

By Senator Powell

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1 A bill to be entitled
2 An act relating to stroke centers; amending s.
3 395.3038, F.S.; directing the Agency for Health Care
4 Administration to include hospitals that meet the
5 criteria for acute stroke ready centers on a list of
6 stroke centers; directing the agency to adopt rules
7 governing such criteria and the development of certain
8 electronic forms to provide reports to the Department
9 of Health; creating s. 395.30381, F.S.; requiring
10 stroke centers to provide certain information to the
11 department; requiring the department to establish a
12 statewide stroke registry; providing immunity from
13 liability under certain circumstances; requiring the
14 department to adopt rules; amending s. 395.3041, F.S.;
15 conforming a provision and deleting obsolete dates;
16 providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 395.3038, Florida Statutes, is amended
21 to read:

22 395.3038 State-listed ~~primary stroke centers and~~
23 ~~comprehensive~~ stroke centers; notification of hospitals.-

24 (1) The agency shall make available on its website and to
25 the department a list of the name and address of each hospital
26 that meets the criteria for an acute stroke ready center, a
27 primary stroke center, or ~~and the name and address of each~~
28 ~~hospital that meets the criteria for~~ a comprehensive stroke
29 center. The list of ~~primary and comprehensive~~ stroke centers

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30 must include only those hospitals that attest in an affidavit
31 submitted to the agency that the hospital meets the named
32 criteria, or those hospitals that attest in an affidavit
33 submitted to the agency that the hospital is certified as an
34 acute stroke ready center, a primary stroke center, or a
35 comprehensive stroke center by a nationally recognized ~~an~~
36 accrediting organization.

37 (2) (a) If a hospital no longer chooses to meet the criteria
38 for an acute stroke ready center, a primary stroke center, or a
39 comprehensive stroke center, the hospital shall notify the
40 agency and the agency shall immediately remove the hospital from
41 the list of stroke centers.

42 (b)1. This subsection does not apply if the hospital is
43 unable to provide stroke treatment services for a period of time
44 not to exceed 2 months. The hospital shall immediately notify
45 all local emergency medical services providers when the
46 temporary unavailability of stroke treatment services begins and
47 when the services resume.

48 2. If stroke treatment services are unavailable for more
49 than 2 months, the agency shall remove the hospital from the
50 list of ~~primary or comprehensive~~ stroke centers until the
51 hospital notifies the agency that stroke treatment services have
52 been resumed.

53 (3) The agency shall adopt by rule criteria for an acute
54 stroke ready center, a primary stroke center, and a
55 comprehensive stroke center which are substantially similar to
56 the certification standards for the same categories of ~~primary~~
57 stroke centers of a nationally recognized accrediting
58 organization ~~the Joint Commission~~.

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59 ~~(4) The agency shall adopt by rule criteria for a~~
60 ~~comprehensive stroke center. However, if the Joint Commission~~
61 ~~establishes criteria for a comprehensive stroke center, agency~~
62 ~~rules shall be substantially similar.~~

63 (4)(5) This act is not a medical practice guideline and may
64 not be used to restrict the authority of a hospital to provide
65 services for which it is licensed under chapter 395. The
66 Legislature intends that all patients be treated individually
67 based on each patient's needs and circumstances.

68 (5) The agency shall adopt by rule standardized electronic
69 forms for each acute stroke ready center, primary stroke center,
70 and comprehensive stroke center to report to the department such
71 information as required in s. 395.30381.

72 Section 2. Section 395.30381, Florida Statutes, is created
73 to read:

74 395.30381 Statewide stroke registry.-

75 (1) Each acute ready stroke center, primary stroke center,
76 comprehensive stroke center, emergency medical service provider,
77 and medical examiner shall submit to the department patient care
78 quality assurance proceedings, records, or reports associated
79 with any treatment or service provided to a person suffering a
80 stroke. Such information shall be used to evaluate stroke care
81 system effectiveness, ensure compliance with standards
82 established pursuant to s. 395.3038, and monitor patient
83 outcomes.

84 (2) The department shall establish a statewide stroke
85 registry to ensure that patient care quality assurance
86 proceedings, records, and reports required to be submitted under
87 subsection (1) are maintained and available for use to improve

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88 or modify the stroke care system, ensure compliance with
89 standards, and monitor stroke patient outcomes. The department
90 may contract with a private entity to establish and maintain the
91 registry. No liability of any kind or character for damages or
92 other relief shall arise or be enforced against any acute ready
93 stroke center, primary stroke center, comprehensive stroke
94 center, emergency medical service provider, or medical examiner
95 by reason of having provided such information to the department.

96 (3) The department shall adopt rules to administer this
97 section.

98 Section 3. Subsections (1), (2), and (4) of section
99 395.3041, Florida Statutes, are amended to read:

100 395.3041 Emergency medical services providers; triage and
101 transportation of stroke victims to a stroke center.-

102 (1) By June 1 of each year, the department shall send the
103 list of acute stroke ready centers, primary stroke centers, and
104 comprehensive stroke centers to the medical director of each
105 licensed emergency medical services provider in this state.

106 (2) The department shall develop a sample stroke-triage
107 assessment tool. The department must post this sample assessment
108 tool on its website and provide a copy of the assessment tool to
109 each licensed emergency medical services provider ~~no later than~~
110 ~~June 1, 2005~~. Each licensed emergency medical services provider
111 must use a stroke-triage assessment tool that is substantially
112 similar to the sample stroke-triage assessment tool provided by
113 the department.

114 (4) Each emergency medical services provider licensed under
115 chapter 401 must comply with all sections of this act ~~by July 1,~~
116 ~~2005~~.

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Section 4. This act shall take effect July 1, 2017.