



820832

LEGISLATIVE ACTION

Senate

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House

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

Senate Amendment (with title amendment)

Delete lines 59 - 94

and insert:

(8) Applicable only to a hospital that is, or will be, newly licensed on or after July 1, 2019; that has not been issued a certificate of need by the agency; and that is not replacing a currently operating hospital located within 1 mile of the newly licensed hospital:

(a) When proposing a new hospital project subject to this



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11 subsection and before filing for approval of plans and
12 specifications under s. 395.0163, each prospective applicant for
13 licensure must submit a notice to the agency of its intent to
14 establish a newly licensed hospital which includes the location
15 for the proposed hospital, the number and types of beds to be
16 licensed, and the services that the hospital will offer.

17 (b) The agency may not license a new general hospital
18 subject to this subsection unless:

19 1. The hospital has at least 80 beds and has intensive
20 care, progressive care, and medical-surgical beds. This
21 requirement does not apply if the hospital is a rural hospital,
22 as defined in s. 395.602, or is located in a medically
23 underserved area; and

24 2. The hospital has an onsite emergency department that
25 will operate 24 hours per day, 7 days per week.

26 (c) Each such hospital must participate in the state
27 Medicaid program and the Medicare program.

28 (d) Except as provided in paragraph (e), each such hospital
29 must provide charity care in an amount equal to or greater than
30 the district average for hospitals in the applicable district.
31 The agency shall adopt by rule a method for calculating the
32 district average for charity care for each district. For
33 purposes of this subsection, the term "charity care" means
34 uncompensated care delivered to uninsured patients having an
35 income at or below 200 percent of the federal poverty level when
36 such services are preauthorized by the licensee and not subject
37 to collection procedures, and "district" has the same meaning as
38 in s. 408.032(5). The valuation of charity care must be based on
39 Medicaid reimbursement rates.



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40 (e) If such a hospital is located in a medically
41 underserved area, the amount of charity care required to be
42 provided by the hospital under paragraph (d) is equivalent in
43 percentage to the medically underserved area's Index of Medical
44 Underservice score as calculated by the federal Health Resources
45 and Services Administration within the Department of Health and
46 Human Services.

47 (f) In lieu of providing charity care under paragraph (d)
48 or paragraph (e), each such hospital may donate an amount
49 determined by the agency to be functionally equivalent to the
50 amounts required under those paragraphs to the agency's Grants
51 and Donations Trust Fund.

52 (g) Each such hospital shall annually report to the agency
53 its compliance with paragraphs (c)-(f). Failure to report
54 compliance constitutes noncompliance. The agency shall assess an
55 administrative fine on a hospital that fails to comply with this
56 subsection in the amount of 1 percent of its net revenue for
57 each 0.5 percent of the required amount of charity care not
58 provided pursuant to paragraph (d) or paragraph (e) or the
59 required amount as determined by the agency pursuant to
60 paragraph (f).

61 (h) The agency shall adopt rules to implement this
62 subsection.

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64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete lines 4 - 15

67 and insert:

68 providing applicability; requiring certain hospitals



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69 licensed after a specified date to submit a notice to
70 the Agency for Health Care Administration which
71 contains specified information before filing for
72 approval of plans and specifications to establish a
73 newly licensed hospital; prohibiting the agency from
74 licensing a new general hospital unless certain
75 criteria are met; requiring certain hospitals to
76 participate in the Medicaid program as a provider of
77 medical assistance and to provide a certain amount of
78 charity care; defining the terms "charity care" and
79 "district"; providing a separate calculation of
80 required charity care for such hospitals located in a
81 medically underserved area; authorizing such hospitals
82 to provide a certain donation the agency's Grants and
83 Donations Trust Fund in lieu of providing the required
84 charity care; requiring such hospitals to annually
85 report compliance to the agency; requiring the agency
86 to impose a specified administrative fine for
87 noncompliance; requiring the agency to adopt rules;