



26 | emergency services and care for any emergency medical condition  
 27 | when:

- 28 |       1. Any person requests emergency services and care; or
- 29 |       2. Emergency services and care are requested on behalf of
- 30 | a person by:

- 31 |           a. An emergency medical services provider who is rendering
- 32 | care to or transporting the person; or

- 33 |           b. Another hospital, when such hospital is seeking a
- 34 | medically necessary transfer, except as otherwise provided in
- 35 | this section.

36 |       Section 2. Paragraph (b) of subsection (2) of section  
 37 | 395.602, Florida Statutes, is amended to read:

38 |       395.602 Rural hospitals.—

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

- 40 |       (b) "Rural hospital" means an acute care hospital licensed
- 41 | under this chapter, having 100 or fewer licensed beds and an
- 42 | emergency room, which is:

- 43 |           1. The sole provider within a county with a population
- 44 | density of up to 100 persons per square mile;

- 45 |           2. An acute care hospital, in a county with a population
- 46 | density of up to 100 persons per square mile, which is at least
- 47 | 30 minutes of travel time, on normally traveled roads under
- 48 | normal traffic conditions, from any other acute care hospital
- 49 | within the same county;

- 50 |           3. A hospital supported by a tax district or subdistrict

51 whose boundaries encompass a population of up to 100 persons per  
52 square mile;

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

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

63 6. A hospital designated as a critical access hospital, as  
64 defined in s. 408.07.

65  
66 Population densities used in this paragraph must be based upon  
67 the most recently completed United States census. ~~A hospital  
68 that received funds under s. 409.9116 for a quarter beginning no  
69 later than July 1, 2002, is deemed to have been and shall  
70 continue to be a rural hospital from that date through June 30,  
71 2021, if the hospital continues to have up to 100 licensed beds  
72 and an emergency room.~~ An acute care hospital that has not  
73 previously been designated as a rural hospital and that meets  
74 the criteria of this paragraph shall be granted such designation  
75 upon application, including supporting documentation, to the

76 | agency. A hospital that was licensed as a rural hospital during  
 77 | the 2010-2011 or 2011-2012 fiscal year shall continue to be a  
 78 | rural hospital from the date of designation through June 30,  
 79 | 2031 ~~2025~~, if the hospital continues to have up to 100 licensed  
 80 | beds and an emergency room.

81 | Section 3. Section 395.607, Florida Statutes, is created  
 82 | to read:

83 | 395.607 Rural emergency hospitals.-

84 | (1) As used in this section, the term:

85 | (a) "Rural emergency hospital" means a rural hospital or  
 86 | critical access hospital as defined in s. 408.07 which is  
 87 | designated by the agency under this section.

88 | (b) "Rural emergency services" means services and care  
 89 | that include:

90 | 1. Emergency services and care that do not require more  
 91 | than 24 hours on average;

92 | 2. Observation care; and

93 | 3. At the election of the hospital, outpatient services  
 94 | specified in regulations adopted by the United States Secretary  
 95 | of Health and Human Services.

96 | (2) A qualifying hospital may apply to the agency for  
 97 | designation as a rural emergency hospital on a form adopted by  
 98 | the agency. The agency may designate a hospital as a rural  
 99 | emergency hospital if the hospital demonstrates that it:

100 | (a) Meets the requirements of the Consolidated

101 Appropriations Act, 2021, Pub. L. No. 116-260, and of the  
 102 regulations adopted and guidance issued thereunder.

103 (b) Has no more than 50 beds.

104 (c) Is able to adequately provide rural emergency services  
 105 in the facility 24 hours a day, 7 days a week.

106 (d) Is sufficiently staffed and equipped to provide rural  
 107 emergency services of the types indicated by the applicant.

108 (e) Has a transfer agreement in effect with a Level I or  
 109 Level II trauma center.

110 (3) A designated rural emergency hospital is exempt from  
 111 the requirements of s. 395.002 to offer acute inpatient care or  
 112 care beyond 24 hours or to make available treatment facilities  
 113 for surgery, obstetrical care, or similar services, and shall be  
 114 required to make such services available only if the hospital  
 115 ceases to be designated as a rural emergency hospital.

116 (4) The agency shall suspend or revoke the rural emergency  
 117 hospital designation if such a hospital fails at any time to  
 118 meet the requirements of this section.

119 Section 4. This act shall take effect July 1, 2024.