

1 2. This part does not apply to veterinary hospitals or
2 to commercial business establishments using the word
3 "hospital," "ambulatory surgical center," or "mobile surgical
4 facility" as a part of a trade name if no treatment of human
5 beings is performed on the premises of such establishments.

6 ~~3. Until July 1, 2006, additional emergency~~
7 ~~departments located off the premises of licensed hospitals may~~
8 ~~not be authorized by the agency.~~

9 (c) A hospital may apply for a license to operate an
10 emergency department at a location off the hospital's premises
11 and the agency shall approve such license if the hospital
12 complies with all of the following criteria:

13 1. The off-premises emergency department must provide
14 emergency services and care for any emergency medical
15 condition that is within the service capability of the
16 hospital seeking the license.

17 2. The off-premises emergency department must ensure
18 that the same types of medical specialties that are available
19 to the hospital seeking the license are available for
20 consultations to patients of the off-premises emergency
21 department.

22 3. The licenseholder must provide for the transport of
23 patients between the off-premises emergency department and its
24 licensed hospital consistent with chapter 401. The department
25 shall determine whether statewide transport and transfer
26 protocols should be developed with respect to off-premises
27 emergency departments and shall report its findings to the
28 Governor, the President of the Senate, and the Speaker of the
29 House of Representatives by January 31, 2008.

1 4. The off-premises emergency department must be
2 directed by a designated physician who is a member of the
3 organized medical staff.

4 5. The off-premises emergency department must treat
5 all patients who have an emergency medical condition without
6 regard to ability to pay.

7 6. The off-premises emergency departments must comply
8 with all adopted rules governing emergency care.

9 7. If the main hospital is accredited, the
10 off-premises emergency department must be accredited by the
11 same accrediting organization.

12 8. The off-premises emergency department must meet all
13 physical plant requirements, including electrical,
14 architectural, and mechanical of an onsite emergency
15 department as specified in the Florida Building Code. The
16 facility must also meet the requirements for Definitive
17 Emergency Care, as described in the Guidelines for the Design
18 and Construction of Health Care Facilities, 2006 edition,
19 incorporated by reference in Section 419.2.1.2 of the Florida
20 Building Code.

21 Section 2. An off-premises emergency department of a
22 hospital operating as of July 1, 2007, may continue to operate
23 in accordance with the licensure criteria under which it was
24 originally approved by the agency. A hospital that has
25 received a letter of nonreviewability from the agency for an
26 off-premises emergency department and has had Stage 2
27 architectural plans approved by July 1, 2007, is subject to
28 the licensure criteria in existence before July 1, 2007.

29 Section 3. This act shall take effect July 1, 2007.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1758

The committee substitute allows the Agency for Health Care Administration to license additional emergency departments located off the premises of licensed hospitals provided the hospital complies with certain criteria. An off-premises emergency department of a hospital that is already operating as of July 1, 2007, may continue to operate under its original licensure criteria. A hospital that has received a letter of nonreviewability from the agency for an off-premises emergency department and has had Stage 2 architectural plans approved by July 1, 2007, is subject to the licensure criteria that existed before July 1, 2007.