

By the Committees on Governmental Oversight and Accountability;
and Health Policy; and Senator Bean

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1 A bill to be entitled
2 An act relating to pediatric cardiac care in the
3 Children's Medical Services Network; creating s.
4 391.224, F.S.; providing legislative findings and
5 intent; creating the Pediatric Cardiac Advisory
6 Council; determining the chair of the advisory
7 council; establishing the membership of the advisory
8 council; identifying the duties of the advisory
9 council; setting the minimum qualifications for the
10 designation of a facility as a Pediatric and
11 Congenital Cardiovascular Center of Excellence;
12 requiring a report to the Governor, the Legislature,
13 and the State Surgeon General; requiring the
14 Department of Health to develop rules relating to
15 pediatric cardiac services and facilities in the
16 Children's Medical Services Network; authorizing the
17 department to adopt rules relating to the council and
18 the designation of facilities as Pediatric and
19 Congenital Cardiovascular Centers of Excellence;
20 authorizing and preserving until amended specified
21 rules relating to pediatric cardiac services and
22 facilities; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Section 391.224, Florida Statutes, is created to
27 read:

28 391.224 Pediatric Cardiac Advisory Council.-

29 (1) LEGISLATIVE FINDINGS AND INTENT.-

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30 (a) The Legislature finds significant benefits in the
31 continued coordination of activities by several state agencies
32 regarding access to pediatric cardiac care in this state. It is
33 the intent of the Legislature that the Department of Health, the
34 department's cardiac consultants, and the Agency for Health Care
35 Administration maintain their long-standing interagency teams
36 and agreements for the development and adoption of guidelines,
37 standards, and rules for those portions of the state cardiac
38 care system within the statutory authority of each agency. This
39 coordinated approach will continue to ensure the necessary
40 continuum of care for the pediatric cardiac patient. The
41 department has the leadership responsibility for this activity.

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

45 (2) PEDIATRIC CARDIAC ADVISORY COUNCIL.—

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

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

52 (c) The council shall meet upon the call of the chair or
53 two or more voting members or upon the call of the State Surgeon
54 General, but must meet at least quarterly. Council meetings must
55 be conducted by teleconference or through other electronic means
56 when feasible.

57 (d) The council shall be composed of no more than 13 voting
58 members with technical expertise in cardiac medicine. Members

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59 shall be appointed by the State Surgeon General for staggered
60 terms of 4 years. An employee of the department or a contracted
61 consultant paid by the department may not serve as an appointed
62 member or ex officio member of the council. Council members
63 shall include the following voting members:

64 1. Pediatric cardiologists or pediatric cardiovascular
65 surgeons who have been nominated by their respective chief
66 executive officers and approved by the State Surgeon General
67 from the following facilities for as long as such facilities
68 maintain their pediatric certificates of need:

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

70 b. Arnold Palmer Hospital for Children in Orlando;

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

72 d. Nicklaus Children's Hospital in Miami;

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

74 f. University of Florida Health Shands Hospital in

75 Gainesville;

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

77 and

78 h. Wolfson Children's Hospital in Jacksonville.

79
80 A hospital with a certificate of need for a pediatric cardiac
81 program that meets state and national standards as determined by
82 the council following an onsite visit by a panel from the
83 council shall have one of its pediatric cardiologists or
84 pediatric cardiovascular surgeons who has been nominated by its
85 chief executive officer and approved by the State Surgeon
86 General appointed to the council as a new voting member. The
87 voting privilege of a voting member of the council appointed

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88 pursuant to this subparagraph shall be suspended if the facility
89 he or she represents no longer meets state and national
90 standards as adopted by the council. Such individual may remain
91 a member of the council in an advisory capacity but shall
92 relinquish voting privileges until his or her facility meets
93 such standards.

94 2. Two physicians at large, not associated with a facility
95 that has a representative appointed as a voting member of the
96 council, who are pediatric cardiologists or subspecialists with
97 special expertise or experience in dealing with children or
98 adults with congenital heart disease. These physicians shall be
99 selected by the State Surgeon General in consultation with the
100 Deputy Secretary for Children's Medical Services and the
101 Director of Children's Medical Services.

102 3. One community physician who has ongoing involvement with
103 and special interest in children with heart disease and who is
104 not associated with a facility represented in subparagraph 1. or
105 one community-based medical internist having experience with
106 adults with congenital heart disease. The community physician
107 shall be selected by the State Surgeon General in consultation
108 with the Deputy Secretary of Children's Medical Services and the
109 Director of the Division of Children's Medical Services.

110 (e) The State Surgeon General may appoint nonvoting
111 advisory members to the council in consultation with the Deputy
112 Secretary for Children's Medical Services and the Director of
113 Children's Medical Services. Such members may participate in
114 council discussions and subcommittees created by the council,
115 but may not vote.

116 (f) The duties of the council include, but are not limited

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117 to:118 1. Recommending standards for personnel, diagnoses,
119 clinics, and facilities rendering cardiac services to the
120 department and the Division of Children's Medical Services.121 2. Analyzing reports on the periodic review of cardiac
122 personnel, diagnoses, clinics, and facilities to determine if
123 established state and national standards for cardiac services
124 are met.125 3. Making recommendations to the Director of Children's
126 Medical Services as to the approval or disapproval of reviewed
127 cardiac care personnel, diagnoses, clinics, and facilities.128 4. Making recommendations as to the intervals for
129 reinspection of approved personnel, diagnoses, clinics, and
130 facilities for cardiac care.131 5. Reviewing and inspecting hospitals upon the request of
132 the hospitals, the department, or the Agency for Health Care
133 Administration to determine if established state and national
134 standards for cardiac services are met.135 6. Providing input on all aspects of the state's Children's
136 Medical Services cardiac programs, including rulemaking.137 7. Addressing all components of the care of adults and
138 children with congenital heart disease and children with
139 acquired heart disease, as indicated and appropriate.140 8. Abiding by the recognized state and national
141 professional standards of care for children with heart disease.142 9. Making recommendations to the State Surgeon General for
143 legislation and appropriations for children's cardiac services.144 10. Providing advisory opinions to the Agency for Health
145 Care Administration before the agency approves a certificate of

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146 need for children's cardiac services.

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

150 (h) At the recommendation of the Pediatric Cardiac Advisory
151 Council and with the approval of the Director of Children's
152 Medical Services, the State Surgeon General shall designate
153 facilities meeting the council's approved state and national
154 professional standards of care for children with heart disease
155 as "Pediatric and Congenital Cardiovascular Centers of
156 Excellence." The designation is withdrawn automatically if a
157 particular center no longer meets such standards.

158 1. The council shall develop and recommend to the State
159 Surgeon General measurable performance standards and goals for
160 determining whether a facility meets the requirements for
161 designation as a "Pediatric and Congenital Cardiovascular Center
162 of Excellence."

163 2. The council shall develop and recommend to the State
164 Surgeon General evaluation tools for measuring the goals and
165 performance standards of the facilities seeking and receiving
166 the "Pediatric and Congenital Cardiovascular Center of
167 Excellence" designation.

168 (3) ANNUAL REPORT.—The council shall submit an annual
169 report to the Governor, the President of the Senate, the Speaker
170 of the House of Representatives, and the State Surgeon General
171 by January 1 of each year, beginning in 2017. The report must
172 summarize the council's activities for the preceding fiscal year
173 and include data and performance measures for all pediatric
174 cardiac facilities that participate in the Children's Medical

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175 Services Network relating to surgical morbidity and mortality.
176 The report must also recommend any policy or procedural changes
177 that would increase the council's effectiveness in monitoring
178 the pediatric cardiovascular programs in the state.

179 (4) RULEMAKING.—The department, in coordination with the
180 Agency for Health Care Administration, shall develop rules
181 related to pediatric cardiac facilities that participate in the
182 Children's Medical Services Network. The rules may establish
183 standards relating to the training and credentialing of medical
184 and surgical personnel, facility and physician minimum case
185 volumes, and data reporting requirements for monitoring and
186 enhancing quality assurance. The department may adopt rules
187 relating to the establishment, operations, and authority of the
188 Pediatric Cardiac Advisory Council and the establishment, goals,
189 performance standards, and evaluation tools for designating
190 facilities as Pediatric and Congenital Cardiovascular Centers of
191 Excellence. The rules relating to pediatric cardiac services and
192 facilities in effect on October 1, 2015, are authorized pursuant
193 to this subsection and shall remain in effect until amended
194 pursuant to this subsection.

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