

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1344

SPONSOR: Senator Constantine

SUBJECT: Hospice Facilities

DATE: February 10, 2004 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Cooper</u>	<u>Yeatman</u>	<u>CP</u>	<u>Favorable</u>
2.	_____	_____	<u>HC</u>	_____
3.	_____	_____	<u>RI</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

This bill includes hospice residential and inpatient facilities in the Florida Building Code and deletes requirements that the Department of Elderly Affairs adopt physical plant standards for such facilities.

This bill amends sections 400.605 and 553.73, and creates s. 400.6055 of the Florida Statutes.

## II. Present Situation:

Section 553.73(2), F.S., requires the Florida Building Code to contain provisions or requirements for:

public and private buildings, structures, and facilities relative to structural, mechanical, electrical, plumbing, energy, and gas systems, existing buildings, historical buildings, manufactured buildings, elevators, coastal construction, lodging facilities, food sales and food service facilities, health care facilities, including assisted living facilities, adult day care facilities, and facilities for the control of radiation hazards, public or private educational facilities, swimming pools, and correctional facilities and enforcement of and compliance with such provisions or requirements.

In addition, the code must include standards and criteria for residential swimming pool barriers, pool covers, latching devices, and door and window exit alarms.

However, the code does not specifically include hospice residential and inpatient facilities. The standards for these facilities are contained in the administrative rules of the Department of Elder Affairs.

**III. Effect of Proposed Changes:**

**Section 1** amends s. 553.73(2), F.S. to specifically require the Florida Building Code contain provisions or requirements for hospice residential and inpatient facilities. This is consistent with s. 553.72 (1), F.S., which establishes a Statewide Minimum Building Code for all public or private buildings, structures, or facilities in the state.

**Section 2** amends s. 400.605(1), F.S., to delete a provision requiring the Department of Elder Affairs to adopt a rule relating to construction standards for hospice residential and inpatient facilities. These facilities are made subject to the Florida Building Code in Sections 1 and 3 of this bill.

**Section 3** creates s. 400.6055, F.S., to require hospice residential and inpatient facilities to comply with the Florida Building Code.

**Section 4** provides that this act will take effect July 1, 2004.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The Florida Building Commission will be required to amend the Florida Building Code to include standards for hospice residential and inpatient facilities.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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