

Bill No. HB 329

Amendment No. \_\_\_\_ Barcode 042032

## CHAMBER ACTION

SenateHouse

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WD/2R  
03/31/2004 10:23 AM

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11 Senator Wise moved the following **amendment to amendment**  
 12 (394000):

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14 **Senate Amendment**

15 On page 24, line 17, through

16 page 26, line 9, delete those lines

17

18 and insert:

19 ~~(g)~~~~(s)~~1. For an adult open-heart-surgery program to be  
 20 located in a new hospital provided the new hospital is being  
 21 established in the location of an existing hospital with an  
 22 adult open-heart-surgery program, the existing hospital and  
 23 the existing adult open-heart-surgery program are being  
 24 relocated to a replacement hospital, and the replacement  
 25 hospital will utilize a closed-staff model. A hospital is  
 26 exempt from the certificate-of-need review for the  
 27 establishment of an open-heart-surgery program if the  
 28 application for exemption submitted under this paragraph  
 29 complies with the following criteria:

30 a. The applicant must certify that it will meet and  
 31 continuously maintain the minimum Florida Administrative Code

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1 and any future licensure requirements governing adult  
2 open-heart programs adopted by the agency, including the most  
3 current guidelines of the American College of Cardiology and  
4 American Heart Association Guidelines for Adult Open Heart  
5 Programs.

6       b. The applicant must certify that it will maintain  
7 sufficient appropriate equipment and health personnel to  
8 ensure quality and safety.

9       c. The applicant must certify that it will maintain  
10 appropriate times of operation and protocols to ensure  
11 availability and appropriate referrals in the event of  
12 emergencies.

13       d. The applicant is a newly licensed hospital in a  
14 physical location previously owned and licensed to a hospital  
15 performing more than 300 open-heart procedures each year,  
16 including heart transplants.

17       e. The applicant must certify that it can perform more  
18 than 300 diagnostic cardiac catheterization procedures per  
19 year, combined inpatient and outpatient, by the end of the  
20 third year of its operation.

21       f. The applicant's payor mix at a minimum reflects the  
22 community average for Medicaid, charity care, and self-pay  
23 patients or the applicant must certify that it will provide a  
24 minimum of 5 percent of Medicaid, charity care, and self-pay  
25 to open-heart-surgery patients.

26       g. If the applicant fails to meet the established  
27 criteria for open-heart programs or fails to reach 300  
28 surgeries per year by the end of its third year of operation,  
29 it must show cause why its exemption should not be revoked.

30       h. In order to ensure continuity of available  
31 services, the applicant of the newly licensed hospital may

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1 apply for this certificate-of-need before taking possession of  
2 the physical facilities. The effective date of the  
3 certificate-of-need will be concurrent with the effective date  
4 of the newly issued hospital license.

5           2. By December 31, 2004, and annually thereafter, the  
6 agency shall submit a report to the Legislature providing  
7 information concerning the number of requests for exemption  
8 received under this paragraph and the number of exemptions  
9 granted or denied.

10           3. This paragraph is repealed effective January 1,  
11 2008.

12 (Redesignate subsequent paragraphs.)  
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