

26 | circumstances; amending ss. 409.9116 and 1009.65,
 27 | F.S.; conforming a cross-reference; providing an
 28 | effective date.

30 | Be It Enacted by the Legislature of the State of Florida:

32 | Section 1. Subsection (12) of section 395.002, Florida
 33 | Statutes, is amended to read:

34 | 395.002 Definitions.—As used in this chapter:

35 | (12) "Hospital" means any establishment that:

36 | (a)1. Offers services more intensive than those required
 37 | for room, board, personal services, and general nursing care,
 38 | and offers facilities and beds for use beyond 24 hours by
 39 | individuals requiring diagnosis, treatment, or care for illness,
 40 | injury, deformity, infirmity, abnormality, disease, or
 41 | pregnancy; and

42 | 2.~~(b)~~ Regularly makes available at least clinical
 43 | laboratory services, diagnostic X-ray services, and treatment
 44 | facilities for surgery or obstetrical care, or other definitive
 45 | medical treatment of similar extent, except that a critical
 46 | access hospital, as defined in s. 408.07, shall not be required
 47 | to make available treatment facilities for surgery, obstetrical
 48 | care, or similar services as long as it maintains its critical
 49 | access hospital designation and shall be required to make such
 50 | facilities available only if it ceases to be designated as a

51 critical access hospital; ~~or-~~

52 (b) Is designated as a rural emergency hospital as defined
53 in s. 395.602(2).

54
55 However, the provisions of this chapter do not apply to any
56 institution conducted by or for the adherents of any well-
57 recognized church or religious denomination that depends
58 exclusively upon prayer or spiritual means to heal, care for, or
59 treat any person. For purposes of local zoning matters, the term
60 "hospital" includes a medical office building located on the
61 same premises as a hospital facility, provided the land on which
62 the medical office building is constructed is zoned for use as a
63 hospital; provided the premises were zoned for hospital purposes
64 on January 1, 1992.

65 Section 2. Paragraph (b) of subsection (1) of section
66 395.0163, Florida Statutes, is amended to read:

67 395.0163 Construction inspections; plan submission and
68 approval; fees.—

69 (1)

70 (b) All outpatient facilities that provide surgical
71 treatments requiring general anesthesia or IV conscious
72 sedation, that provide cardiac catheterization services, or that
73 are to be licensed as rural emergency hospitals or ambulatory
74 surgical centers shall submit plans and specifications to the
75 agency for review under this section. All other outpatient

76 facilities must be reviewed under this section, except that
 77 those that are physically detached from, and have no utility
 78 connections with, the hospital and that do not block emergency
 79 egress from or create a fire hazard to the hospital are exempt
 80 from review under this section. ~~This paragraph applies to~~
 81 ~~applications for which review is pending on or after July 1,~~
 82 ~~1998.~~

83 Section 3. Section 395.01933, Florida Statutes, is created
 84 to read:

85 395.01933 Licensure for rural emergency hospitals.—A
 86 facility is eligible to apply for a license as a rural emergency
 87 hospital if the facility meets the definition of a rural
 88 emergency hospital in s. 395.602(2).

89 Section 4. Paragraphs (b) and (c) of subsection (2) of
 90 section 395.602, Florida Statutes, are redesignated as
 91 paragraphs (c) and (d), respectively, present paragraph (b) of
 92 subsection (2) is amended, and a new paragraph (b) is added to
 93 subsection (2) of that section, to read:

94 395.602 Rural hospitals.—

95 (2) DEFINITIONS.—As used in this part, the term:

96 (b) "Rural emergency hospital" means a hospital that meets
 97 the definition of the term "rural emergency hospital" in 42
 98 U.S.C. s. 1395x(kkk) (2) and that is certified by the United
 99 States Secretary of Health and Human Services as a rural
 100 emergency hospital.

101 (c)~~(b)~~ "Rural hospital" means an acute care hospital
 102 licensed under this chapter, having 100 or fewer licensed beds
 103 and an emergency room, which is:

104 1. The sole provider within a county with a population
 105 density of up to 100 persons per square mile;

106 2. An acute care hospital, in a county with a population
 107 density of up to 100 persons per square mile, which is at least
 108 30 minutes of travel time, on normally traveled roads under
 109 normal traffic conditions, from any other acute care hospital
 110 within the same county;

111 3. A hospital supported by a tax district or subdistrict
 112 whose boundaries encompass a population of up to 100 persons per
 113 square mile;

114 4. A hospital classified as a sole community hospital
 115 under 42 C.F.R. s. 412.92, regardless of the number of licensed
 116 beds;

117 5. A hospital with a service area that has a population of
 118 up to 100 persons per square mile. As used in this subparagraph,
 119 the term "service area" means the fewest number of zip codes
 120 that account for 75 percent of the hospital's discharges for the
 121 most recent 5-year period, based on information available from
 122 the hospital inpatient discharge database in the Florida Center
 123 for Health Information and Transparency at the agency; ~~or~~

124 6. A hospital designated as a critical access hospital, as
 125 defined in s. 408.07; or

126 7. A hospital designated as a rural emergency hospital.

127
 128 Population densities used in this paragraph must be based upon
 129 the most recently completed United States census. ~~A hospital~~
 130 ~~that received funds under s. 409.9116 for a quarter beginning no~~
 131 ~~later than July 1, 2002, is deemed to have been and shall~~
 132 ~~continue to be a rural hospital from that date through June 30,~~
 133 ~~2021, if the hospital continues to have up to 100 licensed beds~~
 134 ~~and an emergency room.~~ An acute care hospital that has not
 135 previously been designated as a rural hospital and that meets
 136 the criteria of this paragraph shall be granted such designation
 137 upon application, including supporting documentation, to the
 138 agency. A hospital that was licensed as a rural hospital during
 139 the 2010-2011 or 2011-2012 fiscal year shall continue to be a
 140 rural hospital from the date of designation through June 30,
 141 2025, if the hospital continues to have up to 100 licensed beds
 142 and an emergency room.

143 Section 5. Section 395.60613, Florida Statutes, is created
 144 to read:

145 395.60613 Eligibility for federal reimbursement as rural
 146 emergency hospitals.—A licensed rural emergency hospital may
 147 enter into any contract required to be eligible for federal
 148 reimbursement as a rural emergency hospital.

149 Section 6. Section 409.90803, Florida Statutes, is created
 150 to read:

151 409.90803 Reimbursement of licensed rural emergency
152 hospitals.—The agency may seek federal approval to apply
153 Medicaid reimbursement to licensed rural emergency hospitals, as
154 defined in s. 395.602(2).

155 Section 7. Section 627.4423, Florida Statutes, is created
156 to read:

157 627.4423 Coverage for services provided by licensed rural
158 emergency hospitals.—Each insurer, health maintenance
159 organization, nonprofit hospital or medical service plan
160 corporation, and self-funded employee benefit plan transacting
161 individual or group, blanket, or franchise accident or health
162 insurance or providing prepaid health care in the state shall,
163 to the extent not preempted by federal law or exempted by state
164 law, provide benefits for services performed by a licensed rural
165 emergency hospital, as defined in s. 395.602(2), if such
166 services would be covered under the policy, contract, or plan
167 when provided by a general hospital.

168 Section 8. Subsection (6) of section 409.9116, Florida
169 Statutes, is amended to read:

170 409.9116 Disproportionate share/financial assistance
171 program for rural hospitals.—In addition to the payments made
172 under s. 409.911, the Agency for Health Care Administration
173 shall administer a federally matched disproportionate share
174 program and a state-funded financial assistance program for
175 statutory rural hospitals. The agency shall make

176 disproportionate share payments to statutory rural hospitals
177 that qualify for such payments and financial assistance payments
178 to statutory rural hospitals that do not qualify for
179 disproportionate share payments. The disproportionate share
180 program payments shall be limited by and conform with federal
181 requirements. Funds shall be distributed quarterly in each
182 fiscal year for which an appropriation is made. Notwithstanding
183 the provisions of s. 409.915, counties are exempt from
184 contributing toward the cost of this special reimbursement for
185 hospitals serving a disproportionate share of low-income
186 patients.

187 (6) This section applies only to hospitals that were
188 defined as statutory rural hospitals, or their successor-in-
189 interest hospital, prior to January 1, 2001. Any additional
190 hospital that is defined as a statutory rural hospital, or its
191 successor-in-interest hospital, on or after January 1, 2001, is
192 not eligible for programs under this section unless additional
193 funds are appropriated each fiscal year specifically to the
194 rural hospital disproportionate share and financial assistance
195 programs in an amount necessary to prevent any hospital, or its
196 successor-in-interest hospital, eligible for the programs prior
197 to January 1, 2001, from incurring a reduction in payments
198 because of the eligibility of an additional hospital to
199 participate in the programs. A hospital, or its successor-in-
200 interest hospital, which received funds pursuant to this section

201 before January 1, 2001, and which qualifies under s.
 202 395.602(2)(c) ~~s. 395.602(2)(b)~~, shall be included in the
 203 programs under this section and is not required to seek
 204 additional appropriations under this subsection.

205 Section 9. Paragraph (a) of subsection (1) of section
 206 1009.65, Florida Statutes, is amended to read:

207 1009.65 Medical Education Reimbursement and Loan Repayment
 208 Program.—

209 (1) To encourage qualified medical professionals to
 210 practice in underserved locations where there are shortages of
 211 such personnel, there is established the Medical Education
 212 Reimbursement and Loan Repayment Program. The function of the
 213 program is to make payments that offset loans and educational
 214 expenses incurred by students for studies leading to a medical
 215 or nursing degree, medical or nursing licensure, or advanced
 216 practice registered nurse licensure or physician assistant
 217 licensure. The following licensed or certified health care
 218 professionals are eligible to participate in this program:

219 (a) Medical doctors with primary care specialties, doctors
 220 of osteopathic medicine with primary care specialties, physician
 221 assistants, licensed practical nurses and registered nurses, and
 222 advanced practice registered nurses with primary care
 223 specialties such as certified nurse midwives. Primary care
 224 medical specialties for physicians include obstetrics,
 225 gynecology, general and family practice, internal medicine,

226 | pediatrics, and other specialties which may be identified by the
 227 | Department of Health. From the funds available, the Department
 228 | of Health shall make payments as follows:

229 | 1. Up to \$4,000 per year for licensed practical nurses and
 230 | registered nurses, up to \$10,000 per year for advanced practice
 231 | registered nurses and physician assistants, and up to \$20,000
 232 | per year for physicians. Penalties for noncompliance shall be
 233 | the same as those in the National Health Services Corps Loan
 234 | Repayment Program. Educational expenses include costs for
 235 | tuition, matriculation, registration, books, laboratory and
 236 | other fees, other educational costs, and reasonable living
 237 | expenses as determined by the Department of Health.

238 | 2. All payments are contingent on continued proof of
 239 | primary care practice in an area defined in s. 395.602(2)(c) ~~s.~~
 240 | ~~395.602(2)(b)~~, or an underserved area designated by the
 241 | Department of Health, provided the practitioner accepts Medicaid
 242 | reimbursement if eligible for such reimbursement. Correctional
 243 | facilities, state hospitals, and other state institutions that
 244 | employ medical personnel shall be designated by the Department
 245 | of Health as underserved locations. Locations with high
 246 | incidences of infant mortality, high morbidity, or low Medicaid
 247 | participation by health care professionals may be designated as
 248 | underserved.

249 | Section 10. This act shall take effect July 1, 2024.