

By the Committee on Health Policy; and Senators Bean and Brandes

588-00973-14

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1 A bill to be entitled
2 An act relating to obstetrical services at hospitals;
3 repealing s. 383.336, F.S., relating to provider
4 hospitals; amending s. 395.1051, F.S.; requiring a
5 hospital to notify obstetrical physicians before the
6 hospital closes its obstetrical department or ceases
7 to provide obstetrical services; providing an
8 effective date.

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

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12 Section 1. Section 383.336, Florida Statutes, is repealed.

13 Section 2. Section 395.1051, Florida Statutes, is amended
14 to read:

15 395.1051 Duty to notify patients and obstetrical
16 physicians.—

17 (1) An appropriately trained person designated by each
18 licensed facility shall inform each patient, or an individual
19 identified pursuant to s. 765.401(1), in person about adverse
20 incidents that result in serious harm to the patient.
21 Notification of outcomes of care which ~~that~~ result in harm to
22 the patient under this section does ~~shall~~ not constitute an
23 acknowledgment or admission of liability and may not, ~~nor can it~~
24 be introduced as evidence.

25 (2) A hospital shall notify each obstetrical physician who
26 has privileges at the hospital at least 120 days before the
27 hospital closes its obstetrical department or ceases to provide
28 obstetrical services, unless the hospital can demonstrate it was
29 impossible for the hospital to provide 120 days' notice due to

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30 circumstances beyond the control of the hospital or the
31 obstetrical physician. If a hospital is unable to provide 120
32 days' notice, the hospital must provide notice as soon as
33 practicable.

34 Section 3. This act shall take effect July 1, 2014.