

By Senator Bean

4-00307-15

2015190\_\_

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.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
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 certificate  
14 of need to establish or to expand a hospice, the need for such  
15 hospice shall be determined on the basis of the need for and  
16 availability of hospice services in the community. The formula  
17 on which the certificate of need is based shall discourage  
18 regional monopolies and promote competition. If an agency-  
19 designated hospice service area has only one hospice provider  
20 that is licensed or that has been issued a certificate of need,  
21 the agency shall assume that there is a need for an additional  
22 hospice provider in that service area to promote competition.  
23 The inpatient hospice care component of a hospice which is a  
24 freestanding facility, or a part of a facility, which is  
25 primarily engaged in providing inpatient care and related  
26 services and is not licensed as a health care facility shall  
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

4-00307-15

2015190\_\_

30 certificate of need for such services.

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