
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The Committee on Health Regulation (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1403 - 1411
and insert:

Section 40. Section 400.931, Florida Statutes, is amended to read:

400.931 Application for license; documentation of accreditation; ~~fee; provisional license; temporary permit.~~

(1) In addition to the requirements of part II of chapter 408, the applicant must file with the application satisfactory



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13 proof that the home medical equipment provider is in compliance
14 with this part and applicable rules, including:

15 (a) A report, by category, of the equipment to be provided,
16 indicating those offered either directly by the applicant or
17 through contractual arrangements with existing providers.

18 Categories of equipment include:

- 19 1. Respiratory modalities.
- 20 2. Ambulation aids.
- 21 3. Mobility aids.
- 22 4. Sickroom setup.
- 23 5. Disposables.

24 (b) A report, by category, of the services to be provided,
25 indicating those offered either directly by the applicant or
26 through contractual arrangements with existing providers.

27 Categories of services include:

- 28 1. Intake.
- 29 2. Equipment selection.
- 30 3. Delivery.
- 31 4. Setup and installation.
- 32 5. Patient training.
- 33 6. Ongoing service and maintenance.
- 34 7. Retrieval.

35 (c) A listing of those with whom the applicant contracts,
36 both the providers the applicant uses to provide equipment or
37 services to its consumers and the providers for whom the
38 applicant provides services or equipment.

39 (2) An applicant for initial licensure, change of
40 ownership, or renewal to operate a licensed home medical
41 equipment provider at a location outside the state of Florida



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42 must submit documentation of accreditation, or an application
43 for accreditation, from an accrediting organization that is
44 recognized by the agency. An applicant that has applied for
45 accreditation must provide proof of accreditation that is not
46 conditional or provisional within 120 days after the date of the
47 agency's receipt of the application for licensure or the
48 application shall be withdrawn from further consideration. Such
49 accreditation must be maintained by the home medical equipment
50 provider in order to maintain licensure. ~~As an alternative to~~
51 ~~submitting proof of financial ability to operate as required in~~
52 ~~s. 408.810(8), the applicant may submit a \$50,000 surety bond to~~
53 ~~the agency.~~

54 (3) As specified in part II of chapter 408, the home
55 medical equipment provider must also obtain and maintain
56 professional and commercial liability insurance. Proof of
57 liability insurance, as defined in s. 624.605, must be submitted
58 with the application. The agency shall set the required amounts
59 of liability insurance by rule, but the required amount must not
60 be less than \$250,000 per claim. In the case of contracted
61 services, it is required that the contractor have liability
62 insurance not less than \$250,000 per claim.

63 (4) When a change of the general manager of a home medical
64 equipment provider occurs, the licensee must notify the agency
65 of the change within 45 days.

66 (5) In accordance with s. 408.805, an applicant or a
67 licensee shall pay a fee for each license application submitted
68 under this part, part II of chapter 408, and applicable rules.
69 The amount of the fee shall be established by rule and may not
70 exceed \$300 per biennium. The agency shall set the fees in an



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71 amount that is sufficient to cover its costs in carrying out its
72 responsibilities under this part. However, state, county, or
73 municipal governments applying for licenses under this part are
74 exempt from the payment of license fees.

75 (6) An applicant for initial licensure, renewal, or change
76 of ownership shall also pay an inspection fee not to exceed
77 \$400, which shall be paid by all applicants except those not
78 subject to licensure inspection by the agency as described in s.
79 400.933.

80
81 ===== T I T L E A M E N D M E N T =====

82 And the title is amended as follows:

83
84 Delete line 118

85 and insert:

86
87 requiring each applicant for initial licensure, change
88 of ownership, or renewal to operate a licensed home
89 medical equipment provider at a location outside the
90 state to submit documentation of accreditation, or an
91 application for accreditation, from an accrediting
92 organization that is recognized by the Agency for
93 Health Care Administration; requiring an applicant
94 that has applied for accreditation to provide proof of
95 accreditation within a specified time; deleting a
96 requirement that an applicant for a home