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LEGISLATIVE ACTION

Senate

.

House

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Floor: WD/2R

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04/26/2019 12:49 PM

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Senator Baxley moved the following:

1 **Senate Amendment to Amendment (623018) (with title**
2 **amendment)**

3
4 Delete lines 175 - 487

5 and insert:

6 Section 6. Present subsections (10), (11), and (12) of
7 section 395.1055, Florida Statutes, are redesignated as sections
8 (11), (12), and (15), respectively, new subsections (10), (13),
9 and (14) are added to that section, and subsection (9) and
10 present subsection (10) of that section are amended, to read:

11 395.1055 Rules and enforcement.—



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12 (9) The agency shall establish a pediatric cardiac
13 technical advisory panel, pursuant to s. 20.052, to develop
14 procedures and standards for measuring outcomes of pediatric
15 cardiac catheterization programs and pediatric cardiovascular
16 surgery programs.

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

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

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



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41 9. Florida Hospital for Children in Orlando.

42 10. Nemours Children's Hospital in Orlando.

43

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

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

57 1. The Secretary of Health Care Administration.

58 2. The Surgeon General.

59 3. The Deputy Secretary of Children's Medical Services.

60 4. Any current or past Division Director of Children's
61 Medical Services.

62 5. A parent of a child with congenital heart disease.

63 6. An adult with congenital heart disease.

64 7. A representative from each of the following

65 organizations: the Florida Chapter of the American Academy of
66 Pediatrics, the Florida Chapter of the American College of
67 Cardiology, the Greater Southeast Affiliate of the American
68 Heart Association, the Adult Congenital Heart Association, the
69 March of Dimes, the Florida Association of Children's Hospitals,



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70 and the Florida Society of Thoracic and Cardiovascular Surgeons.

71 (d) The panel shall meet biannually, or more frequently
72 upon the call of the Secretary of Health Care Administration.
73 Such meetings may be conducted telephonically, or by other
74 electronic means.

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

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

87 (g) Panel members are agents of the state for purposes of
88 s. 768.28 throughout the good faith performance of the duties
89 assigned to them by the Secretary of Health Care Administration.

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

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

98 (a) Standards for pediatric cardiac catheterization



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99 services and pediatric cardiovascular surgery including quality
100 of care, personnel, physical plant, equipment, emergency
101 transportation, data reporting, and appropriate operating hours
102 and timeframes for mobilization for emergency procedures.

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

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

110 (13) (a) The Secretary of Health Care Administration may
111 request announced or unannounced site visits to any existing
112 pediatric cardiac surgical center or facility seeking licensure
113 as a pediatric cardiac surgical center through the certificate
114 of need process to ensure compliance with this section and rules
115 adopted hereunder.

116 (b) At the request of the Secretary of Health Care
117 Administration, the pediatric cardiac technical advisory panel
118 shall recommend in-state physician experts to conduct an onsite
119 visit. The secretary may also appoint up to two out-of-state
120 physician experts.

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



128 (d) Each on-site inspection must include all of the
129 following:
130 1. An inspection of the program's physical facilities,
131 clinics, and laboratories.
132 2. Interviews with support staff and hospital
133 administrators.
134 3. A review of:
135 a. Randomly selected medical records and reports,
136 including, but not limited to, advanced cardiac imaging,
137 computed tomography, magnetic resonance imaging, cardiac
138 ultrasound, cardiac catheterization, and surgical operative
139 notes.
140 b. The program's clinical outcome data submitted to the
141 Society of Thoracic Surgeons and the American College of
142 Cardiology pursuant to s. 408.05(3)(k).
143 c. Mortality reports from cardiac-related deaths that
144 occurred in the previous year.
145 d. Program volume data from the preceding year for
146 interventional and electrophysiology catheterizations and
147 surgical procedures.
148 (14) The Surgeon General shall provide quarterly reports to
149 the Secretary of Health Care Administration consisting of data
150 from the Children's Medical Services' critical congenital heart
151 disease screening program for review by the advisory panel.

152
153 ===== T I T L E A M E N D M E N T =====

154 And the title is amended as follows:

155 Delete lines 785 - 793

156 and insert:



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discharge summary; amending s. 395.1055, F.S.;
authorizing the reimbursement of per diem