

1 A bill to be entitled
2 An act relating to the Pediatric Cardiac Technical
3 Advisory Panel; amending s. 395.1055, F.S.;
4 authorizing the reimbursement of per diem and travel
5 expenses to members of the pediatric cardiac technical
6 advisory panel, established within the Agency for
7 Health Care Administration; revising panel membership
8 to include certain alternate at-large members;
9 providing term limits for voting members; providing
10 immunity from civil and criminal liabilities to
11 members of the panel; requiring the Secretary of
12 Health Care Administration to consult the panel for
13 advisory recommendation on certain certificate of need
14 applications; authorizing the Secretary to request
15 announced or unannounced site visits to any existing
16 or pediatric cardiac surgical centers or facilities
17 seeking licensure as a pediatric cardiac surgical
18 center through the certificate of need process;
19 providing a process for the appointment of physician
20 experts to a site visit team; requiring each member of
21 a site visit team to submit a report to the panel;
22 requiring the panel to discuss such reports and
23 present an advisory opinion to the Secretary;
24 providing requirements for an on-site inspection;
25 requiring the Surgeon General of the Department of

26 Health to provide specified reports to the Secretary;
 27 providing an effective date.

28

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

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31 Section 1. Present subsections (9) through (12) of section
 32 395.1055, Florida Statutes, are amended, and new subsections
 33 (10), (13), and (14) are added to that section, to read:

34 395.1055 Rules and enforcement.—

35 (9) The agency shall establish a pediatric cardiac
 36 technical advisory panel, pursuant to s. 20.052, to develop
 37 procedures and standards for measuring outcomes of pediatric
 38 cardiac catheterization programs and pediatric cardiovascular
 39 surgery programs.

40 (a) Members of the panel must have technical expertise in
 41 pediatric cardiac medicine, shall serve without compensation,
 42 and may ~~not~~ be reimbursed for per diem and travel expenses.

43 (b) Voting members of the panel shall include: 3 at-large
 44 members, and 3 alternate at-large members with different program
 45 affiliations, including 1 cardiologist who is board certified in
 46 caring for adults with congenital heart disease and 2 board-
 47 certified pediatric cardiologists, neither of whom may be
 48 employed by any of the hospitals specified in subparagraphs 1.-
 49 10. or their affiliates, each of whom is appointed by the
 50 Secretary of Health Care Administration, and 10 members, and an

51 alternate for each member, each of whom is a pediatric
52 cardiologist or a pediatric cardiovascular surgeon, each
53 appointed by the chief executive officer of the following
54 hospitals:

- 55 1. Johns Hopkins All Children's Hospital in St.
56 Petersburg.
- 57 2. Arnold Palmer Hospital for Children in Orlando.
- 58 3. Joe DiMaggio Children's Hospital in Hollywood.
- 59 4. Nicklaus Children's Hospital in Miami.
- 60 5. St. Joseph's Children's Hospital in Tampa.
- 61 6. University of Florida Health Shands Hospital in
62 Gainesville.
- 63 7. University of Miami Holtz Children's Hospital in Miami.
- 64 8. Wolfson Children's Hospital in Jacksonville.
- 65 9. Florida Hospital for Children in Orlando.
- 66 10. Nemours Children's Hospital in Orlando.

67
68 Appointments made under subparagraphs 1.-10. are contingent upon
69 the hospital's maintenance of pediatric certificates of need and
70 the hospital's compliance with this section and rules adopted
71 thereunder, as determined by the Secretary of Health Care
72 Administration. A member appointed under subparagraphs 1.-10.
73 whose hospital fails to maintain such certificates or comply
74 with standards may serve only as a nonvoting member until the
75 hospital restores such certificates or complies with such

76 | standards. A voting member may serve a maximum of two 2-year
77 | terms and may be reappointed to the panel after being retired
78 | from the panel for a full 2-year term.

79 | (c) The Secretary of Health Care Administration may
80 | appoint nonvoting members to the panel. Nonvoting members may
81 | include:

- 82 | 1. The Secretary of Health Care Administration.
- 83 | 2. The Surgeon General.
- 84 | 3. The Deputy Secretary of Children's Medical Services.
- 85 | 4. Any current or past Division Director of Children's
86 | Medical Services.
- 87 | 5. A parent of a child with congenital heart disease.
- 88 | 6. An adult with congenital heart disease.
- 89 | 7. A representative from each of the following
90 | organizations: the Florida Chapter of the American Academy of
91 | Pediatrics, the Florida Chapter of the American College of
92 | Cardiology, the Greater Southeast Affiliate of the American
93 | Heart Association, the Adult Congenital Heart Association, the
94 | March of Dimes, the Florida Association of Children's Hospitals,
95 | and the Florida Society of Thoracic and Cardiovascular Surgeons.

96 | (d) The panel shall meet biannually, or more frequently
97 | upon the call of the Secretary of Health Care Administration.
98 | Such meetings may be conducted telephonically, or by other
99 | electronic means.

100 | (e) The duties of the panel include recommending to the

101 agency standards for quality of care, personnel, physical plant,
102 equipment, emergency transportation, and data reporting for
103 hospitals that provide pediatric cardiac services.

104 (f) Beginning on January 1, 2020, and annually thereafter,
105 the panel shall submit a report to the Governor, the President
106 of the Senate, the Speaker of the House of Representatives, the
107 Secretary of Health Care Administration, and the State Surgeon
108 General. The report must summarize the panel's activities during
109 the preceding fiscal year and include data and performance
110 measures on surgical morbidity and mortality for all pediatric
111 cardiac programs.

112 (g) Members of the panel are immune from any civil or
113 criminal liability for events resulting from the good faith
114 performance of duties assigned to them by the Secretary of
115 Health Care Administration.

116 (10) The Secretary of Health Care Administration shall
117 consult the pediatric cardiac technical advisory panel for an
118 advisory recommendation on all certificate of need applications
119 to establish pediatric cardiac surgical centers.

120 (11)~~(10)~~ Based on the recommendations of the pediatric
121 cardiac technical advisory panel ~~in subsection (9)~~, the agency
122 shall adopt rules for pediatric cardiac programs which, at a
123 minimum, include:

124 (a) Standards for pediatric cardiac catheterization
125 services and pediatric cardiovascular surgery including quality

126 of care, personnel, physical plant, equipment, emergency
127 transportation, data reporting, and appropriate operating hours
128 and timeframes for mobilization for emergency procedures.

129 (b) Outcome standards consistent with nationally
130 established levels of performance in pediatric cardiac programs.

131 (c) Specific steps to be taken by the agency and licensed
132 facilities when the facilities do not meet the outcome standards
133 within a specified time, including time required for detailed
134 case reviews and the development and implementation of
135 corrective action plans.

136 (12)~~(11)~~ A pediatric cardiac program shall:

137 (a) Have a pediatric cardiology clinic affiliated with a
138 hospital licensed under this chapter.

139 (b) Have a pediatric cardiac catheterization laboratory
140 and a pediatric cardiovascular surgical program located in the
141 hospital.

142 (c) Have a risk adjustment surgical procedure protocol
143 following the guidelines established by the Society of Thoracic
144 Surgeons.

145 (d) Have quality assurance and quality improvement
146 processes in place to enhance clinical operation and patient
147 satisfaction with services.

148 (e) Participate in the clinical outcome reporting systems
149 operated by the Society of Thoracic Surgeons and the American
150 College of Cardiology.

151 (13) (a) The Secretary of Health Care Administration may
152 request announced or unannounced site visits to any existing or
153 pediatric cardiac surgical centers or facilities seeking
154 licensure as a pediatric cardiac surgical center through the
155 certificate of need process, to ensure compliance with this
156 section and rules adopted hereunder.

157 (b) At the request of the Secretary of Health Care
158 Administration, the pediatric cardiac technical advisory panel
159 shall recommend in-state physician experts to conduct an on-site
160 visit. The Secretary may also appoint up to two out-of-state
161 physician experts.

162 (c) A site visit team shall conduct an on-site inspection
163 of the designated hospital's pediatric medical and surgical
164 programs and each member shall submit a written report of its
165 findings to the panel. The panel shall discuss the written
166 reports and present an advisory opinion to the Secretary of
167 Health Care Administration which includes recommendations and
168 any suggested actions for correction.

169 (d) Each on-site inspection must include all of the
170 following:

171 1. An inspection of the program's physical facilities,
172 clinics, and laboratories.

173 2. Interviews with support staff and hospital
174 administration.

175 3. A review of:

176 a. Randomly selected medical records and reports,
177 including, but not limited to, advanced cardiac imaging,
178 computed tomography, magnetic resonance imaging, cardiac
179 ultrasound, cardiac catheterization, and surgical operative
180 notes.

181 b. The program's clinical outcome data submitted to the
182 Society of Thoracic Surgeons and the American College of
183 Cardiology pursuant to s. 408.05(3)(k).

184 c. Mortality reports from cardiac related deaths that
185 occurred in the previous year.

186 d. Program volume data from the preceding year for
187 interventional and electrophysiology catheterizations and
188 surgical procedures.

189 (14) The Surgeon General shall provide quarterly reports
190 to the Secretary of Health Care Administration consisting of
191 data from the Children's Medical Services' critical congenital
192 heart disease screening program for review by the advisory
193 panel.

194 (15)-(12) The agency may adopt rules to administer the
195 requirements of part II of chapter 408.

196 Section 2. This act shall take effect July 1, 2019.