



Health & Human Services Committee

**Thursday, April 18, 2013
9:00 AM – 10:00 AM
Morris Hall**

COMMITTEE MEETING REPORT
Health & Human Services Committee
4/18/2013 9:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Health & Human Services Committee

Thursday April 18, 2013 09:00 am

CS/CS/HB 1021 Favorable Yeas: 18 Nays: 0

CS/HB 1159 Favorable With Committee Substitute Yeas: 12 Nays: 7

Amendment 553757 Adopted Without Objection

Amendment 179997 Adopted as Amended

Amendment 851193 Withdrawn

Amendment 329295 Adopted Without Objection

Amendment 709071 Failed to Adopt Yeas: 7 Nays: 12

Committee meeting was reported out: Thursday, April 18, 2013 12:01:30PM

COMMITTEE MEETING REPORT
Health & Human Services Committee

4/18/2013 9:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Richard Corcoran (Chair)	X		
Larry Ahern	X		
Gwyndolen Clarke-Reed	X		
W. Travis Cummings	X		
Katie Edwards	X		
Mike Fasano	X		
Joseph Gibbons	X		
Gayle Harrell	X		
Mia Jones	X		
Shevrin Jones	X		
Mark Pafford	X		
Jimmy Patronis	X		
Cary Pigman	X		
Ronald Renuart	X		
Kenneth Roberson	X		
Elaine Schwartz	X		
John Tobia	X		
John Wood	X		
Totals:	18	0	0

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COMMITTEE MEETING REPORT
Health & Human Services Committee

4/18/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/CS/HB 1021 : Background Screening

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Gwyndolen Clarke-Reed	X				
W. Travis Cummings	X				
Katie Edwards	X				
Mike Fasano	X				
Joseph Gibbons	X				
Gayle Harrell	X				
Mia Jones	X				
Shevrin Jones	X				
Mark Pafford	X				
Jimmy Patronis	X				
Cary Pigman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Elaine Schwartz	X				
John Tobia	X				
John Wood	X				
Stephen Precourt (Ex Officio)			X		
Richard Corcoran (Chair)	X				
Total Yeas: 18	Total Nays: 0				

Appearances:

HB 1021

Fontaine, Mark (Lobbyist) - Waive In Support
 Florida Alcohol & Drug Abuse Association, Inc
 2868 Mahan Dr., Ste. 1
 Tallahassee FL 32308
 Phone: (850) 878-2196

Background Screening

Farmer, Dana (Lobbyist) - Waive In Support
 Disability Rights Florida
 2728 Centerview Drive, Suite 102
 Tallahassee FL 32301
 Phone: (850) 488-9071

Background Screening

Cordial, Gail (Lobbyist) - Waive In Support
 Florida Partners in Crisis, Inc
 175 Marlin Dr.
 Merritt Island FL 32952
 Phone: (321) 453-8825

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COMMITTEE MEETING REPORT
Health & Human Services Committee

4/18/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/CS/HB 1021 : Background Screening (continued)

Appearances: (continued)

Background Screening

Koch, Karen (Lobbyist) - Waive In Support

Florida Council for Behavioral Healthcare, Inc

316 E. Park Ave

Tallahassee FL 32301

Phone: (850) 224-6048

Committee meeting was reported out: Thursday, April 18, 2013 12:01:30PM

COMMITTEE MEETING REPORT
Health & Human Services Committee

4/18/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1159 : Skilled Nursing Facilities

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Gwyndolen Clarke-Reed	X				
W. Travis Cummings	X				
Katie Edwards		X			
Mike Fasano		X			
Joseph Gibbons		X			
Gayle Harrell	X				
Mia Jones		X			
Shevrin Jones		X			
Mark Pafford		X			
Jimmy Patronis	X				
Cary Pigman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Elaine Schwartz		X			
John Tobia	X				
John Wood	X				
Stephen Precourt (Ex Officio)	X				
Richard Corcoran (Chair)	X				
Total Yeas: 12	Total Nays: 7				

CS/HB 1159 Amendments

Amendment 553757

Adopted Without Objection

Amendment 179997

Adopted as Amended

Amendment 851193

Withdrawn

Amendment 329295

Adopted Without Objection

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COMMITTEE MEETING REPORT
Health & Human Services Committee
4/18/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1159 : Skilled Nursing Facilities (continued)

Amendment 709071

Failed to Adopt

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern		X			
Gwyndolen Clarke-Reed		X			
W. Travis Cummings		X			
Katie Edwards	X				
Mike Fasano	X				
Joseph Gibbons	X				
Gayle Harrell		X			
Mia Jones	X				
Shevrin Jones	X				
Mark Pafford	X				
Jimmy Patronis		X			
Cary Pigman		X			
Ronald Renuart		X			
Kenneth Roberson		X			
Elaine Schwartz	X				
John Tobia		X			
John Wood		X			
Stephen Precourt (Ex Officio)		X			
Richard Corcoran (Chair)		X			
Total Yays: 7		Total Nays: 12			

Appearances:

Proponent of Rep. O'Toole Amendment and the Bill
 Harbison, Rheb (Lobbyist) - Proponent
 The Villages of Lake Sumter
 215 S. Monroe Street Suite 500
 Tallahassee Florida 32301
 Phone: (850) 224-1585

Proponent of Rep. O'Toole Amendment and the Bill
 Sussman, Elliott, M.D., M.B.A. (General Public) - Proponent
 The Villages of Lake Sumter
 1020 Lake Sumter Landing
 The Villages Florida 32162
 Phone: (850) 224-1585

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COMMITTEE MEETING REPORT
Health & Human Services Committee

4/18/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1159 : Skilled Nursing Facilities (continued)

Appearances: (continued)

Opponent of Rep. Gonzalez Amendment
Duncanson, Carole (Lobbyist) - Opponent
Memorial Healthcare System/South Broward Hospital District
225 S. Adams St., #250
Tallahassee FL 33021
Phone: (850) 566-9056

Opponent of Rep. Gonzalez Amendment
Berrios, MD, Zulma M. - Opponent
Baptist Health South Florida
6200 Sunset Dr., #502
Miami Fl 33143
Phone: (850) 681-0254

Opponent of Rep. Gonzalez Amendment
Oeters, Phillis - Opponent
Baptist Health South Florida
108 E. Jefferson St
Tallahassee Florida 32301
Phone: (850) 681-0254

Proponent of Rep. Gonzalez Amendment
Kini, MD, Narendra - Proponent
Miami Children's Hospital
3100 SW 62 Avenue
Miami Florida 33155
Phone: (305) 662-8203

Proponent of Rep. Gonzalez Amendment
Rossi, MD, Anthony - Proponent
Miami Children's Hospital
3100 SW 62 Ave
Miami Fl 33133
Phone: (786) 376-9900

Proponent of Rep. Gonzalez Amendment
Moskovitz, Alex (General Public) - Proponent
11511 Nosaes St.
Coral Gables FL 33156
Phone: (305) 677-0022

Proponent of Rep. Fasano Strike-All
McRay, Jack (Lobbyist) - Opponent
AARP
200 W. College Avenue, Ste. 304
Tallahassee FL 32301
Phone: (850) 577-5163

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COMMITTEE MEETING REPORT
Health & Human Services Committee

4/18/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1159 : Skilled Nursing Facilities (continued)

Appearances: (continued)

CS/HB 1159

Asztalos, Robert (Lobbyist) - Proponent
Florida Health Care Association
307 W. Park Ave.
Tallahassee FL 32301
Phone: (850) 224-3907

CS/HB 1159

Bogomilsky, Steve - Proponent
North Bay Health Associates
300 Arthur Godfrey Rd
Miami Beach Fl
Phone: (305) 401-7901

CS/HB 1159

Bouthillier, Reggie (Lobbyist) - Proponent
On Top of the World Communities
101 E. College Ave.
Tallahassee Fl 32301
Phone: (850) 222-6891

CS/HB 1159

Gregg, Jeff (State Employee) - Information Only
Agency for Health Care Administration
2626 Mahan Dr.
Tallahassee FL 32308
Phone: (850) 412-3626

Committee meeting was reported out: Thursday, April 18, 2013 12:01:30PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

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

3 Representative O'Toole offered the following:

4

5 **Amendment**

6 Remove lines 25-78 and insert:

7 (a) The residential use area of the retirement community
 8 is deed-restricted as housing for older persons as defined in s.
 9 760.29(4)(b).

10 (b) The retirement community is located in a county that
 11 has 25 percent or more of its population age 65 and older.

12 (c) The retirement community is located in a county that
 13 has a rate of no more than 16.1 beds per thousand persons age 65
 14 years or older. The rate shall be determined by using the
 15 current number of licensed and approved community nursing home
 16 beds in the county per the agency's most recent published
 17 inventory.

18 (d) The retirement community has a population of at least
 19 8,000 residents within the county, based on a population data
 20 source accepted by the agency.



Amendment No. 1

21 (e) The number of proposed community nursing home beds
22 sought in a request for application of this exemption shall not
23 exceed the projected bed need after applying the rate of 16.1
24 per 1,000 persons aged 65 years and older projected for the
25 county three years into the future using the estimates adopted
26 by the agency, after subtracting the inventory of licensed and
27 approved community nursing home beds in the county per the
28 agency's most recent published inventory.

29 (f) No more than 120 community nursing home beds shall be
30 approved for a qualified retirement community under each request
31 for application of this exemption. Subsequent requests shall not
32 occur under this process until all previously approved
33 applicants have commenced construction.

34 (g) The total number of community nursing home beds
35 eligible for this exemption in any single deed-restricted
36 community pursuant to this paragraph shall not exceed 240.

37 (h) All nursing home facilities approved under this
38 paragraph shall be dually certified for participation in the
39 Medicare and Medicaid Programs.

40 (i) All nursing home facilities approved under this
41 paragraph shall be no closer than one mile from any existing
42 approved and licensed community nursing home, measured over
43 publicly owned roadways.

44 (2) A retirement community that qualifies for the
45 exemption provided in this section shall submit a written
46 request for an exemption in accordance with the applicable
47 rules. In the request, the retirement community shall provide



Amendment No. 1

48 evidence that all criteria set forth in subsection (1) are

49 satisfied.

50



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee
 3 Representative Gonzalez offered the following:

Amendment (with title amendment)

Between lines 15 and 16, insert:

Section 1. Subsection (6) of section 395.003, Florida Statutes, is amended to read:

395.003 Licensure; denial, suspension, and revocation.—

(6) A specialty hospital may not provide any service or regularly serve any population group beyond those services or groups specified in its license.

(a) A specialty-licensed children's hospital that is authorized to provide pediatric cardiac catheterization and pediatric open-heart surgery services may provide cardiovascular service to adults who, as children, were previously served by the hospital for congenital heart disease, or to those patients who are referred for a specialized procedure only for congenital heart disease by an adult hospital, without obtaining additional licensure as a provider of adult cardiovascular services. The



Amendment No. 2

21 agency may request documentation as needed to support patient
22 selection and treatment. This subsection does not apply to a
23 specialty-licensed children's hospital that is already licensed
24 to provide adult cardiovascular services.

25 (b) A specialty-licensed children's hospital that has
26 licensed neonatal intensive care unit beds and is located in a
27 county with a population of 1,750,000 or more may provide
28 obstetrical services, in compliance with the agency's rules
29 pertaining to the obstetrical department in a hospital and offer
30 healthy mothers all necessary critical care equipment, services,
31 and capabilities, up to 10 beds for labor and delivery care,
32 which services are restricted to the diagnosis, care, and
33 treatment of pregnant women of any age who have documentation by
34 an examining physician that includes information regarding:

35 1. At least one fetal characteristic or condition
36 diagnosed intra-utero that would characterize the pregnancy or
37 delivery as high risk including structural abnormalities of the
38 digestive, central nervous and cardiovascular systems and
39 disorders of genetic malformations and skeletal dysplasia, acute
40 metabolic emergencies and babies of mothers with rheumatologic
41 disorders; or

42 2. Medical advice or a diagnosis indicating that the fetus
43 may require at least one perinatal intervention.

44
45 This paragraph shall not preclude a specialty-licensed
46 children's hospital from complying with s. 395.1041, F.S. or the
47 Emergency Medical Treatment and Active Labor Act, 42
48 U.S.C.1395dd.



Amendment No. 2

49 Section 2. If any provision of this act or its application
50 to any person or circumstance is held invalid, the invalidity
51 shall not affect other provisions or applications of this act
52 which can be given effect without the invalid provision or
53 application, and to this end the provisions of this act are
54 severable.

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

Remove line 2 and insert:

An act relating to health care facilities; amending s. 395.003,
F.S.; authorizing certain specialty-licensed children's
hospitals to provide obstetrical services under certain
circumstances; providing for severability;



Amendment No. a2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input checked="" type="checkbox"/>	(Y/N)
WITHDRAWN	<input checked="" type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee
 3 Representative Harrell offered the following:

Amendment to Amendment (179997) by Representative

6 Remove line 28 of the amendment and insert:
 7 obstetrical services, in accordance with the pertinent
 8 guidelines promulgated by the American Congress of Obstetricians
 9 and Gynecologists and in compliance with the agency's rules

10

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1159 (2013)

Amendment No. b2

COMMITTEE/SUBCOMMITTEE ACTION.

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

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

3 Representative Harrell offered the following:

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5 **Amendment to Amendment (179997) by Representative**

6 Remove line 28 of the amendment and insert:

7 obstetrical services, in accordance with the pertinent
8 guidelines promulgated by the American College of Obstetricians
9 and Gynecologists and with verification of guidelines and
10 compliance with internal safety standards by the Voluntary
11 Review for Quality of Care Program of the American College of
12 Obstetricians and Gynecologists and in compliance with the
13 agency's rules
14



Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input checked="" type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee
3 Representative Fasano offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
7 Section 1. The Agency for Health Care Administration shall
8 conduct a study of the statewide need for additional skilled
9 nursing facilities. The agency shall submit a report of the
10 results of the study to the Governor, the President of the
11 Senate, and the Speaker of the House of Representatives by
12 December 1, 2013.

13 Section 2. This act shall take effect July 1, 2013.

14 -----
15
16 **T I T L E A M E N D M E N T**

17 Remove everything before the enacting clause and insert:
18 A bill to be entitled



Amendment No. 3

19 An act relating to skilled nursing facilities;
20 directing the Agency for Health Care Administration to
21 conduct a study of the statewide need for additional
22 skilled nursing facilities; requiring a report to the
23 Governor and Legislature; providing an effective date.