

[Fla. Stat. § 400.606.]

§ 400.606. License; application; renewal; conditional license or permit; certificate of need: Hospices

(1) In addition to the requirements of part II of chapter 408, the initial application and change of ownership application must be accompanied by a plan for the delivery of home, residential, and homelike inpatient hospice services to terminally ill persons and their families. Such plan must contain, but need not be limited to:

- (a) The estimated average number of terminally ill persons to be served monthly.
- (b) The geographic area in which hospice services will be available.
- (c) A listing of services which are or will be provided, either directly by the applicant or through contractual arrangements with existing providers.
- (d) Provisions for the implementation of hospice home care within 3 months after licensure.
- (e) Provisions for the implementation of hospice homelike inpatient care within 12 months after licensure.
- (f) The number and disciplines of professional staff to be employed.
- (g) The name and qualifications of any existing or potential contractee.
- (h) A plan for attracting and training volunteers.

(2) In addition to the requirements of part II of chapter 408, the application for license renewal shall be accompanied by an update of the plan for delivery of hospice care only if information contained in the plan submitted pursuant to subsection (1) is no longer applicable.

(3) The agency shall not issue a license to a hospice that fails to receive a certificate of need under the provisions of part I of chapter 408. A licensed hospice is a health care facility as that term is used in s. 408.039(5) and is entitled to initiate or intervene in an administrative hearing.

(4) A freestanding hospice facility that is engaged in providing inpatient and related services and that is not otherwise licensed as a health care facility shall obtain a certificate of need. However, a freestanding hospice facility that has six or fewer beds is not required to comply with institutional standards such as, but not limited to, standards requiring sprinkler systems, emergency electrical systems, or special lavatory devices.

(5) The agency may deny a license to an applicant that fails to meet any condition for the provision of hospice care or services imposed by the agency on a certificate of need by final agency action, unless the applicant can demonstrate that good cause exists for the applicant's failure to meet such condition.