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LEGISLATIVE ACTION

Senate

House

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Floor: WD

03/08/2012 06:41 PM

Senator Hays moved the following:

Senate Amendment (with title amendment)

Delete lines 1970 - 2726

and insert:

Section 35. Subsection (5) of section 381.0303, Florida Statutes, is amended to read:

381.0303 Special needs shelters.—

(5) SPECIAL NEEDS SHELTER INTERAGENCY COMMITTEE.—The State Surgeon General may establish a special needs shelter interagency committee and serve as, or appoint a designee to serve as, the committee's chair. The department shall provide any necessary staff and resources to support the committee in the performance of its duties. The committee shall address and



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14 resolve problems related to special needs shelters not addressed
15 in the state comprehensive emergency medical plan and shall
16 consult on the planning and operation of special needs shelters.

17 (a) The committee shall~~+~~

18 ~~1.~~ develop, negotiate, and regularly review any necessary
19 interagency agreements, and~~-~~

20 ~~2.~~ undertake other such activities as the department deems
21 necessary to facilitate the implementation of this section.

22 ~~3. Submit recommendations to the Legislature as necessary.~~

23 (b) The special needs shelter interagency committee shall
24 be composed of representatives of emergency management, health,
25 medical, and social services organizations. Membership shall
26 include, but shall not be limited to, representatives of the
27 Departments of Health, Children and Family Services, Elderly
28 Affairs, and Education; the Agency for Health Care
29 Administration; the Division of Emergency Management; the
30 Florida Medical Association; the Florida Osteopathic Medical
31 Association; Associated Home Health Industries of Florida, Inc.;
32 the Florida Nurses Association; the Florida Health Care
33 Association; the Florida Assisted Living Affiliation; the
34 Florida Hospital Association; the Florida Statutory Teaching
35 Hospital Council; the Florida Association of Homes for the
36 Aging; the Florida Emergency Preparedness Association; the
37 American Red Cross; Florida Hospices and Palliative Care, Inc.;
38 the Association of Community Hospitals and Health Systems; the
39 Florida Association of Health Maintenance Organizations; the
40 Florida League of Health Systems; the Private Care Association;
41 the Salvation Army; the Florida Association of Aging Services
42 Providers; the AARP; and the Florida Renal Coalition.



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43 (c) Meetings of the committee shall be held in Tallahassee,
44 and members of the committee shall serve at the expense of the
45 agencies or organizations they represent. The committee shall
46 make every effort to use teleconference or videoconference
47 capabilities in order to ensure statewide input and
48 participation.

49 Section 36. Section 381.04015, Florida Statutes, is
50 repealed.

51 Section 37. Subsections (2), (3), and (4) of section
52 381.0403, Florida Statutes, are amended to read:

53 381.0403 The Community Hospital Education Act.—

54 (2) ESTABLISHMENT OF PROGRAM ~~LEGISLATIVE INTENT.~~—

55 ~~(a) It is the intent of the Legislature that health care~~
56 ~~services for the citizens of this state be upgraded and that a~~
57 ~~program for continuing these services be maintained through a~~
58 ~~plan for community medical education. The A program is intended~~
59 ~~established to plan for community medical education, provide~~
60 ~~additional outpatient and inpatient services, increase the a~~
61 ~~continuing supply of highly trained physicians, and expand~~
62 ~~graduate medical education.~~

63 ~~(b) The Legislature further acknowledges the critical need~~
64 ~~for increased numbers of primary care physicians to provide the~~
65 ~~necessary current and projected health and medical services. In~~
66 ~~order to meet both present and anticipated needs, the~~
67 ~~Legislature supports an expansion in the number of family~~
68 ~~practice residency positions. The Legislature intends that the~~
69 ~~funding for graduate education in family practice be maintained~~
70 ~~and that funding for all primary care specialties be provided at~~
71 ~~a minimum of \$10,000 per resident per year. Should funding for~~



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72 ~~this act remain constant or be reduced, it is intended that all~~
73 ~~programs funded by this act be maintained or reduced~~
74 ~~proportionately.~~

75 (3) PROGRAM FOR COMMUNITY HOSPITAL EDUCATION; STATE AND
76 LOCAL PLANNING.—

77 (a) ~~There is established under the Department of Health a~~
78 ~~program for statewide graduate medical education. It is intended~~
79 ~~that continuing graduate medical education programs for interns~~
80 ~~and residents be established on a statewide basis.~~ The program
81 shall provide financial support for primary care specialty
82 interns and residents based on recommendations of policies
83 ~~recommended and approved by~~ the Community Hospital Education
84 Council, herein established, and the Department of Health, as
85 authorized by the General Appropriations Act. Only those
86 programs with at least three residents or interns in each year
87 of the training program are qualified to apply for financial
88 support. Programs with fewer than three residents or interns per
89 training year are qualified to apply for financial support, but
90 only if the appropriate accrediting entity for the particular
91 specialty has approved the program for fewer positions. New
92 ~~programs added after fiscal year 1997-1998~~ shall have 5 years to
93 attain the requisite number of residents or interns. When
94 feasible and to the extent allowed through the General
95 Appropriations Act, state funds shall be used to generate
96 federal matching funds under Medicaid, or other federal
97 programs, and the resulting combined state and federal funds
98 shall be allocated to participating hospitals for the support of
99 graduate medical education.

100 (b) For the purposes of this section, primary care



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101 specialties include emergency medicine, family practice,
102 internal medicine, pediatrics, psychiatry,
103 obstetrics/gynecology, and combined pediatrics and internal
104 medicine, and other primary care specialties as may be included
105 by the council and Department of Health.

106 (c) Medical institutions throughout the state may apply to
107 the Community Hospital Education Council for grants-in-aid for
108 financial support of their approved programs. Recommendations
109 for funding of approved programs shall be forwarded to the
110 Department of Health.

111 (d) The program shall provide a plan for community clinical
112 teaching and training with the cooperation of the medical
113 profession, hospitals, and clinics. The plan shall also include
114 formal teaching opportunities for intern and resident training.
115 In addition, the plan shall establish an off-campus medical
116 faculty with university faculty review to be located throughout
117 the state in local communities.

118 (4) PROGRAM FOR GRADUATE MEDICAL EDUCATION INNOVATIONS.—

119 (a) There is established under the Department of Health a
120 program for fostering graduate medical education innovations.
121 Funds appropriated annually by the Legislature for this purpose
122 shall be distributed to participating hospitals or consortia of
123 participating hospitals and Florida medical schools or to a
124 Florida medical school for the direct costs of providing
125 graduate medical education in community-based clinical settings
126 on a competitive grant or formula basis to achieve state health
127 care workforce policy objectives, including, but not limited to:

128 1. Increasing the number of residents in primary care and
129 other high demand specialties or fellowships;



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- 130 2. Enhancing retention of primary care physicians in
131 Florida practice;
132 3. Promoting practice in medically underserved areas of the
133 state;
134 4. Encouraging racial and ethnic diversity within the
135 state's physician workforce; and
136 5. Encouraging increased production of geriatricians.

137 (b) Participating hospitals or consortia of participating
138 hospitals and Florida medical schools or a Florida medical
139 school providing graduate medical education in community-based
140 clinical settings may apply to the Community Hospital Education
141 Council for funding under this innovations program, except when
142 such innovations directly compete with services or programs
143 provided by participating hospitals or consortia of
144 participating hospitals, or by both hospitals and consortia.
145 Innovations program funding shall be allocated ~~provide funding~~
146 based on recommendations of ~~policies recommended and approved by~~
147 the Community Hospital Education Council and the Department of
148 Health, as authorized by the General Appropriations Act.

149 (c) Participating hospitals or consortia of participating
150 hospitals and Florida medical schools or Florida medical schools
151 awarded an innovations grant shall provide the Community
152 Hospital Education Council and Department of Health with an
153 annual report on their project.

154 Section 38. Subsection (7) of section 381.0405, Florida
155 Statutes, is amended to read:

156 381.0405 Office of Rural Health.—

157 ~~(7) APPROPRIATION. The Legislature shall appropriate such~~
158 ~~sums as are necessary to support the Office of Rural Health.~~



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159 Section 39. Subsection (3) of section 381.0406, Florida
160 Statutes, is amended to read:

161 381.0406 Rural health networks.—

162 ~~(3) Because each rural area is unique, with a different~~
163 ~~health care provider mix,~~ Health care provider membership may
164 vary, but all networks shall include members that provide public
165 health, comprehensive primary care, emergency medical care, and
166 acute inpatient care.

167 Section 40. Section 381.045, Florida Statutes, is repealed.

168 Section 41. Subsection (7) of section 381.06015, Florida
169 Statutes, is amended to read:

170 381.06015 Public Cord Blood Tissue Bank.—

171 ~~(7) In order to fund the provisions of this section the~~
172 ~~consortium participants, the Agency for Health Care~~
173 ~~Administration, and the Department of Health shall seek private~~
174 ~~or federal funds to initiate program actions for fiscal year~~
175 ~~2000-2001.~~

176 Section 42. Section 381.0605, Florida Statutes, is
177 repealed.

178 Section 43. Section 381.102, Florida Statutes, is repealed.

179 Section 44. Section 381.103, Florida Statutes, is repealed.

180 Section 45. Subsection (2) of section 381.4018, Florida
181 Statutes, is repealed.

182 Section 46. Section 381.60225, Florida Statutes, is
183 repealed.

184 Section 47. Section 381.7352, Florida Statutes, is amended
185 to read:

186 381.7352 Legislative findings and intent.—

187 ~~(1) The Legislature finds that despite state investments in~~



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188 ~~health care programs, certain racial and ethnic populations in~~
189 ~~Florida continue to have significantly poorer health outcomes~~
190 ~~when compared to non-Hispanic whites. The Legislature finds that~~
191 ~~local solutions to health care problems can have a dramatic and~~
192 ~~positive effect on the health status of these populations. Local~~
193 ~~governments and communities are best equipped to identify the~~
194 ~~health education, health promotion, and disease prevention needs~~
195 ~~of the racial and ethnic populations in their communities,~~
196 ~~mobilize the community to address health outcome disparities,~~
197 ~~enlist and organize local public and private resources, and~~
198 ~~faith-based organizations to address these disparities, and~~
199 ~~evaluate the effectiveness of interventions.~~

200 (2) It is ~~therefore~~ the intent of the Legislature to
201 provide funds within Florida counties and Front Porch Florida
202 Communities, in the form of Reducing Racial and Ethnic Health
203 Disparities: Closing the Gap grants, to stimulate the
204 development of community-based and neighborhood-based projects
205 which will improve the health outcomes of racial and ethnic
206 populations. Further, it is the intent of the Legislature that
207 these programs foster the development of coordinated,
208 collaborative, and broad-based participation by public and
209 private entities, and faith-based organizations. Finally, it is
210 the intent of the Legislature that the grant program function as
211 a partnership between state and local governments, faith-based
212 organizations, and private sector health care providers,
213 including managed care, voluntary health care resources, social
214 service providers, and nontraditional partners.

215 Section 48. Subsection (3) of section 381.7353, Florida
216 Statutes, is amended to read:



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217 381.7353 Reducing Racial and Ethnic Health Disparities:
218 Closing the Gap grant program; administration; department
219 duties.—

220 ~~(3) Pursuant to s. 20.43(6), the State Surgeon General may~~
221 ~~appoint an ad hoc advisory committee to: examine areas where~~
222 ~~public awareness, public education, research, and coordination~~
223 ~~regarding racial and ethnic health outcome disparities are~~
224 ~~lacking; consider access and transportation issues which~~
225 ~~contribute to health status disparities; and make~~
226 ~~recommendations for closing gaps in health outcomes and~~
227 ~~increasing the public's awareness and understanding of health~~
228 ~~disparities that exist between racial and ethnic populations.~~

229 Section 49. Subsections (5) and (6) of section 381.7356,
230 Florida Statutes, are renumbered as subsections (4) and (5),
231 respectively, and present subsection (4) of that section is
232 amended to read:

233 381.7356 Local matching funds; grant awards.—

234 ~~(4) Dissemination of grant awards shall begin no later than~~
235 ~~January 1, 2001.~~

236 Section 50. Subsection (3) of section 381.765, Florida
237 Statutes, is amended to read:

238 381.765 Retention of title to and disposal of equipment.—

239 ~~(3) The department may adopt rules relating to records and~~
240 ~~recordkeeping for department-owned property referenced in~~
241 ~~subsections (1) and (2).~~

242 Section 51. Section 381.77, Florida Statutes, is repealed.

243 Section 52. Section 381.795, Florida Statutes, is repealed.

244 Section 53. Subsections (2) through (5) of section 381.853,
245 Florida Statutes, are renumbered as subsections (1) through (4),



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246 respectively, and present subsection (1) of that section is
247 amended to read:

248 381.853 Florida Center for Brain Tumor Research.—

249 ~~(1) The Legislature finds that each year an estimated~~
250 ~~190,000 citizens of the United States are diagnosed with~~
251 ~~cancerous and noncancerous brain tumors and that biomedical~~
252 ~~research is the key to finding cures for these tumors. The~~
253 ~~Legislature further finds that, although brain tumor research is~~
254 ~~being conducted throughout the state, there is a lack of~~
255 ~~coordinated efforts among researchers and health care providers.~~
256 ~~Therefore, the Legislature finds that there is a significant~~
257 ~~need for a coordinated effort to achieve the goal of curing~~
258 ~~brain tumors. The Legislature further finds that the biomedical~~
259 ~~technology sector meets the criteria of a high-impact sector,~~
260 ~~pursuant to s. 288.108(6), having a high importance to the~~
261 ~~state's economy with a significant potential for growth and~~
262 ~~contribution to our universities and quality of life.~~

263 Section 54. Section 381.855, Florida Statutes, is repealed.

264 Section 55. Section 381.87, Florida Statutes, is repealed.

265 Section 56. Section 381.895, Florida Statutes, is amended
266 to read:

267 381.895 Standards for compressed air used for recreational
268 diving.—

269 (1) A person selling compressed air for recreational sport
270 diving must:

271 (a) Maintain certification or membership in at least one of
272 the following organizations:

273 1. Professional Association of Diving Instructors (PADI);

274 2. National Association of Underwater Instructors (NAUI);



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275 or

276 3. Scuba Schools International (SSI);

277 (b) Post in a conspicuous place on the premises a copy of
278 the certification or documentation of membership in the
279 organization; and

280 (c) Maintain compliance with the Compressed Gas
281 Association, Grade "E" Recreational Diving Compressed Air
282 Standards, provide medical-grade compressed air, or use constant
283 air-quality-monitoring devices that are calibrated at least
284 every 90 days. ~~The Department of Health shall establish maximum~~
285 allowable levels for contaminants in compressed air used for
286 recreational sport diving in this state. In developing the
287 standards, the department must take into consideration the
288 levels of contaminants allowed by the Grade "E" Recreational
289 Diving Standards of the Compressed Gas Association.

290 (2) The Department of Health may adopt rules to revise or
291 add to the list of organizations authorized in subsection (1),
292 or to recognize additional standards that are nationally
293 recognized for ensuring compressed air is safe for recreation
294 sport diving. ~~The standards prescribed under this section do not~~
295 apply to:

296 (a) ~~Any person providing compressed air for his or her own~~
297 use.

298 (b) ~~Any governmental entity using a governmentally owned~~
299 compressed air source for work related to the governmental
300 entity.

301 (c) ~~Foreign registered vessels upon which a compressor is~~
302 used to provide compressed air for work related to the operation
303 of the vessel.



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304 (3) A person who does not comply with the requirements in
305 subsection (1) or the rules adopted pursuant to subsection (2)
306 commits a misdemeanor of the first degree, punishable as
307 provided in s. 775.082 and s. 775.083. A person or entity that,
308 for compensation, provides compressed air for recreational sport
309 diving in this state, including compressed air provided as part
310 of a dive package of equipment rental, dive boat rental, or dive
311 boat charter, must ensure that the compressed air is tested
312 quarterly by a laboratory that is accredited by either the
313 American Industrial Hygiene Association or the American
314 Association for Laboratory Accreditation and that the results of
315 such tests are provided quarterly to the Department of Health.
316 In addition, the person or entity must post the certificate
317 issued by the laboratory accredited by the American Industrial
318 Hygiene Association or the American Association for Laboratory
319 Accreditation in a conspicuous location where it can readily be
320 seen by any person purchasing compressed air.

321 ~~(4) The Department of Health shall maintain a record of all~~
322 ~~quarterly test results provided under this section.~~

323 ~~(5) It is a misdemeanor of the second degree for any person~~
324 ~~or entity to provide, for compensation, compressed air for~~
325 ~~recreational sport diving in this state, including compressed~~
326 ~~air provided as part of a dive package of equipment rental, dive~~
327 ~~boat rental, or dive boat charter, without:~~

328 ~~(a) Having received a valid certificate issued by a~~
329 ~~laboratory accredited by the American Industrial Hygiene~~
330 ~~Association or the American Association for Laboratory~~
331 ~~Accreditation which certifies that the compressed air meets the~~
332 ~~standards for contaminant levels established by the Department~~



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333 ~~of Health.~~

334 ~~(b) Posting the certificate issued by a laboratory~~
335 ~~accredited by the American Industrial Hygiene Association or the~~
336 ~~American Association for Laboratory Accreditation in a~~
337 ~~conspicuous location where it can readily be seen by persons~~
338 ~~purchasing compressed air.~~

339 ~~(6) The department shall adopt rules necessary to carry out~~
340 ~~the provisions of this section, which must include:~~

341 ~~(a) Maximum allowable levels of contaminants in compressed~~
342 ~~air used for sport diving.~~

343 ~~(b) Procedures for the submission of test results to the~~
344 ~~department.~~

345 Section 57. Section 381.90, Florida Statutes, is repealed.

346 Section 58. Subsection (1) of section 381.91, Florida
347 Statutes, is amended to read:

348 381.91 Jessie Trice Cancer Prevention Program.—

349 (1) It is the intent of the Legislature to:

350 ~~(a) Reduce the rates of illness and death from lung cancer~~
351 ~~and other cancers and improve the quality of life among low-~~
352 ~~income African-American and Hispanic populations through~~
353 ~~increased access to early, effective screening and diagnosis,~~
354 ~~education, and treatment programs.~~

355 ~~(b) create a community faith-based disease-prevention~~
356 ~~program in conjunction with the Health Choice Network and other~~
357 ~~community health centers to build upon the natural referral and~~
358 ~~education networks in place within minority communities and to~~
359 ~~increase access to health service delivery in Florida and-~~

360 ~~(c) establish a funding source to build upon local private~~
361 ~~participation to sustain the operation of the program.~~



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362 Section 59. Subsection (5) of section 381.922, Florida
363 Statutes, is amended to read:

364 381.922 William G. "Bill" Bankhead, Jr., and David Coley
365 Cancer Research Program.—

366 (5) The William G. "Bill" Bankhead, Jr., and David Coley
367 Cancer Research Program is funded pursuant to s. 215.5602(12).
368 Funds appropriated for the William G. "Bill" Bankhead, Jr., and
369 David Coley Cancer Research Program shall be distributed
370 pursuant to this section to provide grants to researchers
371 seeking cures for cancer and cancer-related illnesses, with
372 emphasis given to the goals enumerated in this section. From the
373 total funds appropriated, an amount of up to 10 percent may be
374 used for administrative expenses. ~~From funds appropriated to~~
375 ~~accomplish the goals of this section, up to \$250,000 shall be~~
376 ~~available for the operating costs of the Florida Center for~~
377 ~~Universal Research to Eradicate Disease.~~

378 Section 60. Effective January 1, 2013, section 392.51,
379 Florida Statutes, is amended to read:

380 392.51 Tuberculosis control Findings and intent.—A
381 statewide system is established to control tuberculosis
382 infection and mitigate its effects. The system consists ~~The~~
383 ~~Legislature finds and declares that active tuberculosis is a~~
384 ~~highly contagious infection that is sometimes fatal and~~
385 ~~constitutes a serious threat to the public health. The~~
386 ~~Legislature finds that there is a significant reservoir of~~
387 ~~tuberculosis infection in this state and that there is a need to~~
388 ~~develop community programs to identify tuberculosis and to~~
389 ~~respond quickly with appropriate measures. The Legislature finds~~
390 ~~that some patients who have active tuberculosis have complex~~



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391 ~~medical, social, and economic problems that make outpatient~~
392 ~~control of the disease difficult, if not impossible, without~~
393 ~~posing a threat to the public health. The Legislature finds that~~
394 ~~in order to protect the citizenry from those few persons who~~
395 ~~pose a threat to the public, it is necessary to establish a~~
396 ~~system~~ of mandatory contact identification, treatment to cure,
397 hospitalization, ~~and~~ isolation for contagious cases, ~~and to~~
398 ~~provide a system of~~ voluntary, community-oriented care and
399 surveillance in all other cases. ~~The Legislature finds that the~~
400 ~~delivery of~~ Tuberculosis control services shall be provided is
401 ~~best accomplished~~ by the coordinated efforts of the respective
402 county health departments and contracted or other private health
403 care providers, ~~the A.G. Holley State Hospital, and the private~~
404 ~~health care delivery system.~~

405 Section 61. Effective January 1, 2013, subsection (4) of
406 section 392.61, Florida Statutes, is amended to read:

407 392.61 Community tuberculosis control programs.-

408 ~~(4) The department shall develop, by rule, a methodology~~
409 ~~for distributing funds appropriated for tuberculosis control~~
410 ~~programs. Criteria to be considered in this methodology include,~~
411 ~~but are not limited to, the basic infrastructure available for~~
412 ~~tuberculosis control, caseload requirements, laboratory support~~
413 ~~services needed, and epidemiologic factors.~~

414 Section 62. Effective January 1, 2013, section 392.62,
415 Florida Statutes, is amended to read:

416 392.62 Hospitalization and placement programs.-

417 (1) The department shall contract for operation of ~~operate~~
418 a program for the treatment ~~hospitalization~~ of persons who have
419 active tuberculosis in hospitals licensed under chapter 395 and



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420 may provide for appropriate placement of persons who have active
421 tuberculosis in other health care facilities or residential
422 facilities. The department shall require the contractor to use
423 existing licensed community hospitals and other facilities for
424 the care and treatment to cure of persons who have active
425 tuberculosis or a history of noncompliance with prescribed drug
426 regimens and require inpatient or other residential services.

427 ~~(2) The department may operate a licensed hospital for the~~
428 ~~care and treatment to cure of persons who have active~~
429 ~~tuberculosis. The hospital may have a forensic unit where, under~~
430 ~~medical protocol, a patient can be held in a secure or~~
431 ~~protective setting. The department shall also seek to maximize~~
432 ~~use of existing licensed community hospitals for the care and~~
433 ~~treatment to cure of persons who have active tuberculosis.~~

434 (2)(3) The program for control of tuberculosis shall
435 provide funding for participating facilities and require any
436 such facilities to meet the following conditions ~~Any licensed~~
437 ~~hospital operated by the department, any licensed hospital under~~
438 ~~contract with the department, and any other health care facility~~
439 ~~or residential facility operated by or under contract with the~~
440 ~~department for the care and treatment of patients who have~~
441 ~~active tuberculosis shall:~~

442 (a) Admit patients voluntarily and under court order as
443 appropriate for each particular facility;

444 (b) Require that each patient pay the actual cost of care
445 provided whether the patient is admitted voluntarily or by court
446 order;

447 (c) Provide for ~~a method of paying for the care of patients~~
448 in the program regardless of ability to pay ~~who cannot afford to~~



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449 ~~do so;~~

450 (d) Require a primary clinical diagnosis of active
451 tuberculosis by a physician licensed under chapter 458 or
452 chapter 459 before admitting the patient; provided that there
453 may be more than one primary diagnosis;

454 (e) Provide a method of notification to the county health
455 department and to the patient's family, if any, before
456 discharging the patient from the hospital or other facility;

457 (f) Provide for the necessary exchange of medical
458 information to assure adequate community treatment to cure and
459 followup of discharged patients, as appropriate; and

460 (g) Provide for a method of medical care and counseling and
461 for housing, social service, and employment referrals, if
462 appropriate, for ~~all~~ patients discharged from the hospital.

463 (3)~~(4)~~ A hospital may, pursuant to court order, place a
464 patient in temporary isolation for a period of no more than 72
465 continuous hours. The department shall obtain a court order in
466 the same manner as prescribed in s. 392.57. Nothing in this
467 subsection precludes a hospital from isolating an infectious
468 patient for medical reasons.

469 (4)~~(5)~~ Any person committed under s. 392.57 who leaves the
470 tuberculosis hospital or residential facility without having
471 been discharged by the designated medical authority, except as
472 provided in s. 392.63, shall be apprehended by the sheriff of
473 the county in which the person is found and immediately
474 delivered to the facility from which he or she left.

475 Section 63. The Department of Health shall develop and
476 implement a transition plan for the closure of A.G. Holley State
477 Hospital. The plan shall include specific steps to end voluntary



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478 admissions; transfer patients to alternate facilities;
479 communicate with families, providers, other affected parties,
480 and the general public; enter into any necessary contracts with
481 providers; coordinate with the Department of Management Services
482 regarding the disposition of equipment and supplies and the
483 closure of the facility; and seek federal approval, if needed,
484 to continue Medicaid funding throughout the treatment period in
485 community hospitals and other facilities. The plan shall be
486 submitted to the Governor, the Speaker of the House of
487 Representatives, and the President of the Senate by May 31,
488 2012. The department shall fully implement the plan by January
489 1, 2013.

490 Section 64. Subsections (1) and (4) of section 395.1027,
491 Florida Statutes, are amended to read:

492 395.1027 Regional poison control centers.—

493 (1) There shall be created three certified regional poison
494 control centers, one each in the north, central, and southern
495 regions of the state. Each regional poison control center shall
496 be affiliated with and physically located in a certified Level I
497 trauma center. Each regional poison control center shall be
498 affiliated with an accredited medical school or college of
499 pharmacy. The regional poison control centers shall be
500 coordinated under the aegis of the Division of Children's
501 Medical Services ~~Prevention and Intervention~~ in the department.

502 (4) The Legislature hereby finds and declares that it is in
503 the public interest to shorten the time required for a citizen
504 to request and receive directly from designated regional poison
505 control centers telephonic management advice for acute poisoning
506 emergencies. To facilitate rapid and direct access, telephone



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507 numbers for designated regional poison control centers shall be
508 given special prominence. The local exchange telecommunications
509 companies shall print immediately below "911" or other emergency
510 calling instructions on the inside front cover of the telephone
511 directory the words "Poison Information Center," the logo of the
512 American Association of Poison Control Centers, and the
513 telephone number of the local, if applicable, or, if not local,
514 other toll-free telephone number of the Florida Poison
515 Information Center Network. This information shall be outlined
516 and be no less than 1 inch in height by 2 inches in width. Only
517 those facilities satisfying criteria established in the current
518 "Criteria for Certification of a Regional Poison Center" set by
519 the American Association of Poison Control Centers, and the
520 "Standards of the Poison Information Center Program" initiated
521 by the Division of Children's Medical Services ~~Prevention and~~
522 ~~Intervention~~ of the Department of Health shall be permitted to
523 list such facility as a poison information center, poison
524 control center, or poison center. Those centers under a
525 developmental phase-in plan shall be given 2 years from the date
526 of initial 24-hour service implementation to comply with the
527 aforementioned criteria and, as such, will be permitted to be
528 listed as a poison information center, poison control center, or
529 poison center during that allotted time period.

530 Section 65. Subsection (4) of section 401.243, Florida
531 Statutes, is amended to read:

532 401.243 Injury prevention.—The department shall establish
533 an injury-prevention program with responsibility for the
534 statewide coordination and expansion of injury-prevention
535 activities. The duties of the department under the program may



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536 include, but are not limited to, data collection, surveillance,
537 education, and the promotion of interventions. In addition, the
538 department may:

539 ~~(4) Adopt rules governing the implementation of grant~~
540 ~~programs. The rules may include, but need not be limited to,~~
541 ~~criteria regarding the application process, the selection of~~
542 ~~grantees, the implementation of injury prevention activities,~~
543 ~~data collection, surveillance, education, and the promotion of~~
544 ~~interventions.~~

545 Section 66. Subsection (6) of section 401.245, Florida
546 Statutes, is renumbered as subsection (5), and present
547 subsection (5) of that section is amended to read:

548 401.245 Emergency Medical Services Advisory Council.—

549 ~~(5) The department shall adopt rules to implement this~~
550 ~~section, which rules shall serve as formal operating procedures~~
551 ~~for the Emergency Medical Services Advisory Council.~~

552 Section 67. Section 401.271, Florida Statutes, is amended
553 to read:

554 401.271 Certification of emergency medical technicians and
555 paramedics who are on active duty with the Armed Forces of the
556 United States; spouses of members of the Armed Forces.—

557 ~~(1) Any member of the Armed Forces of the United States on~~
558 ~~active duty who, at the time he or she became a member, was in~~
559 ~~good standing with the department and was entitled to practice~~
560 ~~as an emergency medical technician or paramedic in the state~~
561 ~~remains in good standing without registering, paying dues or~~
562 ~~fees, or performing any other act, as long as he or she is a~~
563 ~~member of the Armed Forces of the United States on active duty~~
564 ~~and for a period of 6 months after his or her discharge from~~



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565 active duty as a member of the Armed Forces of the United
566 States.

567 ~~(2) The department may adopt rules exempting the spouse of~~
568 ~~a member of the Armed Forces of the United States on active duty~~
569 ~~from certification renewal provisions while the spouse is absent~~
570 ~~from the state because of the member's active duty with the~~
571 ~~Armed Forces.~~

572 Section 68. Section 402.45, Florida Statutes, is repealed.

573 Section 69. Subsection (1) of section 400.914, Florida
574 Statutes, is amended to read:

575 400.914 Rules establishing standards.-

576 (1) Pursuant to the intention of the Legislature to provide
577 safe and sanitary facilities and healthful programs, the agency
578 in conjunction with the Division of Children's Medical Services
579 ~~Prevention and Intervention~~ of the Department of Health shall
580 adopt and publish rules to implement the provisions of this part
581 and part II of chapter 408, which shall include reasonable and
582 fair standards. Any conflict between these standards and those
583 that may be set forth in local, county, or city ordinances shall
584 be resolved in favor of those having statewide effect. Such
585 standards shall relate to:

586 (a) The assurance that PPEC services are family centered
587 and provide individualized medical, developmental, and family
588 training services.

589 (b) The maintenance of PPEC centers, not in conflict with
590 the provisions of chapter 553 and based upon the size of the
591 structure and number of children, relating to plumbing, heating,
592 lighting, ventilation, and other building conditions, including
593 adequate space, which will ensure the health, safety, comfort,



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594 and protection from fire of the children served.

595 (c) The appropriate provisions of the most recent edition
596 of the "Life Safety Code" (NFPA-101) shall be applied.

597 (d) The number and qualifications of all personnel who have
598 responsibility for the care of the children served.

599 (e) All sanitary conditions within the PPEC center and its
600 surroundings, including water supply, sewage disposal, food
601 handling, and general hygiene, and maintenance thereof, which
602 will ensure the health and comfort of children served.

603 (f) Programs and basic services promoting and maintaining
604 the health and development of the children served and meeting
605 the training needs of the children's legal guardians.

606 (g) Supportive, contracted, other operational, and
607 transportation services.

608 (h) Maintenance of appropriate medical records, data, and
609 information relative to the children and programs. Such records
610 shall be maintained in the facility for inspection by the
611 agency.

612 Section 70. Paragraph (d) of subsection (11) of section
613 409.256, Florida Statutes, is amended to read:

614 409.256 Administrative proceeding to establish paternity or
615 paternity and child support; order to appear for genetic
616 testing.—

617 (11) FINAL ORDER ESTABLISHING PATERNITY OR PATERNITY AND
618 CHILD SUPPORT; CONSENT ORDER; NOTICE TO OFFICE OF VITAL
619 STATISTICS.—

620 (d) Upon rendering a final order of paternity or a final
621 order of paternity and child support, the department shall
622 notify the Office ~~Division~~ of Vital Statistics of the Department



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623 of Health that the paternity of the child has been established.
624 Section 71. Section 458.346, Florida Statutes, is repealed.
625 Section 72. Subsection (3) of section 462.19, Florida
626 Statutes, is renumbered as subsection (2), and present
627 subsection (2) of that section is amended to read:
628 462.19 Renewal of license; inactive status.—
629 ~~(2) The department shall adopt rules establishing a~~
630 ~~procedure for the biennial renewal of licenses.~~
631 Section 73. Section 464.0197, Florida Statutes, is
632 repealed.
633 Section 74. Subsection (4) of section 464.208, Florida
634 Statutes, is amended to read:
635 464.208 Background screening information; rulemaking
636 authority.—
637 ~~(4) The board shall adopt rules to administer this part.~~
638 Section 75. Subsections (1) and (2) of section 633.115,
639 Florida Statutes, are amended to read:
640 633.115 Fire and Emergency Incident Information Reporting
641 Program; duties; fire reports.—
642 (1)(a) The Fire and Emergency Incident Information
643 Reporting Program is created within the Division of State Fire
644 Marshal. The program shall:
645 1. Establish and maintain an electronic communication
646 system capable of transmitting fire and emergency incident
647 information to and between fire protection agencies.
648 2. Initiate a Fire and Emergency Incident Information
649 Reporting System that shall be responsible for:
650 a. Receiving fire and emergency incident information from
651 fire protection agencies.



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652 b. Preparing and disseminating annual reports to the
653 Governor, the President of the Senate, the Speaker of the House
654 of Representatives, fire protection agencies, and, upon request,
655 the public. Each report shall include, but not be limited to,
656 the information listed in the National Fire Incident Reporting
657 System.

658 c. Upon request, providing other states and federal
659 agencies with fire and emergency incident data of this state.

660 3. Adopt rules to effectively and efficiently implement,
661 administer, manage, maintain, and use the Fire and Emergency
662 Incident Information Reporting Program. The rules shall be
663 considered minimum requirements and shall not preclude a fire
664 protection agency from implementing its own requirements which
665 shall not conflict with the rules of the Division of State Fire
666 Marshal.

667 4. By rule, establish procedures and a format for each fire
668 protection agency to voluntarily monitor its records and submit
669 reports to the program.

670 5. Establish an electronic information database which is
671 accessible and searchable by fire protection agencies.

672 (b) The Division of State Fire Marshal shall consult with
673 the Division of Forestry of the Department of Agriculture and
674 Consumer Services and the Bureau of Emergency Preparedness and
675 Community Support ~~Medical Services~~ of the Department of Health
676 to coordinate data, ensure accuracy of the data, and limit
677 duplication of efforts in data collection, analysis, and
678 reporting.

679 (2) The Fire and Emergency Incident Information System
680 Technical Advisory Panel is created within the Division of State



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681 Fire Marshal. The panel shall advise, review, and recommend to
682 the State Fire Marshal with respect to the requirements of this
683 section. The membership of the panel shall consist of the
684 following 15 members:

685 (a) The current 13 members of the Firefighters Employment,
686 Standards, and Training Council as established in s. 633.31.

687 (b) One member from the Division of Forestry of the
688 Department of Agriculture and Consumer Services, appointed by
689 the division director.

690 (c) One member from the Bureau of Emergency Preparedness
691 and Community Support ~~Medical Services~~ of the Department of
692 Health, appointed by the bureau chief.

693 Section 76. Paragraph (c) of subsection (10) of section
694 768.28, Florida Statutes, is amended to read:

695 768.28 Waiver of sovereign immunity in tort actions;
696 recovery limits; limitation on attorney fees; statute of
697 limitations; exclusions; indemnification; risk management
698 programs.—

699
700 ===== T I T L E A M E N D M E N T =====

701 And the title is amended as follows:

702 Delete lines 165 - 203

703 and insert:

704 public health; amending s. 381.0303, F.S.; eliminating
705 the requirement that the Special Needs Shelter
706 Interagency Committee submit recommendations to the
707 Legislature; repealing s. 381.04015, F.S.; eliminating
708 the Women's Health Strategy Office and Officer of
709 Women's Health Strategy; amending s. 381.0403, F.S.,



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710 relating to the "Community Hospital Education Act";
711 deleting legislative findings and intent; revising the
712 mission of the program; requiring minimum funding for
713 graduate education in family practice; deleting
714 reference to an intent to establish a statewide
715 graduate medical education program; amending s.
716 381.0405, F.S.; deleting an appropriation to the
717 Office of Rural Health; amending s. 381.0406, F.S.;
718 deleting unnecessary introductory language in
719 provisions relating to rural health networks;
720 repealing s. 381.045, F.S.; eliminating department
721 authority to provide services to certain health care
722 providers infected with Hepatitis B or HIV; amending
723 s. 381.06015, F.S.; deleting obsolete provision that
724 requires the department, the Agency for Health Care
725 Administration, and private consortium members seeking
726 private or federal funds to initiate certain program
727 actions relating to the Public Cord Blood Tissue Bank;
728 repealing s. 381.0605, F.S., relating to designating
729 the Agency for Health Care Administration as the state
730 agency to administer the Federal Hospital and Medical
731 Facilities Amendments of 1964; eliminating authority
732 of the Governor to provide for administration of the
733 amendments; repealing s. 381.102, F.S., to eliminate
734 the community health pilot projects; repealing s.
735 381.103, F.S., to eliminate the duties of the
736 department to assist the community health pilot
737 projects; repealing s. 381.4018(2), F.S., relating to
738 the legislative findings and intent with respect to



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physician workforce assessment and development;
repealing s. 381.60225,