



280400

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/17/2015	.	
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The Committee on Governmental Oversight and Accountability
(Hays) recommended the following:

Senate Amendment (with title amendment)

Delete lines 52 - 159
and insert:

(d) The council shall be composed of no more than 13 voting members with technical expertise in cardiac medicine. Members shall be appointed by the State Surgeon General for staggered terms of 4 years. An employee of the department or a contracted consultant paid by the department may not serve as an appointed member or ex officio member of the council. Council members



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11 shall include the following voting members:

12 1. Pediatric cardiologists or pediatric cardiovascular
13 surgeons who have been nominated by their respective chief
14 executive officers and approved by the State Surgeon General
15 from the following facilities for as long as such facilities
16 maintain their pediatric certificates of need:

17 a. All Children's Hospital in St. Petersburg;

18 b. Arnold Palmer Hospital for Children in Orlando;

19 c. Joe DiMaggio Children's Hospital in Hollywood;

20 d. Nicklaus Children's Hospital in Miami;

21 e. St. Joseph's Children's Hospital in Tampa;

22 f. University of Florida Health Shands Hospital in
23 Gainesville;

24 g. University of Miami Holtz Children's Hospital in Miami;

25 and

26 h. Wolfson Children's Hospital in Jacksonville.

27

28 A hospital with a certificate of need for a pediatric cardiac
29 program that meets state and national standards as determined by
30 the council following an onsite visit by a panel from the
31 council shall have one of its pediatric cardiologists or
32 pediatric cardiovascular surgeons who has been nominated by its
33 chief executive officer and approved by the State Surgeon
34 General appointed to the council as a new voting member. The
35 voting privilege of a voting member of the council appointed
36 pursuant to this subparagraph shall be suspended if the facility
37 he or she represents no longer meets state and national
38 standards as adopted by the council. Such individual may remain
39 a member of the council in an advisory capacity but shall



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40 relinquish voting privileges until his or her facility meets
41 such standards.

42 2. Two physicians at large, not associated with a facility
43 that has a representative appointed as a voting member of the
44 council, who are pediatric cardiologists or subspecialists with
45 special expertise or experience in dealing with children or
46 adults with congenital heart disease. These physicians shall be
47 selected by the State Surgeon General in consultation with the
48 Deputy Secretary for Children's Medical Services and the
49 Director of Children's Medical Services.

50 3. One community physician who has ongoing involvement with
51 and special interest in children with heart disease and who is
52 not associated with a facility represented in subparagraph 1. or
53 one community-based medical internist having experience with
54 adults with congenital heart disease. The community physician
55 shall be selected by the State Surgeon General in consultation
56 with the Deputy Secretary of Children's Medical Services and the
57 Director of the Division of Children's Medical Services.

58 (e) The State Surgeon General may appoint nonvoting
59 advisory members to the council in consultation with the Deputy
60 Secretary for Children's Medical Services and the Director of
61 Children's Medical Services. Such members may participate in
62 council discussions and subcommittees created by the council,
63 but may not vote.

64 (f) The duties of the council include, but are not limited
65 to:

66 1. Recommending standards for personnel, diagnoses,
67 clinics, and facilities rendering cardiac services to the
68 department and the Division of Children's Medical Services.



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69 2. Analyzing reports on the periodic review of cardiac
70 personnel, diagnoses, clinics, and facilities to determine if
71 established state and national standards for cardiac services
72 are met.

73 3. Making recommendations to the Director of Children's
74 Medical Services as to the approval or disapproval of reviewed
75 cardiac care personnel, diagnoses, clinics, and facilities.

76 4. Making recommendations as to the intervals for
77 reinspection of approved personnel, diagnoses, clinics, and
78 facilities for cardiac care.

79 5. Reviewing and inspecting hospitals upon the request of
80 the hospitals, the department, or the Agency for Health Care
81 Administration to determine if established state and national
82 standards for cardiac services are met.

83 6. Providing input on all aspects of the state's Children's
84 Medical Services cardiac programs, including rulemaking.

85 7. Addressing all components of the care of adults and
86 children with congenital heart disease and children with
87 acquired heart disease, as indicated and appropriate.

88 8. Abiding by the recognized state and national
89 professional standards of care for children with heart disease.

90 9. Making recommendations to the State Surgeon General for
91 legislation and appropriations for children's cardiac services.

92 10. Providing advisory opinions to the Agency for Health
93 Care Administration before the agency approves a certificate of
94 need for children's cardiac services.

95 (g) A council member shall serve without compensation, but
96 is entitled to reimbursement for per diem and travel expenses in
97 accordance with s. 112.061.



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98 (h) At the recommendation of the Pediatric Cardiac Advisory
99 Council and with the approval of the Director of Children's
100 Medical Services, the State Surgeon General shall designate
101 facilities meeting the council's approved state and national
102 professional standards of care for children with heart disease
103 as "Pediatric and Congenital Cardiovascular Centers of
104 Excellence." The designation is withdrawn automatically if a
105 particular center no longer meets such standards.

106 1. The council shall develop and recommend to the State
107 Surgeon General measurable performance standards and goals for
108 determining whether a facility meets the requirements for
109 designation as a "Pediatric and Congenital Cardiovascular Center
110 of Excellence."

111 2. The council shall develop and recommend to the State
112 Surgeon General evaluation tools for measuring the goals and
113 performance standards of the facilities seeking and receiving
114 the "Pediatric and Congenital Cardiovascular Center of
115 Excellence" designation.

116 (3) ANNUAL REPORT.—The council shall submit an annual
117 report to the Governor, the President of the Senate, the Speaker
118 of the House of Representatives, and the State Surgeon General
119 by January 1 of each year, beginning in 2017. The report must
120 summarize the council's activities for the preceding fiscal year
121 and include data and performance measures for all pediatric
122 cardiac facilities that participate in the Children's Medical
123 Services Network relating to surgical morbidity and mortality.
124 The report must also recommend any policy or procedural changes
125 that would increase the council's effectiveness in monitoring
126 the pediatric cardiovascular programs in the state.



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127 (4) RULEMAKING.—The department, in coordination with the
128 Agency for Health Care Administration, shall develop rules
129 related to pediatric cardiac facilities that participate in the
130 Children’s Medical Services Network. The rules may establish
131 standards relating to the training and credentialing of medical
132 and surgical personnel, facility and physician minimum case
133 volumes, and data reporting requirements for monitoring and
134 enhancing quality assurance. The department may adopt rules
135 relating to the establishment, operations, and authority of the
136 Pediatric Cardiac Advisory Council and the establishment, goals,
137 performance standards, and evaluation tools for designating
138 facilities as Pediatric and Congenital Cardiovascular Centers of
139 Excellence. The rules relating to pediatric cardiac services and
140 facilities in effect on October 1, 2015, are authorized pursuant
141 to this subsection and shall remain in effect until amended
142 pursuant to this subsection.

143 Section 2. This act shall take effect upon becoming a law.

144
145 ===== T I T L E A M E N D M E N T =====

146 And the title is amended as follows:

147 Delete lines 2 - 17

148 and insert:

149 An act relating to pediatric cardiac care in the
150 Children’s Medical Services Network; creating s.
151 391.224, F.S.; providing legislative findings and
152 intent; creating the Pediatric Cardiac Advisory
153 Council; determining the chair of the advisory
154 council; establishing the membership of the advisory
155 council; identifying the duties of the advisory



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156 council; setting the minimum qualifications for the
157 designation of a facility as a Pediatric and
158 Congenital Cardiovascular Center of Excellence;
159 requiring a report to the Governor, the Legislature,
160 and the State Surgeon General; requiring the
161 Department of Health to develop rules relating to
162 pediatric cardiac services and facilities in the
163 Children's Medical Services Network; authorizing the
164 department to adopt rules relating to the council and
165 the designation of facilities as Pediatric and
166 Congenital Cardiovascular Centers of Excellence;
167 authorizing and preserving until amended specified
168 rules relating to pediatric cardiac services and
169 facilities; providing an effective date.