



503856

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2016	.	
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The Committee on Health Policy (Grimsley) recommended the following:

1           **Senate Amendment to Amendment (740310) (with title**  
2 **amendment)**

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4           Between lines 4 and 5  
5 insert:

6           Section 1. Section 391.224, Florida Statutes, is created to  
7 read:

8           391.224 Pediatric Cardiac Advisory Council.—

9           (1) LEGISLATIVE FINDINGS AND INTENT.—

10           (a) The Legislature finds significant benefits in the



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11 continued coordination of activities by several state agencies  
12 regarding access to pediatric cardiac care in this state. It is  
13 the intent of the Legislature that the Department of Health, the  
14 department's cardiac consultants, and the Agency for Health Care  
15 Administration maintain their long-standing interagency teams  
16 and agreements for the development and adoption of guidelines,  
17 standards, and rules for those portions of the state cardiac  
18 care system within the statutory authority of each agency. This  
19 coordinated approach will continue to ensure the necessary  
20 continuum of care for the pediatric cardiac patient. The  
21 department has the leadership responsibility for this activity.

22 (b) It is further the intent of the Legislature to  
23 establish the Pediatric Cardiac Advisory Council, a statewide,  
24 inclusive council within the department.

25 (2) PEDIATRIC CARDIAC ADVISORY COUNCIL.—

26 (a) The State Surgeon General shall appoint the Pediatric  
27 Cardiac Advisory Council for the purpose of advising the  
28 department on the delivery of cardiac services to children.

29 (b) The chair of the council shall be elected from among  
30 the council members every 2 years and may not serve more than  
31 two consecutive terms.

32 (c) The council shall meet upon the call of the chair or  
33 two or more voting members or upon the call of the State Surgeon  
34 General, but must meet at least quarterly. Council meetings must  
35 be conducted by teleconference or through other electronic means  
36 when feasible.

37 (d) The council shall be composed of no more than 13 voting  
38 members with technical expertise in cardiac medicine. Members  
39 shall be appointed by the State Surgeon General for staggered



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40 terms of 4 years. An employee of the department or a contracted  
41 consultant paid by the department may not serve as an appointed  
42 member or ex officio member of the council. Council members  
43 shall include the following voting members:

44 1. Pediatric cardiologists or pediatric cardiovascular  
45 surgeons who have been nominated by their respective chief  
46 executive officers and approved by the State Surgeon General  
47 from the following facilities for as long as such facilities  
48 maintain their pediatric certificates of need:

49 a. All Children's Hospital in St. Petersburg;

50 b. Arnold Palmer Hospital for Children in Orlando;

51 c. Joe DiMaggio Children's Hospital in Hollywood;

52 d. Nicklaus Children's Hospital in Miami;

53 e. St. Joseph's Children's Hospital in Tampa;

54 f. University of Florida Health Shands Hospital in  
55 Gainesville;

56 g. University of Miami Holtz Children's Hospital in Miami;

57 and

58 h. Wolfson Children's Hospital in Jacksonville.

59  
60 A hospital with a certificate of need for a pediatric cardiac  
61 program that meets state and national standards as determined by  
62 the council following an onsite visit by a panel from the  
63 council shall have one of its pediatric cardiologists or  
64 pediatric cardiovascular surgeons who has been nominated by its  
65 chief executive officer and approved by the State Surgeon  
66 General appointed to the council as a new voting member. The  
67 voting privilege of a voting member of the council appointed  
68 pursuant to this subparagraph shall be suspended if the facility



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69 he or she represents no longer meets state and national  
70 standards as adopted by the council. Such individual may remain  
71 a member of the council in an advisory capacity but shall  
72 relinquish voting privileges until his or her facility meets  
73 such standards.

74 2. Two physicians at large, not associated with a facility  
75 that has a representative appointed as a voting member of the  
76 council, who are pediatric cardiologists or subspecialists with  
77 special expertise or experience in dealing with children or  
78 adults with congenital heart disease. These physicians shall be  
79 selected by the State Surgeon General in consultation with the  
80 Deputy Secretary for Children's Medical Services and the  
81 Director of Children's Medical Services.

82 3. One community physician who has ongoing involvement with  
83 and special interest in children with heart disease and who is  
84 not associated with a facility represented in subparagraph 1. or  
85 one community-based medical internist having experience with  
86 adults with congenital heart disease. The community physician  
87 shall be selected by the State Surgeon General in consultation  
88 with the Deputy Secretary of Children's Medical Services and the  
89 Director of the Division of Children's Medical Services.

90 (e) The State Surgeon General may appoint nonvoting  
91 advisory members to the council in consultation with the Deputy  
92 Secretary for Children's Medical Services and the Director of  
93 Children's Medical Services. Among such nonvoting advisory  
94 members appointed to the council shall be one representative  
95 from a pediatric health advocacy group. Such members may  
96 participate in council discussions and subcommittees created by  
97 the council, but may not vote.



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98           (f) The duties of the council include, but are not limited  
99 to:

100           1. Recommending standards for personnel, diagnoses,  
101 clinics, and facilities rendering cardiac services to the  
102 department and the Division of Children's Medical Services.

103           2. Analyzing reports on the periodic review of cardiac  
104 personnel, diagnoses, clinics, and facilities to determine if  
105 established state and national standards for cardiac services  
106 are met.

107           3. Making recommendations to the Director of Children's  
108 Medical Services as to the approval or disapproval of reviewed  
109 cardiac care personnel, diagnoses, clinics, and facilities.

110           4. Making recommendations as to the intervals for  
111 reinspection of approved personnel, diagnoses, clinics, and  
112 facilities for cardiac care.

113           5. Reviewing and inspecting hospitals upon the request of  
114 the hospitals, the department, or the Agency for Health Care  
115 Administration to determine if established state and national  
116 standards for cardiac services are met.

117           6. Providing input on all aspects of the state's Children's  
118 Medical Services cardiac programs, including rulemaking.

119           7. Addressing all components of the care of adults and  
120 children with congenital heart disease and children with  
121 acquired heart disease, as indicated and appropriate.

122           8. Abiding by the recognized state and national  
123 professional standards of care for children with heart disease.

124           9. Making recommendations to the State Surgeon General for  
125 legislation and appropriations for children's cardiac services.

126           10. Providing advisory opinions to the Agency for Health



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127 Care Administration before the agency approves a certificate of  
128 need for children's cardiac services.

129 (g) A council member shall serve without compensation, but  
130 is entitled to reimbursement for per diem and travel expenses in  
131 accordance with s. 112.061.

132 (h) At the recommendation of the Pediatric Cardiac Advisory  
133 Council and with the approval of the Director of Children's  
134 Medical Services, the State Surgeon General shall designate  
135 facilities meeting the council's approved state and national  
136 professional standards of care for children with heart disease  
137 as "Pediatric and Congenital Cardiovascular Centers of  
138 Excellence." The designation is withdrawn automatically if a  
139 particular center no longer meets such standards.

140 1. The council shall develop and recommend to the State  
141 Surgeon General measurable performance standards and goals for  
142 determining whether a facility meets the requirements for  
143 designation as a "Pediatric and Congenital Cardiovascular Center  
144 of Excellence."

145 2. The council shall develop and recommend to the State  
146 Surgeon General evaluation tools for measuring the goals and  
147 performance standards of the facilities seeking and receiving  
148 the "Pediatric and Congenital Cardiovascular Center of  
149 Excellence" designation.

150 (3) ANNUAL REPORT.—The council shall submit an annual  
151 report to the Governor, the President of the Senate, the Speaker  
152 of the House of Representatives, and the State Surgeon General  
153 by January 1 of each year, beginning in 2017. The report must  
154 summarize the council's activities for the preceding fiscal year  
155 and include data and performance measures for all pediatric



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156 cardiac facilities that participate in the Children's Medical  
157 Services Network relating to surgical morbidity and mortality.  
158 The report must also recommend any policy or procedural changes  
159 that would increase the council's effectiveness in monitoring  
160 the pediatric cardiovascular programs in the state.

161 (4) RULEMAKING.—The department, in coordination with the  
162 Agency for Health Care Administration, shall develop rules  
163 related to pediatric cardiac facilities that participate in the  
164 Children's Medical Services Network. The rules may establish  
165 standards relating to the training and credentialing of medical  
166 and surgical personnel, facility and physician minimum case  
167 volumes, and data reporting requirements for monitoring and  
168 enhancing quality assurance. The department may adopt rules  
169 relating to the establishment, operations, and authority of the  
170 Pediatric Cardiac Advisory Council and the establishment, goals,  
171 performance standards, and evaluation tools for designating  
172 facilities as Pediatric and Congenital Cardiovascular Centers of  
173 Excellence. The rules relating to pediatric cardiac services and  
174 facilities in effect on October 1, 2016, are authorized pursuant  
175 to this subsection and shall remain in effect until amended  
176 pursuant to this subsection.

177  
178 ===== T I T L E A M E N D M E N T =====

179 And the title is amended as follows:

180 Delete line 57

181 and insert:

182 An act relating to cardiovascular services; creating  
183 s. 391.224, F.S.; providing legislative findings and  
184 intent; creating the Pediatric Cardiac Advisory



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185 Council; determining the chair of the advisory  
186 council; establishing the membership of the advisory  
187 council; identifying the duties of the advisory  
188 council; setting the minimum qualifications for the  
189 designation of a facility as a Pediatric and  
190 Congenital Cardiovascular Center of Excellence;  
191 requiring a report to the Governor, the Legislature,  
192 and the State Surgeon General; requiring the  
193 Department of Health to develop rules relating to  
194 pediatric cardiac services and facilities in the  
195 Children's Medical Services Network; authorizing the  
196 department to adopt rules relating to the council and  
197 the designation of facilities as Pediatric and  
198 Congenital Cardiovascular Centers of Excellence;  
199 authorizing and preserving until amended specified  
200 rules relating to pediatric cardiac services and  
201 facilities;