

By the Committee on Health Policy; and Senator Bean

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1 A bill to be entitled
2 An act relating to the Pediatric Cardiac Advisory
3 Council; creating s. 391.224, F.S.; providing
4 legislative findings and intent; creating the
5 Pediatric Cardiac Advisory Council; determining the
6 chair of the advisory council; establishing the
7 membership of the advisory council; identifying the
8 duties of the advisory council; setting the minimum
9 qualifications for the designation of a facility as a
10 Pediatric and Congenital Cardiovascular Center of
11 Excellence; requiring the Department of Health to
12 develop rules relating to pediatric cardiac
13 facilities; authorizing the department to adopt rules
14 relating to the council and the designation of
15 facilities as Pediatric and Congenital Cardiovascular
16 Centers of Excellence; providing retroactive
17 application of the act; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Section 391.224, Florida Statutes, is created to
22 read:

23 391.224 Pediatric Cardiac Advisory Council.—

24 (1) LEGISLATIVE FINDINGS AND INTENT.—

25 (a) The Legislature finds significant benefits in the
26 continued coordination of activities by several state agencies
27 regarding access to pediatric cardiac care in this state. It is
28 the intent of the Legislature that the Department of Health, the
29 department's cardiac consultants, and the Agency for Health Care

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30 Administration maintain their long-standing interagency teams
31 and agreements for the development and adoption of guidelines,
32 standards, and rules for those portions of the state cardiac
33 care system within the statutory authority of each agency. This
34 coordinated approach will continue to ensure the necessary
35 continuum of care for the pediatric cardiac patient. The
36 department has the leadership responsibility for this activity.

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

40 (2) PEDIATRIC CARDIAC ADVISORY COUNCIL.—

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

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

47 (c) The council shall meet upon the call of the chair or
48 two or more voting members or upon the call of the State Surgeon
49 General, but must meet at least quarterly. Council meetings must
50 be conducted by teleconference or through other electronic means
51 when feasible.

52 (d) The council shall be composed of 11 members with
53 technical expertise in cardiac medicine. Members shall be
54 appointed by the State Surgeon General for staggered terms of 4
55 years. An employee of the department or a contracted consultant
56 paid by the department may not serve as an appointed member or
57 ex officio member of the council. Council members shall include
58 the following voting members:

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59 1. Pediatric cardiologists or pediatric cardiovascular
60 surgeons that have been nominated by their respective chief
61 executive officers and approved by the State Surgeon General
62 from the following facilities for as long as such facilities
63 maintain their pediatric certificates of need:

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

65 b. Arnold Palmer Hospital for Children in Orlando;

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

67 d. Nicklaus Children's Hospital in Miami;

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

69 f. University of Florida Health Shands Hospital in
70 Gainesville;

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

72 and

73 h. Wolfson Children's Hospital in Jacksonville.

74 2. Two physicians at large, not associated with a facility
75 represented in subparagraph 1., who are pediatric cardiologists
76 or subspecialists with special expertise or experience in
77 dealing with children or adults with congenital heart disease.
78 These physicians shall be selected by the State Surgeon General
79 in consultation with the Deputy Secretary for Children's Medical
80 Services and the Director of Children's Medical Services.

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

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88 Director of the Division of Children's Medical Services.

89 (e) The State Surgeon General may appoint nonvoting
90 advisory members to the council in consultation with the Deputy
91 Secretary for Children's Medical Services and the Director of
92 Children's Medical Services. Such members may participate in
93 council discussions and subcommittees created by the council,
94 but may not vote.

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

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

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

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

107 4. Making recommendations as to the intervals for
108 reinspection of approved personnel, diagnoses, clinics, and
109 facilities for cardiac care.

110 5. Reviewing and inspecting hospitals upon the request of
111 the hospitals or the Agency for Health Care Administration to
112 determine if established state and national standards for
113 cardiac services are met.

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

116 7. Addressing all components of the care of adults and

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117 children with congenital heart disease and children with
118 acquired heart disease, as indicated and appropriate.

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

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

123 10. Providing advisory opinions to the Agency for Health
124 Care Administration before the agency approves a certificate of
125 need for children's cardiac services.

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

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

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

142 2. The council shall develop and recommend to the State
143 Surgeon General evaluation tools for measuring the goals and
144 performance standards of the facilities seeking and receiving
145 the "Pediatric and Congenital Cardiovascular Center of

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146 Excellence" designation.

147 (3) RULEMAKING.—The department, in coordination with the
148 Agency for Health Care Administration, shall develop rules
149 related to pediatric cardiac facilities. The department may
150 adopt rules relating to the establishment, operations, and
151 authority of the Pediatric Cardiac Advisory Council and the
152 establishment, goals, performance standards, and evaluation
153 tools for designating facilities as Pediatric and Congenital
154 Cardiovascular Centers of Excellence.

155 (4) APPLICABILITY.—This section is intended to clarify
156 existing law, is remedial in nature, and shall apply
157 retroactively to rules already in existence without regard to
158 the date such rules were adopted.

159 Section 2. This act shall take effect July 1, 2016.