

Bill No. HB 329

Amendment No. ____ Barcode 953942

CHAMBER ACTION

SenateHouse

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WD/2R
03/31/2004 12:19 PM

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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 ~~(1)~~(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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