

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                         (Y/N)  
ADOPTED AS AMENDED                         (Y/N)  
ADOPTED W/O OBJECTION                     (Y/N)  
FAILED TO ADOPT                             (Y/N)  
WITHDRAWN                                    (Y/N)  
OTHER                                         

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1 Committee/Subcommittee hearing bill: Health & Human Services  
2 Committee

3 Representative Yarborough offered the following:

4  
5            **Amendment (with title amendment)**

6            Remove lines 885-919 and insert:

7            Section 31. Subsections (2), (3), (9), and (10) of section  
8 395.1055, Florida Statutes, are amended, and paragraph (i) is  
9 added to subsection (1), to read:

10           395.1055 Rules and enforcement.—

11           (1) The agency shall adopt rules pursuant to ss.  
12 120.536(1) and 120.54 to implement the provisions of this part,  
13 which shall include reasonable and fair minimum standards for  
14 ensuring that:

15           (i) All hospitals providing organ transplantation,  
16 neonatal intensive care services, inpatient psychiatric

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17 services, inpatient substance abuse services, or comprehensive  
18 medical rehabilitation meet the minimum licensure requirements  
19 adopted by the agency. Such licensure requirements must include  
20 quality of care, nurse staffing, physician staffing, physical  
21 plant, equipment, emergency transportation, and data reporting  
22 standards.

23 (2) Separate standards may be provided for general and  
24 specialty hospitals, ambulatory surgical centers, ~~mobile~~  
25 ~~surgical facilities,~~ and statutory rural hospitals as defined in  
26 s. 395.602.

27 (3) The agency shall adopt rules with respect to the care  
28 and treatment of patients residing in distinct part nursing  
29 units of hospitals which are certified for participation in  
30 Title XVIII (Medicare) and Title XIX (Medicaid) of the Social  
31 Security Act skilled nursing facility program. Such rules shall  
32 take into account the types of patients treated in hospital  
33 skilled nursing units, including typical patient acuity levels  
34 and the average length of stay in such units, and shall be  
35 limited to the appropriate portions of the Omnibus Budget  
36 Reconciliation Act of 1987 (Pub. L. No. 100-203) (December 22,  
37 1987), Title IV (Medicare, Medicaid, and Other Health-Related  
38 Programs), Subtitle C (Nursing Home Reform), as amended. The  
39 agency shall require level 2 background screening as specified  
40 in s. 408.809(1)(e) pursuant to s. 408.809 and chapter 435 for  
41 personnel of distinct part nursing units.

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42 (9) The agency shall establish a technical advisory panel,  
43 pursuant to s. 20.052, to develop procedures and standards for  
44 measuring outcomes of pediatric cardiac catheterization programs  
45 and pediatric cardiovascular ~~open-heart~~ surgery programs.

46 (a) Members of the panel must have technical expertise in  
47 pediatric cardiac medicine and shall serve without compensation  
48 and shall not be reimbursed for per diem and travel expenses.

49 (b) Voting members of the panel shall include:~~(a) The~~  
50 ~~panel must be composed of~~ 3 at-large members, including 1  
51 cardiologist who is board certified in caring for adults with  
52 congenital heart disease and 2 board-certified pediatric  
53 cardiologists, neither of whom may be employed by any of the  
54 hospitals specified in subparagraphs 1.-10. or their affiliates,  
55 each of whom is appointed by the Secretary of Health Care  
56 Administration, and 10 members, and an alternate for each  
57 member, each of whom is a pediatric cardiologist or a pediatric  
58 cardiovascular surgeon, each appointed by the chief executive  
59 officer of ~~one of~~ the following hospitals:

- 60 1. Johns Hopkins All Children's Hospital in St.  
61 Petersburg.
- 62 2. Arnold Palmer Hospital for Children in Orlando.
- 63 3. Joe DiMaggio Children's Hospital in Hollywood.
- 64 4. Nicklaus Children's Hospital in Miami.
- 65 5. St. Joseph's Children's Hospital in Tampa.

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66           6. University of Florida Health Shands Hospital in  
67 Gainesville.

68           7. University of Miami Holtz Children's Hospital in Miami.

69           8. Wolfson Children's Hospital in Jacksonville.

70           9. Florida Hospital for Children in Orlando.

71           10. Nemours Children's Hospital in Orlando.

72

73 Appointments made under subparagraphs 1.-10. are contingent upon  
74 the hospital's maintenance of pediatric certificates of need and  
75 the hospital's compliance with this section and rules adopted  
76 thereunder, as determined by the Secretary of Health Care  
77 Administration. A member appointed under subparagraphs 1.-10.  
78 whose hospital fails to maintain such certificates or comply  
79 with standards may serve only as a nonvoting member until the  
80 hospital restores such certificates or complies with such  
81 standards.

82

83           (c) The Secretary of Health Care Administration may  
84 appoint nonvoting members to the panel. Nonvoting members may  
85 include:

86           1. The Secretary of Health Care Administration.

87           2. The Surgeon General.

88           3. The Deputy Secretary of Children's Medical Services.

89           4. Any current or past Division Director of Children's  
90 Medical Services.

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91 5. A parent of a child with congenital heart disease.

92 6. An adult with congenital heart disease.

93 7. A representative from each of the following

94 organizations: the Florida Chapter of the American Academy of  
95 Pediatrics, the Florida Chapter of the American College of  
96 Cardiology, the Greater Southeast Affiliate of the American  
97 Heart Association, the Adult Congenital Heart Association, the  
98 March of Dimes, the Florida Association of Children's Hospitals,  
99 and the Florida Society of Thoracic and Cardiovascular Surgeons.

100 (d) The panel shall meet biannually, or more frequently  
101 upon the call of the Secretary of Health Care Administration.  
102 Such meetings may be conducted telephonically, or by other  
103 electronic means.

104 (e) The duties of the panel include recommending to the  
105 agency standards for quality of care, personnel, physical plant,  
106 equipment, emergency transportation, and data reporting for  
107 hospitals that provide pediatric cardiac services.

108 (f) Beginning in January 1, 2020, and annually thereafter,  
109 the panel shall submit a report to the Governor, the President  
110 of the Senate, the Speaker of the House of Representatives, the  
111 Secretary of Health Care Administration, and the State Surgeon  
112 General. The report must summarize the panel's activities during  
113 the preceding fiscal year and include data and performance  
114 measures on surgical morbidity and mortality for all pediatric  
115 cardiac programs.

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116 ~~(b) Based on the recommendations of the panel, the agency~~  
117 ~~shall develop and adopt rules for pediatric cardiac~~  
118 ~~catheterization programs and pediatric open-heart surgery~~  
119 ~~programs which include at least the following:~~

120 ~~—— 1. A risk adjustment procedure that accounts for the~~  
121 ~~variations in severity and case mix found in hospitals in this~~  
122 ~~state;~~

123 ~~—— 2. Outcome standards specifying expected levels of~~  
124 ~~performance in pediatric cardiac programs. Such standards may~~  
125 ~~include, but are not limited to, in-hospital mortality,~~  
126 ~~infection rates, nonfatal myocardial infarctions, length of~~  
127 ~~postoperative bleeds, and returns to surgery; and~~

128 ~~—— 3. Specific steps to be taken by the agency and licensed~~  
129 ~~facilities that do not meet the outcome standards within a~~  
130 ~~specified time, including time required for detailed case~~  
131 ~~reviews and development and implementation of corrective action~~  
132 ~~plans.~~

133 ~~—— (c) This subsection is repealed on July 1, 2022.~~

134 (10) Based on the recommendations of the advisory panel in  
135 subsection (9), the agency shall adopt rules for pediatric  
136 cardiac programs that, at a minimum, include:

137 (a) Standards for pediatric cardiac catheterization  
138 services and pediatric cardiovascular surgery including quality  
139 of care, personnel, physical plant, equipment, emergency

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140 transportation, data reporting, and appropriate operating hours  
141 and timeframes for mobilization for emergency procedures.

142 (b) Outcome standards consistent with nationally  
143 established levels of performance in pediatric cardiac programs.

144 (c) Specific steps to be taken by the agency and licensed  
145 facilities when the facilities do not meet the outcome standards  
146 within a specified time, including time required for detailed  
147 case reviews and development and implementation of corrective  
148 action plans.

149 (11) A pediatric cardiac program shall:

150 (a) Be located in a hospital licensed under this chapter  
151 and include the following co-located components: a pediatric  
152 cardiology clinic, a pediatric cardiac catheterization  
153 laboratory, and a pediatric cardiovascular surgery program.

154 (b) Have a risk adjustment surgical procedure protocol  
155 following the guidelines established by the Society of Thoracic  
156 Surgeons.

157 (c) Have quality assurance and quality improvement  
158 processes in place to enhance clinical operation and patient  
159 satisfaction with services.

160 (d) Participate in the clinical outcome reporting systems  
161 operated by the Society of Thoracic Surgeons and the American  
162 College of Cardiology.

163 (12)-(10)- The agency may adopt rules to administer the  
164 requirements of part II of chapter 408.

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165 Section 32. Paragraphs (k) is added to subsection (3) of  
166 section 408.05, Florida Statutes, to read:

167 408.05 Florida Center for Health Information and  
168 Transparency.—

169 (3) HEALTH INFORMATION TRANSPARENCY.—In order to  
170 disseminate and facilitate the availability of comparable and  
171 uniform health information, the agency shall perform the  
172 following functions:

173 (k) Contract with the Society of Thoracic Surgeons and the  
174 American College of Cardiology to obtain data reported pursuant  
175 to s. 395.1055 for publication on the agency's website in a  
176 manner that will allow consumers to be informed of aggregate  
177 data and to compare pediatric cardiac programs.

178  
179 -----

180 **T I T L E A M E N D M E N T**

181 Remove line 43 and insert:

182 nursing units; requiring the Agency for Health Care  
183 Administration to adopt rules establishing standards for  
184 pediatric cardiac catheterization and pediatric cardiovascular  
185 surgery programs located in licensed hospitals; providing  
186 requirements for such programs; establishing minimum standards  
187 for rules for such pediatric cardiac programs; requiring  
188 hospitals with pediatric cardiac programs to participate in the  
189 clinical outcome reporting systems; revising duties and



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190 membership of the pediatric cardiac technical advisory panel;  
191 amending s. 408.05, F.S.; requiring the agency to contract with  
192 the Society of Thoracic Surgeons and the American College of  
193 Cardiology for collection of certain data for publication on the  
194 agency's website for certain purposes; repealing ss. 395.10971  
195 and 395.10972,