

Bill No. HB 329

Amendment No. ____ Barcode 822098

CHAMBER ACTION

Senate

House

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04/07/2004 11:38 AM

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Senator Wise moved the following ~~amendment to amendment~~
(394000):

Senate Amendment

On page 24, line 17, through
page 26, line 9, delete those lines

and insert:

(1) Notwithstanding any other provisions of this
chapter to the contrary:-(s)

1. For an adult open-heart-surgery program to be
located in a new hospital provided the new hospital is being
established in the location of an existing hospital with an
adult open-heart-surgery program, the existing hospital and
the existing adult open-heart-surgery program are being
relocated to a replacement hospital, and the replacement
hospital will utilize a closed-staff model. A hospital is
exempt from the certificate-of-need review for the
establishment of an open-heart-surgery program if the
application for exemption submitted under this paragraph
complies with the following criteria:

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1 a. The applicant must certify that it will meet and
2 continuously maintain the minimum Florida Administrative Code
3 and any future licensure requirements governing adult
4 open-heart programs adopted by the agency, including the most
5 current guidelines of the American College of Cardiology and
6 American Heart Association Guidelines for Adult Open Heart
7 Programs.

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

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

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

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

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

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

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1 h. In order to ensure continuity of available
2 services, the applicant of the newly licensed hospital may
3 apply for this certificate-of-need before taking possession of
4 the physical facilities. The effective date of the
5 certificate-of-need will be concurrent with the effective date
6 of the newly issued hospital license.

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

12 3. This paragraph is repealed effective January 1,
13 2008.

14 (Redesignate subsequent paragraphs.)
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