



507618

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
10/20/2015	.	
	.	
	.	
	.	

The Committee on Health Policy (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 391.224, Florida Statutes, is created to
read:

391.224 Pediatric Cardiac Advisory Council.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds significant benefits in the
continued coordination of activities by several state agencies
regarding access to pediatric cardiac care in this state. It is



507618

12 the intent of the Legislature that the Department of Health, the
13 department's cardiac consultants, and the Agency for Health Care
14 Administration maintain their long-standing interagency teams
15 and agreements for the development and adoption of guidelines,
16 standards, and rules for those portions of the state cardiac
17 care system within the statutory authority of each agency. This
18 coordinated approach will continue to ensure the necessary
19 continuum of care for the pediatric cardiac patient. The
20 department has the leadership responsibility for this activity.

21 (b) It is further the intent of the Legislature to
22 establish the Pediatric Cardiac Advisory Council, a statewide,
23 inclusive council within the department.

24 (2) PEDIATRIC CARDIAC ADVISORY COUNCIL.—

25 (a) The State Surgeon General shall appoint the Pediatric
26 Cardiac Advisory Council for the purpose of advising the
27 department on the delivery of cardiac services to children.

28 (b) The chair of the council shall be elected from among
29 the council members every 2 years and may not serve more than
30 two consecutive terms.

31 (c) The council shall meet upon the call of the chair or
32 two or more voting members or upon the call of the State Surgeon
33 General, but must meet at least quarterly. Council meetings must
34 be conducted by teleconference or through other electronic means
35 when feasible.

36 (d) The council shall be composed of 11 members with
37 technical expertise in cardiac medicine. Members shall be
38 appointed by the State Surgeon General for staggered terms of 4
39 years. An employee of the department or a contracted consultant
40 paid by the department may not serve as an appointed member or



507618

41 ex officio member of the council. Council members shall include
42 the following voting members:

43 1. Pediatric cardiologists or pediatric cardiovascular
44 surgeons that have been nominated by their respective chief
45 executive officers and approved by the State Surgeon General
46 from the following facilities for as long as such facilities
47 maintain their pediatric certificates of need:

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

49 b. Arnold Palmer Hospital for Children in Orlando;

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

51 d. Nicklaus Children's Hospital in Miami;

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

53 f. University of Florida Health Shands Hospital in
54 Gainesville;

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

56 and

57 h. Wolfson Children's Hospital in Jacksonville.

58 2. Two physicians at large, not associated with a facility
59 represented in subparagraph 1., who are pediatric cardiologists
60 or subspecialists with special expertise or experience in
61 dealing with children or adults with congenital heart disease.
62 These physicians shall be selected by the State Surgeon General
63 in consultation with the Deputy Secretary for Children's Medical
64 Services and the Director of Children's Medical Services.

65 3. One community physician who has special interest and
66 ongoing involvement in children with heart disease and who is
67 not associated with a facility represented in subparagraph 1.,
68 or one community-based medical internist having experience with
69 adults with congenital heart disease. The community physician



507618

70 shall be selected by the State Surgeon General in consultation
71 with the Deputy Secretary of Children's Medical Services and the
72 Director of the Division of Children's Medical Services.

73 (e) The State Surgeon General may appoint nonvoting
74 advisory members to the council in consultation with the Deputy
75 Secretary for Children's Medical Services and the Director of
76 Children's Medical Services. Such members may participate in
77 council discussions and subcommittees created by the council,
78 but may not vote.

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

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

84 2. Analyzing reports on the periodic review of cardiac
85 personnel, diagnoses, clinics, and facilities to determine if
86 established state and national standards for cardiac services
87 are met.

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

91 4. Making recommendations as to the intervals for
92 reinspection of approved personnel, diagnoses, clinics, and
93 facilities for cardiac care.

94 5. Reviewing and inspecting hospitals upon the request of
95 the hospitals or the Agency for Health Care Administration to
96 determine if established state and national standards for
97 cardiac services are met.

98 6. Providing input on all aspects of the state's Children's



507618

99 Medical Services cardiac programs, including rulemaking.

100 7. Addressing all components of the care of adults and
101 children with congenital heart disease and children with
102 acquired heart disease, as indicated and appropriate.

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

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

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

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

113 (h) At the recommendation of the Pediatric Cardiac Advisory
114 Council and with the approval of the Director of Children's
115 Medical Services, the State Surgeon General shall designate
116 facilities meeting the council's approved state and national
117 professional standards of care for children with heart disease
118 as "Pediatric and Congenital Cardiovascular Centers of
119 Excellence." The designation is withdrawn automatically if a
120 particular center no longer meets such standards.

121 1. The council shall develop and recommend to the State
122 Surgeon General measurable performance standards and goals for
123 determining whether a facility meets the requirements for
124 designation as a "Pediatric and Congenital Cardiovascular Center
125 of Excellence."

126 2. The council shall develop and recommend to the State
127 Surgeon General evaluation tools for measuring the goals and



507618

128 performance standards of the facilities seeking and receiving
129 the "Pediatric and Congenital Cardiovascular Center of
130 Excellence" designation.

131 (3) RULEMAKING.—The department, in coordination with the
132 Agency for Health Care Administration, shall develop rules
133 related to pediatric cardiac facilities. The department may
134 adopt rules relating to the establishment, operations, and
135 authority of the Pediatric Cardiac Advisory Council and the
136 establishment, goals, performance standards, and evaluation
137 tools for designating facilities as Pediatric and Congenital
138 Cardiovascular Centers of Excellence.

139 (4) APPLICABILITY.—This section is intended to clarify
140 existing law, is remedial in nature, and shall apply
141 retroactively to rules already in existence without regard to
142 the date such rules were adopted.

143 Section 2. This act shall take effect July 1, 2016.

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 everything before the enacting clause
148 and insert:

149 A bill to be entitled
150 An act relating to the Pediatric Cardiac Advisory
151 Council; creating s. 391.224, F.S.; providing
152 legislative findings and intent; creating the
153 Pediatric Cardiac Advisory Council; determining the
154 chair of the advisory council; establishing the
155 membership of the advisory council; identifying the
156 duties of the advisory council; setting the minimum



507618

157 qualifications for the designation of a facility as a
158 Pediatric and Congenital Cardiovascular Center of
159 Excellence; requiring the Department of Health to
160 develop rules relating to pediatric cardiac
161 facilities; authorizing the department to adopt rules
162 relating to the council and the designation of
163 facilities as Pediatric and Congenital Cardiovascular
164 Centers of Excellence program; providing retroactive
165 application of the act; providing an effective date.