



Health Innovation Subcommittee

Action Packet

**Thursday, March 28, 2013
8:00 AM - 10:00 AM
306 HOB**

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

Summary:

Health Innovation Subcommittee

Thursday March 28, 2013 08:00 am

HB 791 Not Considered

HB 793 Favorable With Committee Substitute
Amendment 541041 Adopted Without Objection

Yeas: 10 Nays: 1

HB 919 Temporarily Deferred
Amendment 572753 Adopted
Amendment 433591 Adopted Without Objection

HB 1159 Favorable With Committee Substitute
Amendment 838851 Adopted Without Objection

Yeas: 7 Nays: 5

HB 1195 Not Considered

HB 1237 Discussed
Meeting Adjourned 10:00AM

HB 4031 Favorable

Yeas: 11 Nays: 0

PCS for HB 1071 Favorable

Yeas: 11 Nays: 0

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
John Wood (Chair)	X		
Michael Bileca	X		
Joseph Gibbons	X		
Charles Hood, Jr.	X		
Mia Jones	X		
MaryLynn Magar	X		
Kionne McGhee	X		
Jimmy Patronis	X		
Sharon Pritchett	X		
Jake Raburn	X		
Ronald Renuart	X		
David Richardson	X		
W. Gregory Steube	X		
Totals:	13	0	0

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

HB 791 : Audits of Pharmacy Records

☒ *Not Considered*

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

HB 793 : Cost-effective Purchasing of Health Care

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Michael Bileca	X				
Joseph Gibbons	X				
Charles Hood, Jr.	X				
Mia Jones	X				
MaryLynn Magar	X				
Kionne McGhee	X				
Jimmy Patronis			X		
Sharon Pritchett	X				
Jake Raburn	X				
Ronald Renuart			X		
David Richardson	X				
W. Gregory Steube	X				
John Wood (Chair)		X			
Total Yeas: 10		Total Nays: 1			

HB 793 Amendments

Amendment 541041

☒ Adopted Without Objection

Appearances:

Lacasa, Carlos - Waive In Support
MCNA Dental Plan
200 W Cypress Creek Rd, Ste 500
Ft Lauderdale FL 33309

Stoutamire, Casey (Lobbyist) - Waive In Support
Florida Dental Association
118 E Jefferson St
Tallahassee FL 32301
Phone: (850) 224-1089

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM



Amendment No.

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 Innovation

2 Subcommittee

3 Representative Diaz, J. offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 78-84 and insert:

7 (41)(a) Notwithstanding s. 409.961, the agency shall

8 contract on a prepaid or fixed-sum basis with appropriately

9 licensed prepaid dental health plans to provide dental services.

10 This paragraph expires October 1, 2017 ~~2014~~.

11 (b) Notwithstanding paragraph (a) ~~and for the 2012-2013~~

12 ~~fiscal year only~~, the agency is authorized to provide a Medicaid

13 prepaid dental health program in Miami-Dade County. The agency

14 shall provide an annual report by January 15 to the Governor,

15 the President of the Senate, and the Speaker of the House of

16 Representatives which compares the combined reported annual

17 benefits utilization and encounter data from all contractors,

18 along with the agency's findings as to projected and budgeted

19 annual program costs, the extent to which each contracting

20 entity is complying with all contract terms and conditions, the



Amendment No.

effect that each entity's operation is having on access to care
for Medicaid recipients in the contractor's service area, and
the statistical trends associated with indicators of good oral
health among all recipients served in comparison with the
state's population as a whole. ~~For all~~

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

Remove line 10 and insert:
requiring an annual report to the Governor and presiding
officers of the Legislature; providing an effective date.

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

HB 919 : Hospital Licensure

☒ *Temporarily Deferred*

HB 919 Amendments

Amendment 572753

☒ *Adopted*

Amendment 433591

☒ *Adopted Without Objection*

Appearances:

Book, Ronald (Lobbyist) - Opponent
South Broward Hospital District and Jackson Memorial
204 W Jefferson
Tallahassee FL 32301
Phone: (850) 224-3427

Lumpkin, Barbara (Lobbyist) - Opponent
Baptist Health South Florida
468 Green Spring Cir
Winter Springs FL 32708
Phone: (407) 227-7705

Hospital notice for OB closure - Proponent Amendment # 433591
O'Hara, Rebecca (Lobbyist) - Proponent
FL Medical Association
113 College Ave
Tallahassee FL 32301
Phone: (850) 339-6211

Biehler, MD, MPH, Jefry (State Employee) - Proponent
Miami Children's Hospital
835 Sistina Ave
Coral Gables FL 33146
Phone: (305) 299-3835

Andrews-Singh, April - Proponent
Miami Children's Hospital
3100 SW 62nd Ave
Miami FL 33155
Phone: (305) 298-5517

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 919 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>✓</u>	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

Committee/Subcommittee hearing bill: Health Innovation

Subcommittee

Representative Gonzalez offered the following:

Amendment

Remove lines 29-38 and insert:

licensed neonatal intensive care unit beds and is located in a
county with a population of 1,750,000 or more may provide
obstetrical services, in compliance with the agency's rules
pertaining to the obstetrical department in a hospital and offer
mothers all necessary critical care equipment, services, and
capabilities, up to 10 beds for labor and delivery care, which
services are restricted to the diagnosis, care, and treatment of
pregnant women of any age who have documentation by an examining
physician that includes information regarding:

1. At least one fetal characteristic or condition
diagnosed intra-utero that would characterize the pregnancy or
delivery as high risk including structural abnormalities of the
digestive, central nervous and cardiovascular systems and
disorders of genetic malformations and skeletal dysplasia, acute

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 919 (2013)

Amendment No. 1

21 metabolic emergencies and babies of mothers with rheumatologic
22 disorders; or

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

25
26 This paragraph shall not preclude a specialty-licensed
27 children's hospital from complying with s. 395.1041, F.S. or the
28 Emergency Medical Treatment and Active Labor Act, 42 U.S.C.
29 1395dd.



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> Y </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Health Innovation
2 Subcommittee

3 Representative Gonzalez offered the following:

4
5 **Amendment (with title amendment)**

6 Between lines 38 and 39, insert:

7 Section 2. Section 395.1051, Florida Statutes, is amended
8 to read:

9 395.1051 Duty to notify ~~patients~~.

10 (1) An appropriately trained person designated by each
11 licensed facility shall inform each patient, or an individual
12 identified pursuant to s. 765.401(1), in person about adverse
13 incidents that result in serious harm to the patient.

14 Notification of outcomes of care that result in harm to the
15 patient under this section shall not constitute an
16 acknowledgment or admission of liability, nor can it be
17 introduced as evidence.

18 (2) Notice shall be provided to obstetrical physicians
19 with privileges at a hospital at least 120 days prior to the



Amendment No. 2

20 hospital closing an obstetrics department or ceasing to provide
21 obstetrical services.

22

23

24

25

26

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

27

Remove lines 2-6 and insert:

28

An act relating to hospitals; amending s. 395.003, F.S.;

29

authorizing certain specialty-licensed children's hospitals to

30

provide obstetrical services under certain circumstances;

31

amending s. 395.1051, F.S.; requiring hospitals to provide

32

advance notice to obstetrical physicians with privileges at the

33

hospital before closing an obstetrics department or ceasing to

34

provide obstetrical services; providing an effective date.

35

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

HB 1159 : Skilled Nursing Facilities

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Michael Bileca	X				
Joseph Gibbons		X			
Charles Hood, Jr.	X				
Mia Jones		X			
MaryLynn Magar	X				
Kionne McGhee		X			
Jimmy Patronis	X				
Sharon Pritchett		X			
Jake Raburn	X				
Ronald Renuart				X	
David Richardson		X			
W. Gregory Steube	X				
John Wood (Chair)	X				
Total Yeas: 7		Total Nays: 5			

HB 1159 Amendments

Amendment 838851

☒ Adopted Without Objection

Appearances:

Berkowitz, Carol (Lobbyist) - Proponent
Leading Age Fla (Formerly FAHSA)
1812 Riggins Rd
Tallahassee FL 32309
Phone: (850) 671-3700

Linnan, Nancy (Lobbyist) (General Public) - Proponent
Villages of Lake Sumter, Inc
215 S Monroe Street Suite 500
Tallahassee FL 32301
Phone: (850) 224-1585

Nursing Home CON Moratorium
Marshall, Anthony (Lobbyist) - Opponent
Florida Health Care Association
307 W Park Ave
Tallahassee FL 32301
Phone: (850) 224-3907

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COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

HB 1159 : Skilled Nursing Facilities (continued)

Appearances: (continued)

Nursing Home Beds

Harbison, Rheb (Lobbyist) - Proponent

The Villages

205 S Monroe St

Tallahassee FL 32301

Phone: (850) 224-1585

Bogomilsky, Steve - Opponent

North Bay Health Associates

3701 Pine Tree Dr

Miami Beach FL 33140

Phone: (305) 401-7901

CON

Franklin, Deborah - Information Only

FL Health Care Assn

2806 Fritzke Rd

Dover FL 33527

Phone: (813) 679-7533

McKinstry, Molly (Lobbyist) (State Employee) - Information Only

Agency for Health Care Administration

2727 Mahan Drive

Tallahassee FL 32308

Phone: (850) 412-3626

Gordon-Girvin, Sharon (At Request Of Chair) (General Public) - Information Only

Requested to speak by Rep. Marlene O'Toole as a subject matter expert.

307 West Park Avenue Suite 211

Tallahassee FL 32301

Phone: (850) 681-8705

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Agency Data

Comparison of Elderly Population and Nursing Home Beds by County

County	Beds	Total Pop.	Pop. 65+	Beds/1000 Pop 65+	Percent 65+	Beds @ 16.1 Rate	Net Beds
Sumter	240	102,541	47,561	5.0	46.4%	766	526
Charlotte	1,108	162,722	56,209	19.7	34.5%	905	-203
Citrus	1,081	143,736	46,626	23.2	32.4%	751	-330
Highlands	598	100,144	32,178	18.6	32.1%	518	-80
Sarasota	2,978	387,548	123,052	24.2	31.8%	1,981	-997
Martin	795	148,952	41,490	19.2	27.9%	668	-127
Indian River	545	142,032	39,112	13.9	27.5%	630	85
Collier	755	332,442	89,670	8.4	27.0%	1,444	689
Marion	1,372	341,227	89,775	15.3	26.3%	1,445	73
Hernando	660	178,373	46,167	14.3	25.9%	743	83
Flagler	240	102,075	25,269	9.5	24.8%		
Lake	1,487	309,054	74,613	19.9	24.1%		
Manatee	1,360	333,590	79,402	17.1	23.8%		
Lee	2,018	648,977	153,635	13.1	23.7%		
Pinellas	7,777	918,378	204,548	38.0	22.3%		
Palm Beach	6,149	1,347,745	297,345	20.7	22.1%		
Glades	0	13,013	2,862	0.0	22.0%		
Volusia	3,202	501,156	109,376	29.3	21.8%		
Brevard	2,629	552,802	116,387	22.6	21.1%		
Pasco	1,938	481,485	101,319	19.1	21.0%		
Levy	120	41,564	8,416	14.3	20.2%		
St. Lucie	1,050	290,943	58,111	18.1	20.0%		
Dixie	60	16,805	3,347	17.9	19.9%		
Putnam	337	74,354	14,632	23.0	19.7%		
Suwannee	401	45,214	8,706	46.1	19.3%		
Monroe	240	72,340	13,726	17.5	19.0%		
Polk	2,945	620,629	114,826	25.6	18.5%		
Franklin	90	11,718	2,135	42.2	18.2%		
Holmes	180	20,066	3,654	49.3	18.2%		
Desoto	41	35,011	6,368	6.4	18.2%		
Jefferson	157	14,791	2,651	59.2	17.9%		
Gilchrist	201	17,359	3,095	64.9	17.8%		
Nassau	240	75,837	13,370	18.0	17.6%		
Gulf	120	15,801	2,746	43.7	17.4%		
Okeechobee	180	40,398	6,976	25.8	17.3%		
Taylor	120	22,626	3,861	31.1	17.1%		
Madison	238	19,333	3,293	72.3	17.0%		
Walton	277	57,364	9,686	28.6	16.9%		
St. Johns	537	202,320	33,820	15.9	16.7%		
Jackson	540	49,887	8,330	64.8	16.7%		
Columbia	305	68,846	11,218	27.2	16.3%		
Calhoun	246	14,881	2,410	102.1	16.2%		
Washington	180	24,970	3,980	45.2	15.9%		
Escambia	1,688	300,741	46,385	36.4	15.4%		
Bay	854	171,930	26,411	32.3	15.4%		
Bradford	240	29,211	4,451	53.9	15.2%		
Broward	4,349	1,763,790	268,380	16.2	15.2%		
Okaloosa	899	183,478	27,213	33.0	14.8%		
Gadsden	120	47,666	7,001	17.1	14.7%		
Miami-Dade	8,456	2,551,862	374,198	22.6	14.7%		
Hamilton	60	14,846	2,140	28.0	14.4%		
Santa Rosa	410	160,493	21,717	18.9	13.5%		
Hardee	104	27,688	3,703	28.1	13.4%		
Seminole	1,172	431,446	56,306	20.8	13.1%		
Clay	1,033	197,408	25,174	41.0	12.8%		
Hillsborough	3,761	1,268,166	158,139	23.8	12.5%		
Hendry	248	39,120	4,753	52.2	12.1%		
Duval	4,002	874,304	106,084	37.7	12.1%		
Alachua	934	250,495	29,987	31.1	12.0%		
Wakulla	120	31,591	3,768	31.8	11.9%		
Lafayette	60	9,238	1,096	54.7	11.9%		
Baker	188	27,615	3,218	58.4	11.7%		
Osceola	1,080	287,584	33,265	32.5	11.6%		
Liberty	0	8,649	943	0.0	10.9%		
Union	0	15,564	1,688	0.0	10.8%		
Leon	744	279,487	29,738	25.0	10.6%		
Orange	4,074	1,190,394	122,076	33.4	10.3%		
Florida	80,333	19,263,815	3,473,787	23.1	18.0%		

240



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Health Innovation
2 Subcommittee

3 Representative O'Toole offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 408.0362, Florida Statutes, is created
8 to read:

9 408.0362 Skilled nursing facility in retirement community;
10 exempt from review.—

11 (1) Upon request by a deed-restricted retirement
12 community, the construction of a skilled nursing facility
13 licensed under part II of chapter 400 for the addition of
14 community skilled nursing home beds located within the
15 retirement community is exempt from s. 408.036 if:

16 (a) The retirement community is located in a county that
17 has 25 percent or more of its population consisting of persons
18 aged 65 and older;

19 (b) The retirement community is located in a county that
20 has a rate of no more than 16.1 beds per thousand persons aged



Amendment No.

21 65 years or older. The rate shall be determined by using the
22 current number of licensed and approved community skilled
23 nursing home beds in the agency's most recent published
24 inventory;

25 (c) The retirement community is zoned for a mix of
26 residential and nonresidential uses;

27 (d) The residential use area of the retirement community
28 is deed-restricted as housing for older persons as defined in s.
29 760.29; and

30 (e) The retirement community has a population of at least
31 8,000 residents, based on a population data source accepted by
32 the agency.

33 (2) The number of community skilled nursing home beds
34 allowed in a retirement community under the exemption shall be
35 calculated at a rate of 16.1 beds per thousand persons aged 65
36 years and older in the county in which the retirement community
37 is located. To determine whether or not the county in which the
38 retirement community is located is at or above the rate of 16.1
39 beds per 1,000 elderly, the agency must use a prospective county
40 population estimate three years in the future to demonstrate:

41 (a) That the number of persons aged 65 years and older
42 will comprise at least 25 percent of the county's population at
43 the end of the three years. From this result, the current
44 number of licensed community skilled nursing home beds in the
45 agency's published inventory shall be subtracted to determine
46 the net number of additional community skilled nursing home beds
47 that the agency shall grant for development under the exemption;
48 and



Amendment No.

(b) That the rate of community skilled nursing home beds in the county will either remain at 16.1 beds per thousand persons aged 65 years or older or will be less after three years, prior to approval of additional community skilled nursing home beds under the exemption.

(3) A retirement community that qualifies for the exemption provided in this section shall provide a written request for an exemption in accordance with the applicable rules. In the request, the retirement community shall provide evidence of population, mixed-use status, and the results of the calculation showing the gross and net numbers of community skilled nursing home beds in the county.

(4) The number of community skilled nursing home beds that are added pursuant to the exemption shall at no time exceed 240 in any qualifying retirement community.

(5) Any skilled nursing home facility built pursuant to the exemption shall be certified under both the Medicare and Medicaid programs. All beds in the skilled nursing home facility shall be certified under both the Medicare and Medicaid programs.

Section 2. This act shall take effect upon becoming law.

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

Remove everything before the enacting clause and insert:

A bill to be entitled



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1159 (2013)

Amendment No.

77 An act related to skilled nursing facilities; creating s.
78 408.0362, F.S.; providing an exemption from certificate-of-need
79 requirements for construction of a licensed skilled nursing
80 facility in a retirement community; providing an effective date.
81

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

HB 1195 : Medicaid Managed Care

☒ *Not Considered*

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

HB 1237 : Payment For Services Provided By Licensed Psychologists

☒ Discussed - Meeting Adjourned 10:00AM

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

HB 4031 : Home Health Agencies

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Michael Bileca	X				
Joseph Gibbons	X				
Charles Hood, Jr.	X				
Mia Jones	X				
MaryLynn Magar	X				
Kionne McGhee	X				
Jimmy Patronis			X		
Sharon Pritchett	X				
Jake Raburn	X				
Ronald Renuart			X		
David Richardson	X				
W. Gregory Steube	X				
John Wood (Chair)	X				
Total Yeas: 11 Total Nays: 0					

Appearances:

Lolley, Bobby (Lobbyist) - Waive In Support
Home Care Association of Florida
1363 E Lafayette St
Tallahassee FL 32301
Phone: (850) 567-1951

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM

COMMITTEE MEETING REPORT

Health Innovation Subcommittee

3/28/2013 8:00:00AM

Location: 306 HOB

PCS for HB 1071 : Health Care Accrediting Organizations

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Michael Bileca	X				
Joseph Gibbons	X				
Charles Hood, Jr.	X				
Mia Jones	X				
MaryLynn Magar	X				
Kionne McGhee	X				
Jimmy Patronis	X				
Sharon Pritchett	X				
Jake Raburn			X		
Ronald Renuart	X				
David Richardson			X		
W. Gregory Steube	X				
John Wood (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Accreditation

Garner, Michael (Lobbyist) - Waive In Support
Florida Association of Health Plans, Inc.
200 W College Ave, Ste 104
Tallahassee FL 32301
Phone: (850) 386-2904

Health Care

Winn, Stephen (Lobbyist) - Waive In Support
Florida Osteopathic Medical Association
2007 Apalachee Pky
Tallahassee FL 32301
Phone: (850) 878-7364

Committee meeting was reported out: Thursday, March 28, 2013 2:36:39PM