

1 A bill to be entitled
 2 An act relating to specialty hospitals; amending s.
 3 395.003, F.S.; removing provisions relating to the
 4 prohibition of licensure for certain hospitals that
 5 serve specific populations; authorizing positions and
 6 providing appropriations; providing an effective date.

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 8 Be It Enacted by the Legislature of the State of Florida:

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 10 Section 1. Subsections (8), (9), and (10) of section
 11 395.003, Florida Statutes, are amended to read:

12 395.003 Licensure; denial, suspension, and revocation.—

13 ~~(8) A hospital may not be licensed or relicensed if:~~

14 ~~(a) The diagnosis-related groups for 65 percent or more of~~
 15 ~~the discharges from the hospital, in the most recent year for~~
 16 ~~which data is available to the Agency for Health Care~~
 17 ~~Administration pursuant to s. 408.061, are for diagnosis, care,~~
 18 ~~and treatment of patients who have:~~

19 ~~1. Cardiac-related diseases and disorders classified as~~
 20 ~~diagnosis-related groups in major diagnostic category 5;~~

21 ~~2. Orthopedic-related diseases and disorders classified as~~
 22 ~~diagnosis-related groups in major diagnostic category 8;~~

23 ~~3. Cancer-related diseases and disorders classified as~~
 24 ~~discharges in which the principal diagnosis is neoplasm or~~
 25 ~~carcinoma or is for an admission for radiotherapy or~~

26 ~~antineoplastic chemotherapy or immunotherapy; or~~

27 ~~4. Any combination of the above discharges.~~

28 ~~(b) The hospital restricts its medical and surgical~~
29 ~~services to primarily or exclusively cardiac, orthopedic,~~
30 ~~surgical, or oncology specialties.~~

31 ~~(c) A hospital classified as an exempt cancer center~~
32 ~~hospital pursuant to 42 C.F.R. s. 412.23(f) as of December 31,~~
33 ~~2005, is exempt from the licensure restrictions of this~~
34 ~~subsection.~~

35 ~~(9) A hospital licensed as of June 1, 2004, shall be~~
36 ~~exempt from subsection (8) as long as the hospital maintains the~~
37 ~~same ownership, facility street address, and range of services~~
38 ~~that were in existence on June 1, 2004. Any transfer of beds, or~~
39 ~~other agreements that result in the establishment of a hospital~~
40 ~~or hospital services within the intent of this section, shall be~~
41 ~~subject to subsection (8). Unless the hospital is otherwise~~
42 ~~exempt under subsection (8), the agency shall deny or revoke the~~
43 ~~license of a hospital that violates any of the criteria set~~
44 ~~forth in that subsection.~~

45 ~~(10) The agency may adopt rules implementing the licensure~~
46 ~~requirements set forth in subsection (8). Within 14 days after~~
47 ~~rendering its decision on a license application or revocation,~~
48 ~~the agency shall publish its proposed decision in the Florida~~
49 ~~Administrative Register. Within 21 days after publication of the~~
50 ~~agency's decision, any authorized person may file a request for~~

51 ~~an administrative hearing. In administrative proceedings~~
52 ~~challenging the approval, denial, or revocation of a license~~
53 ~~pursuant to subsection (8), the hearing must be based on the~~
54 ~~facts and law existing at the time of the agency's proposed~~
55 ~~agency action. Existing hospitals may initiate or intervene in~~
56 ~~an administrative hearing to approve, deny, or revoke licensure~~
57 ~~under subsection (8) based upon a showing that an established~~
58 ~~program will be substantially affected by the issuance or~~
59 ~~renewal of a license to a hospital within the same district or~~
60 ~~service area.~~

61 Section 2. For the 2020-2021 fiscal year, two full-time
62 equivalent positions with associated salary rate of 128,000 are
63 authorized and the sums of \$211,290 in recurring and \$18,294 in
64 nonrecurring funds from the Health Care Trust Fund are
65 appropriated to the Agency for Health Care Administration for
66 the purpose of implementing this act.

67 Section 3. This act shall take effect July 1, 2020.