

HB 167

2015

1 A bill to be entitled
2 An act relating to hospices; amending s. 408.043,
3 F.S.; requiring the Agency for Health Care
4 Administration to assume the need for an additional
5 hospice provider in certain hospice service areas;
6 providing an effective date.

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

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10 Section 1. Subsection (2) of section 408.043, Florida
11 Statutes, is amended to read:

12 408.043 Special provisions.—

13 (2) HOSPICES.—When an application is made for a
14 certificate of need to establish or to expand a hospice, the
15 need for such hospice shall be determined on the basis of the
16 need for and availability of hospice services in the community.
17 The formula on which the certificate of need is based shall
18 discourage regional monopolies and promote competition. If an
19 agency-designated hospice service area has only one hospice
20 provider that is licensed or that has been issued a certificate
21 of need, the agency shall assume that there is a need for an
22 additional hospice provider in that service area to promote
23 competition. The inpatient hospice care component of a hospice
24 which is a freestanding facility, or a part of a facility, which
25 is primarily engaged in providing inpatient care and related
26 services and is not licensed as a health care facility shall

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27 | also be required to obtain a certificate of need. Provision of
28 | hospice care by any current provider of health care is a
29 | significant change in service and therefore requires a
30 | certificate of need for such services.

31 | Section 2. This act shall take effect July 1, 2015.