



224512

LEGISLATIVE ACTION

Senate

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House

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Appropriations Subcommittee on Health and Human Services  
(Harrell) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 495 and 496

insert:

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

395.1055 Rules and enforcement.—

(9) The agency shall establish a pediatric cardiac technical advisory panel, pursuant to s. 20.052, to develop



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11 procedures and standards for measuring outcomes of pediatric  
12 cardiac catheterization programs and pediatric cardiovascular  
13 surgery programs.

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

17 (b) Voting members of the panel shall include: 3 at-large  
18 members, and 3 alternate at-large members with different program  
19 affiliations, including 1 cardiologist who is board certified in  
20 caring for adults with congenital heart disease and 2 board-  
21 certified pediatric cardiologists, neither of whom may be  
22 employed by any of the hospitals specified in subparagraphs 1.-  
23 10. or their affiliates, each of whom is appointed by the  
24 Secretary of Health Care Administration, and 10 members, and an  
25 alternate for each member, each of whom is a pediatric  
26 cardiologist or a pediatric cardiovascular surgeon, each  
27 appointed by the chief executive officer of the following  
28 hospitals:

- 29 1. Johns Hopkins All Children's Hospital in St. Petersburg.
- 30 2. Arnold Palmer Hospital for Children in Orlando.
- 31 3. Joe DiMaggio Children's Hospital in Hollywood.
- 32 4. Nicklaus Children's Hospital in Miami.
- 33 5. St. Joseph's Children's Hospital in Tampa.
- 34 6. University of Florida Health Shands Hospital in  
35 Gainesville.
- 36 7. University of Miami Holtz Children's Hospital in Miami.
- 37 8. Wolfson Children's Hospital in Jacksonville.
- 38 9. Florida Hospital for Children in Orlando.
- 39 10. Nemours Children's Hospital in Orlando.



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41 Appointments made under subparagraphs 1.-10. are contingent upon  
42 the hospital's maintenance of pediatric certificates of need and  
43 the hospital's compliance with this section and rules adopted  
44 thereunder, as determined by the Secretary of Health Care  
45 Administration. A member appointed under subparagraphs 1.-10.  
46 whose hospital fails to maintain such certificates or comply  
47 with standards may serve only as a nonvoting member until the  
48 hospital restores such certificates or complies with such  
49 standards. A voting member may serve a maximum of two 2-year  
50 terms and may be reappointed to the panel after being retired  
51 from the panel for a full 2-year term.

52 (c) The Secretary of Health Care Administration may appoint  
53 nonvoting members to the panel. Nonvoting members may include:

- 54 1. The Secretary of Health Care Administration.  
55 2. The Surgeon General.  
56 3. The Deputy Secretary of Children's Medical Services.  
57 4. Any current or past Division Director of Children's  
58 Medical Services.  
59 5. A parent of a child with congenital heart disease.  
60 6. An adult with congenital heart disease.  
61 7. A representative from each of the following  
62 organizations: the Florida Chapter of the American Academy of  
63 Pediatrics, the Florida Chapter of the American College of  
64 Cardiology, the Greater Southeast Affiliate of the American  
65 Heart Association, the Adult Congenital Heart Association, the  
66 March of Dimes, the Florida Association of Children's Hospitals,  
67 and the Florida Society of Thoracic and Cardiovascular Surgeons.

68 (d) The panel shall meet biannually, or more frequently



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69 upon the call of the Secretary of Health Care Administration.  
70 Such meetings may be conducted telephonically, or by other  
71 electronic means.

72 (e) The duties of the panel include recommending to the  
73 agency standards for quality of care, personnel, physical plant,  
74 equipment, emergency transportation, and data reporting for  
75 hospitals that provide pediatric cardiac services.

76 (f) Beginning on January 1, 2020, and annually thereafter,  
77 the panel shall submit a report to the Governor, the President  
78 of the Senate, the Speaker of the House of Representatives, the  
79 Secretary of Health Care Administration, and the State Surgeon  
80 General. The report must summarize the panel's activities during  
81 the preceding fiscal year and include data and performance  
82 measures on surgical morbidity and mortality for all pediatric  
83 cardiac programs.

84 (g) Members of the panel are immune from any civil or  
85 criminal liability for events resulting from their good faith  
86 performance of duties assigned to them by the Secretary of  
87 Health Care Administration.

88 (10) The Secretary of Health Care Administration shall  
89 consult the pediatric cardiac technical advisory panel for an  
90 advisory recommendation on all certificate of need applications  
91 to establish pediatric cardiac surgical centers.

92 (11) ~~(10)~~ Based on the recommendations of the pediatric  
93 cardiac technical advisory panel in subsection (9), the agency  
94 shall adopt rules for pediatric cardiac programs which, at a  
95 minimum, include:

96 (a) Standards for pediatric cardiac catheterization  
97 services and pediatric cardiovascular surgery including quality



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98 of care, personnel, physical plant, equipment, emergency  
99 transportation, data reporting, and appropriate operating hours  
100 and timeframes for mobilization for emergency procedures.

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

103 (c) Specific steps to be taken by the agency and licensed  
104 facilities when the facilities do not meet the outcome standards  
105 within a specified time, including time required for detailed  
106 case reviews and the development and implementation of  
107 corrective action plans.

108 (12)~~(11)~~ A pediatric cardiac program shall:

109 (a) Have a pediatric cardiology clinic affiliated with a  
110 hospital licensed under this chapter.

111 (b) Have a pediatric cardiac catheterization laboratory and  
112 a pediatric cardiovascular surgical program located in the  
113 hospital.

114 (c) Have a risk adjustment surgical procedure protocol  
115 following the guidelines established by the Society of Thoracic  
116 Surgeons.

117 (d) Have quality assurance and quality improvement  
118 processes in place to enhance clinical operation and patient  
119 satisfaction with services.

120 (e) Participate in the clinical outcome reporting systems  
121 operated by the Society of Thoracic Surgeons and the American  
122 College of Cardiology.

123 (13) (a) The Secretary of Health Care Administration may  
124 request announced or unannounced site visits to any existing  
125 pediatric cardiac surgical center or facility seeking licensure  
126 as a pediatric cardiac surgical center through the certificate



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127 of need process, to ensure compliance with this section and  
128 rules adopted hereunder.

129 (b) At the request of the Secretary of Health Care  
130 Administration, the pediatric cardiac technical advisory panel  
131 shall recommend in-state physician experts to conduct an on-site  
132 visit. The Secretary may also appoint up to two out-of-state  
133 physician experts.

134 (c) A site visit team shall conduct an on-site inspection  
135 of the designated hospital's pediatric medical and surgical  
136 programs, and each member shall submit a written report of his  
137 or her findings to the panel. The panel shall discuss the  
138 written reports and present an advisory opinion to the Secretary  
139 of Health Care Administration which includes recommendations and  
140 any suggested actions for correction.

141 (d) Each on-site inspection must include all of the  
142 following:

143 1. An inspection of the program's physical facilities,  
144 clinics, and laboratories.

145 2. Interviews with support staff and hospital  
146 administrators.

147 3. A review of:

148 a. Randomly selected medical records and reports,  
149 including, but not limited to, advanced cardiac imaging,  
150 computed tomography, magnetic resonance imaging, cardiac  
151 ultrasound, cardiac catheterization, and surgical operative  
152 notes.

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



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156 c. Mortality reports from cardiac-related deaths that  
157 occurred in the previous year.

158 d. Program volume data from the preceding year for  
159 interventional and electrophysiology catheterizations and  
160 surgical procedures.

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

165 (15)-(12) The agency may adopt rules to administer the  
166 requirements of part II of chapter 408.

167  
168 ===== T I T L E A M E N D M E N T =====

169 And the title is amended as follows:

170 Between lines 73 and 74

171 insert:

172 395.1055, F.S.; authorizing the reimbursement of per  
173 diem and travel expenses to members of the pediatric  
174 cardiac technical advisory panel, established within  
175 the Agency for Health Care Administration; revising  
176 panel membership to include certain alternate at-large  
177 members; providing term limits for voting members;  
178 providing immunity from civil and criminal liabilities  
179 to members of the panel; requiring the Secretary of  
180 Health Care Administration to consult the panel for  
181 advisory recommendations on certain certificate of  
182 need applications; authorizing the secretary to  
183 request announced or unannounced site visits to any  
184 existing pediatric cardiac surgical centers or



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185 facilities seeking licensure as a pediatric cardiac  
186 surgical center through the certificate of need  
187 process; providing a process for the appointment of  
188 physician experts to a site visit team; requiring each  
189 member of a site visit team to submit a report to the  
190 panel; requiring the panel to discuss such reports and  
191 present an advisory opinion to the secretary;  
192 providing requirements for an on-site inspection;  
193 requiring the Surgeon General of the Department of  
194 Health to provide specified reports to the secretary;  
195 amending s.