

1 A bill to be entitled
 2 An act relating to specialty hospitals; amending s.
 3 395.003, F.S.; removing provisions relating to the
 4 prohibition of licensure for certain hospitals that
 5 serve specific populations; providing an effective
 6 date.

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

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 10 Section 1. Subsections (8), (9), and (10) of section
 11 395.003, Florida Statutes, are amended to read:

12 395.003 Licensure; denial, suspension, and revocation.—

13 ~~(8) A hospital may not be licensed or relicensed if:~~

14 ~~(a) The diagnosis-related groups for 65 percent or more of~~
 15 ~~the discharges from the hospital, in the most recent year for~~
 16 ~~which data is available to the Agency for Health Care~~
 17 ~~Administration pursuant to s. 408.061, are for diagnosis, care,~~
 18 ~~and treatment of patients who have:~~

19 ~~1. Cardiac-related diseases and disorders classified as~~
 20 ~~diagnosis-related groups in major diagnostic category 5;~~

21 ~~2. Orthopedic-related diseases and disorders classified as~~
 22 ~~diagnosis-related groups in major diagnostic category 8;~~

23 ~~3. Cancer-related diseases and disorders classified as~~
 24 ~~discharges in which the principal diagnosis is neoplasm or~~
 25 ~~carcinoma or is for an admission for radiotherapy or~~

26 ~~antineoplastic chemotherapy or immunotherapy; or~~

27 ~~4. Any combination of the above discharges.~~

28 ~~(b) The hospital restricts its medical and surgical~~
29 ~~services to primarily or exclusively cardiac, orthopedic,~~
30 ~~surgical, or oncology specialties.~~

31 ~~(c) A hospital classified as an exempt cancer center~~
32 ~~hospital pursuant to 42 C.F.R. s. 412.23(f) as of December 31,~~
33 ~~2005, is exempt from the licensure restrictions of this~~
34 ~~subsection.~~

35 ~~(9) A hospital licensed as of June 1, 2004, shall be~~
36 ~~exempt from subsection (8) as long as the hospital maintains the~~
37 ~~same ownership, facility street address, and range of services~~
38 ~~that were in existence on June 1, 2004. Any transfer of beds, or~~
39 ~~other agreements that result in the establishment of a hospital~~
40 ~~or hospital services within the intent of this section, shall be~~
41 ~~subject to subsection (8). Unless the hospital is otherwise~~
42 ~~exempt under subsection (8), the agency shall deny or revoke the~~
43 ~~license of a hospital that violates any of the criteria set~~
44 ~~forth in that subsection.~~

45 ~~(10) The agency may adopt rules implementing the licensure~~
46 ~~requirements set forth in subsection (8). Within 14 days after~~
47 ~~rendering its decision on a license application or revocation,~~
48 ~~the agency shall publish its proposed decision in the Florida~~
49 ~~Administrative Register. Within 21 days after publication of the~~
50 ~~agency's decision, any authorized person may file a request for~~

51 ~~an administrative hearing. In administrative proceedings~~
52 ~~challenging the approval, denial, or revocation of a license~~
53 ~~pursuant to subsection (8), the hearing must be based on the~~
54 ~~facts and law existing at the time of the agency's proposed~~
55 ~~agency action. Existing hospitals may initiate or intervene in~~
56 ~~an administrative hearing to approve, deny, or revoke licensure~~
57 ~~under subsection (8) based upon a showing that an established~~
58 ~~program will be substantially affected by the issuance or~~
59 ~~renewal of a license to a hospital within the same district or~~
60 ~~service area.~~

61 Section 2. This act shall take effect July 1, 2020.