

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Finance & Facilities
 2 Subcommittee

3 Representative Latvala offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (i) of subsection (1) of section
 8 395.1055, Florida Statutes, is amended to read:

9 395.1055 Rules and enforcement.—

10 (1) The agency shall adopt rules pursuant to ss.
 11 120.536(1) and 120.54 to implement the provisions of this part,
 12 which shall include reasonable and fair minimum standards for
 13 ensuring that:

14 (i) All hospitals providing organ transplantation,
 15 neonatal intensive care services, inpatient psychiatric
 16 services, inpatient substance abuse services, or comprehensive

Amendment No. 1

17 medical rehabilitation meet the minimum licensure requirements
18 adopted by the agency. Such licensure requirements must include
19 quality of care, nurse staffing, physician staffing, physical
20 plant, equipment, emergency transportation, and data reporting
21 standards. Agency rules shall include minimum volume standards
22 for organ transplantation.

23 Section 2. Paragraph (b) of subsection (3) of section
24 765.5155, Florida Statutes, is amended to read:

25 765.5155 Donor registry; education program.—

26 (3) The contractor shall be responsible for:

27 (b) A continuing program to educate and inform medical
28 professionals, law enforcement agencies and officers, other
29 state and local government employees, high school students,
30 minorities, and the public about federal and state ~~the laws of~~
31 ~~this state~~ relating to anatomical gifts and the need for
32 anatomical gifts, including the organ donation and
33 transplantation process.

34 1. Existing community resources, when available, must be
35 used to support the program and volunteers may assist the
36 program to the maximum extent possible.

37 2. The contractor shall coordinate with the head of a
38 state agency or other political subdivision of the state, or his
39 or her designee, to establish convenient times, dates, and
40 locations for educating that entity's employees.

Amendment No. 1

41 3. The contractor shall, in consultation with the agency
42 and the State Board of Education, develop an instructional
43 curriculum for students in grades 9 through 12 relating to organ
44 donor registration.

45 Section 3. Subsection (4) of section 765.517, Florida
46 Statutes, is amended to read:

47 765.517 Rights and duties at death.—

48 (4) All reasonable additional expenses incurred in the
49 procedures to preserve the donor's organs or tissues shall be
50 reimbursed by the procurement organization. An organ
51 transplantation facility may not charge a donor or his or her
52 family member any fee for services relating to the procurement
53 or donation of his or her organs.

54 Section 4. Subsection (3) of section 765.522, Florida
55 Statutes, is amended to read:

56 765.522 Duty of hospital administrators; liability of
57 hospital administrators and procurement organizations.—

58 (3) The agency shall establish rules and guidelines
59 concerning the education of individuals who may be designated to
60 perform the request and the procedures to be used in making the
61 request, including a requirement that such individuals clearly
62 explain to patients and living organ donors the protocols of the
63 hospital and the federal and state laws regarding organ
64 donation. The agency is authorized to adopt rules concerning the
65 documentation of the request, where such request is made.

Amendment No. 1

66 Section 5. Subsection (3) of section 765.543, Florida
67 Statutes, is amended to read:

68 765.543 Organ and Tissue Procurement and Transplantation
69 Advisory Board; creation; duties.—

70 (3) (a) The board shall:

71 1. ~~(a)~~ Assist the agency, in collaboration with other
72 relevant public or private entities, in the development of
73 necessary professional qualifications, including, but not
74 limited to, the continuing education, training, and performance
75 of licensed health care practitioners and other persons engaged
76 in the various facets of organ and tissue procurement,

77 processing, preservation, and distribution for transplantation;

78 2. ~~(b)~~ Assist the agency in monitoring the appropriate and
79 legitimate expenses associated with organ and tissue
80 procurement, processing, and distribution for transplantation
81 and developing methodologies to assure the uniform statewide
82 reporting of data to facilitate the accurate and timely
83 evaluation of the organ and tissue procurement and
84 transplantation system;

85 3. ~~(c)~~ Provide assistance to the Florida Medical Examiners
86 Commission in the development of appropriate procedures and
87 protocols to ensure the continued improvement in the approval
88 and release of potential donors by the district medical
89 examiners and associate medical examiners;

Amendment No. 1

90 ~~4.(d)~~ Develop with and recommend to the agency the
91 necessary procedures and protocols required to assure that all
92 residents of this state have reasonable access to available
93 organ and tissue transplantation therapy and that residents of
94 this state can be reasonably assured that the statewide
95 procurement transplantation system is able to fulfill their
96 organ and tissue requirements within the limits of the available
97 supply and according to the severity of their medical condition
98 and need; and

99 ~~5.(e)~~ Develop with and recommend to the agency any changes
100 to the laws of this state or administrative rules or procedures
101 to ensure that the statewide organ and tissue procurement and
102 transplantation system is able to function smoothly,
103 effectively, and efficiently, in accordance with the Federal
104 Anatomical Gift Act and in a manner that assures the residents
105 of this state that no person or entity profits from the
106 altruistic voluntary donation of organs or tissues.

107 (b) In addition to the duties described in paragraph (a),
108 the board must submit to the agency, by September 1, 2022,
109 recommendations that address the following:

110 1. Frequency of communication between patients and organ
111 transplant coordinators.

112 2. Monitoring of each organ transplantation facility and
113 the annual reporting and publication of relevant information
114 regarding the statewide number of patients placed on waiting

Amendment No. 1

115 lists and the number of patients who receive transplants,
116 aggregated by the facility.

117 3. Establishment of a coordinated communication system
118 between organ transplantation facilities and living organ donors
119 for the purpose of minimizing the cost and time required for
120 duplicative lab tests, including the sharing of lab results
121 between facilities.

122 4. Potential incentives for organ transplantation
123 facilities to increase organ donation in the state.

124 5. Creation of a more efficient regional or statewide
125 living organ donor process.

126 6. Potential opportunities and incentives for organ
127 transplantation research.

128 7. Best practices for organ transplantation facilities and
129 organ procurement organizations that promote the most efficient
130 and effective outcomes for patients.

131 8. Monitoring of organ procurement organizations.

132 Section 6. Paragraph (u) is added to subsection (2) of
133 section 1003.42, Florida Statutes, to read:

134 1003.42 Required instruction.—

135 (2) Members of the instructional staff of the public
136 schools, subject to the rules of the State Board of Education
137 and the district school board, shall teach efficiently and
138 faithfully, using the books and materials required that meet the
139 highest standards for professionalism and historical accuracy,

Amendment No. 1

140 following the prescribed courses of study, and employing
141 approved methods of instruction, the following:

142 (u) For students in grades 9 through 12, organ donor
143 registration.

144
145 The State Board of Education is encouraged to adopt standards
146 and pursue assessment of the requirements of this subsection. A
147 character development program that incorporates the values of
148 the recipients of the Congressional Medal of Honor and that is
149 offered as part of a social studies, English Language Arts, or
150 other schoolwide character building and veteran awareness
151 initiative meets the requirements of paragraphs (s) and (t).

152 Section 7. This act shall take effect July 1, 2021.

153
154 -----

T I T L E A M E N D M E N T

155 Remove everything before the enacting clause and insert:
156 An act relating to organ donation and transplantation; amending
157 s. 395.1055, F.S.; revising a provision relating to certain
158 rules adopted by the Agency for Health Care Administration;
159 amending s. 765.5155, F.S.; revising the responsibilities of a
160 contractor procured by the agency for the purpose of education
161 and informing the public about anatomical gifts; amending s.
162 765.517, F.S.; prohibiting an organ transplantation facility
163 from charging a donor or his or her family member any fee for
164

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1009 (2021)

Amendment No. 1

165 services relating to the procurement or donation of organs;
166 amending s. 765.522, F.S.; revising a requirement that the
167 agency establish rules and guidelines relating to the education
168 of certain individuals designated to perform certain organ
169 donation procedures; amending s. 765.543, F.S.; revising the
170 duties of the Organ and Tissue Procurement and Transplantation
171 Advisory Board; requiring the board to submit certain
172 recommendations to the agency by a specified date; amending s.
173 1003.42, F.S.; requiring instruction relating to organ donation
174 and registration for students in specified grade levels;
175 providing an effective date.