59A-3.065 Definitions.

In addition to definitions contained in chapters 395 and 408, part II, F.S., the following definitions shall apply specifically to hospitals, as used in rules 59A-3.065-.310, F.A.C.:

(1) “Adult congenital patient” means a person age 18 years and over who previously received pediatric cardiac services for congenital heart disease, or who was referred for specialized procedures for congenital heart disease. A hospital authorized to provide pediatric cardiac services may provide the services to adult congenital patients regardless of the age of the patient.

(2) “Adult” means a person age 18 years and older.

(3) “Advanced Practice Registered Nurse” or “APRN” means a person licensed in the State of Florida under the provisions of chapter 464, F.S. to practice professional nursing and certified in advanced or specialized nursing practice.

(4) “Agency” or “AHCA” means the Agency for Health Care Administration (AHCA).

(5) “Ambulatory care” means the delivery of care pertaining to non-emergency, adult, adolescent, and pediatric outpatient encounters, whether performed through the clinical departments of the hospital or an organized ambulatory program which is included as a component of the licensed hospital, regardless of the physical location of such services.

(6) “At or near the Time of Death” means that point in time in the care of the patient at which the procedures have begun for the determination and certification of brain death as defined under the provisions of section 382.009, F.S., or cardiorespiratory (cardiac) death as defined under the provisions of rule 59A-3.065, F.A.C.

(7) “Bone Marrow Transplantation” means human blood precursor cells administered to a patient to restore normal hematological and immunological functions following ablative or nonablative therapy with curative or life-prolonging intent. Human blood precursor cells may be obtained from the patient in an autologous transplant or from a medically acceptable related or unrelated donor, and may be derived from bone marrow, circulating blood, or a combination of bone marrow and circulating blood.

(8) “Brain Death” means the determination of death under provisions of section 382.009, F.S., where there is irreversible cessation of the functioning of the entire brain, including the brain stem.

(9) “Cardiorespiratory Death” means the cessation of life which is manifested by the loss or absence of spontaneous heart beat and breathing.
(10) “Child abuse or neglect” means harm, pursuant to section 39.01 (35), F.S., or threatened harm to a child’s physical or mental health or welfare by the acts or omissions of a parent, adult household member, or other person responsible for the child’s welfare, or, for purposes of reporting requirements, by any person.

(11) “Complex Neonatal Surgery” means any surgical procedure performed upon a neonate by a practitioner credentialed to perform surgical procedures licensed under the provisions of Chapters 458 or 459, F.S., which is associated with entry into or traversing a body cavity, such as the abdomen, thorax, or cranium, with a requirement for either general anesthesia or conscious sedation. Such procedures shall only be performed in hospitals licensed under the provisions of Chapter 395, F.S., providing Level IV Neonatal Intensive Care Services.

(12) “Continuous” means available at all times without cessation, breaks or interruption.

(13) “Dentist” means a doctor of dentistry legally authorized to practice under chapter 466, F.S.

(14) “Designee or Requester” means a person or organization identified, designated, and delegated by the hospital administrator to carry out the provisions of this chapter and the responsibilities mandated by section 765.522, F.S., and to make the request to the patient or next of kin for the donation of organs, tissues and eyes.

(15) “Diagnostic cardiac catheterization procedure” means a medical procedure requiring the passage of a catheter into one or more cardiac chambers of the left and right heart, with or without coronary arteriograms, for the purpose of diagnosing congenital or acquired cardiovascular diseases, or for determining measurement of blood pressure flow. Cardiac catheterization also includes the selective catheterization of the coronary ostia with injection of contrast medium into the coronary arteries. A single session with a patient in the hospital’s cardiac catheterization procedure room, irrespective of the number of specific procedures performed during the session shall be counted as one procedure.

(16) “Diagnostic imaging” means those ionizing and non-ionizing radiological procedures, including but not limited to x-rays, and computerized tomographic scanning, requiring the supervision and expertise of a physician with appropriate training or experience.

(17) “District Medical Examiner” means a physician who fills a position defined according to the provisions of section 406.06, F.S.

(18) “Donation” means the free and voluntary gift of one or more organs, tissues or eyes for the purpose of medical research or transplant surgery.

(19) “Donor” means a person from whom organs, tissues or eyes have been surgically removed for the
purpose of transplantation.

(20)(15) “Emergency Medical Technician (EMT)” means any person who is certified as an EMT pursuant to chapter 401, F.S.

(21)(16) “Eye bank” means a public or private entity which is involved in the retrieval, processing or distribution of human eye tissue for transplantation and certified pursuant to section 765.541, F.S. Funeral homes or direct disposers engaged solely in the retrieval of eye tissue are not considered an eye bank for these purposes.

(22)(17) “Facilities” means those objects, including physical plant, equipment and supplies, necessary for providing required services.

(18) “General hospital” as defined in section 395.002(10), F.S., means any facility which meets the provisions of subsection (29) and which regularly makes its facilities and services available to the general population.

(23)(19) “Governing board” means the individual, agency, group or corporation appointed, elected, or otherwise designated, in which the ultimate responsibility and authority for the conduct of the hospital is vested.

(24)(20) “Health professional” means a person specifically licensed to practice a health profession, or a person specifically trained to practice one or more aspects of a health profession by a school or program officially recognized by this State or accredited by a national accrediting organization.

(25) “Immediately available” means on the premises where pediatric cardiac services are being performed.

(26)(21) “Inpatient beds” means accommodations with supporting services for patients who are admitted by physician order with the expectation that the patient would stay in excess of 24 hours and occupy a bed. Bed types include:

(a) “Acute care bed” means a bed for patients having short-term medical treatment of an acute illness or injury or recovering from surgery or childbirth;

(b) “Adult psychiatric bed” means a bed within a physically and functionally distinct unit of a hospital for the exclusive use of inpatient psychiatric services to adult patients whose sole diagnosis or principal diagnosis is a psychiatric disorder;

(c) “Adult substance abuse bed” means a bed within a physically and functionally distinct unit of a hospital for the exclusive use of inpatient substance abuse services to adult patients whose sole diagnosis or principal diagnosis is a substance abuse disorder;

(d) “Child psychiatric bed” means a bed within a physically and functionally distinct unit of a hospital for the
exclusive use of inpatient psychiatric services to pediatric patients whose sole diagnosis or principal diagnosis is a psychiatric disorder;

(e) “Child substance abuse bed” means a bed within a physically and functionally distinct unit of a hospital for the exclusive use of providing hospital inpatient substance abuse services to pediatric patients whose sole diagnosis or principal diagnosis is a substance abuse disorder;

(f) “Comprehensive medical rehabilitation bed” means a bed within a physically and functionally distinct unit of a hospital for the exclusive use of providing integrated intensive care services provided by a coordinated multidisciplinary team to patients with severe physical disabilities, such as stroke, spinal cord injury, congenital deformity, amputation, major multiple trauma, hip fracture, brain injury, polyarthritis (including rheumatoid arthritis), neurological disorders (including multiple sclerosis, motor neurondiseases, polyneuropathy, muscular dystrophy, and Parkinson's disease), and burns;

(g) “Intensive residential treatment program for children and adolescents bed” or “intensive residential treatment facility bed” or “IRTF bed” means a bed within a class IV hospital or a physically and functionally distinct unit within a class III psychiatric hospital for the diagnosis and treatment of pediatric patients having a psychiatric disorder in order to restore them to an optimal level of functioning;

(h) “Level II NICU bed” means a patient care station within a physically and functionally distinct unit in which Level II Neonatal Intensive Care Services are provided;

(i) “Level III NICU bed” means a patient care station within a physically and functionally distinct unit in which Level II and III Neonatal Intensive Care Services are provided;

(j) “Level IV NICU bed” means a patient care station within a physically and functionally distinct unit in which Level II, III, and IV Neonatal Intensive Care Services are provided;

(k) “Long term care bed” means an acute care bed within a Class I long term care hospital for the treatment of medically complex patients;

(l) “Skilled nursing unit bed” means an acute care bed within a physically and functionally distinct unit in which short term care and rehabilitation services are provided by licensed practical nurses and registered professional nurses.

(27)(22) “Intensive residential treatment programs for children and adolescents” or “intensive residential treatment facilities” or “IRTF” means a specialty hospital restricted to providing intensive residential treatment.
programs for children and adolescents as defined in section 395.002(15), F.S.

(28)(23) “Licensed practical nurse” means one who is currently licensed in the state of Florida to practice practical nursing as defined in chapter 464, F.S.

(29)(24) “Long term care hospital” means a general hospital which: has an average length of inpatient stay greater than 25 days for all hospital beds

(a) Meets the provisions of section 395.002(12), F.S.;

(b) Has an average length of inpatient stay greater than 25 days for all hospital beds; and,

(c) Meets the provisions of subsection 408.032(13), F.S., 59C-1.002(28), F.A.C.

(30)(25) “Medical Examiner’s Case” means any death occurring in the State and which is defined according to the provisions of section 406.11, F.S.

(31) “Neonatal Care Services” means the aspect of perinatal medicine pertaining to the care of neonates.

Hospitals providing neonatal care are classified according to the following intensity and specialization of the care that can be provided:

(a) “Level I Neonatal Services” means well-baby care services, which include sub-ventilation care, intravenous feedings, intravenous medications, and gavage to neonates. Level I services are restricted to neonates born at 35 weeks gestation or later and considered low risk. Level I Neonatal Services do not include ventilation assistance except for resuscitation and stabilization. Upon beginning ventilation, the hospital shall implement a patient treatment plan which shall include the transfer of the neonate to a hospital with Level II, Level III, or Level IV Neonatal Intensive Care Services at such time that it becomes apparent that ventilation assistance will be required beyond the neonate’s resuscitation and stabilization. The hospital shall establish a triage procedure to assess the need for transfer of obstetrical patients to hospitals with Level II, Level III, or Level IV Neonatal Intensive Care Services prior to their delivery where there is an obstetrical indication that resuscitation will be required for their neonates. Hospitals that do not have licensed Level II, Level III, or Level IV NICU beds may only perform Level I neonatal services.

(b) “Level II Neonatal Intensive Care Services” means Level I neonatal services plus mechanical ventilation or continuous positive airway pressure for less than 24 hours. A Level II NICU must have at least one person at all times capable of providing either continuous positive airway pressure and/or mechanical ventilation for a brief period. Level II services are restricted to neonates born at greater than or equal to 32 weeks gestation, weigh greater
than or equal to 1,500 grams birth weight, and/or who have physiologic immaturity or are moderately ill, but are expected to recover rapidly and not require any subspecialty services. All neonates born earlier than 32 weeks gestation, weigh less than 1,500 grams birth weight, and/or require one or more of the Level III or Level IV services shall be transferred to a hospital with Level III or Level IV Neonatal Intensive Care Services. Level II Neonatal Intensive Care Services may be provided for neonates born earlier than 32 weeks gestation, less than 1,500 grams birth weight, or require subspecialty services, but only while waiting to transport the neonate to a hospital with Level III or IV Neonatal Intensive Care Services.

(c) “Level III Neonatal Intensive Care Services” means services for sustained life support that includes the capability of providing ongoing assisted ventilation for periods longer than 24 hours, which include continuous conventional ventilation, high-frequency ventilation, and/or inhaled nitric oxide. Level III services must include advanced imaging capabilities with urgent interpretation. Level III services are restricted to infants born less than or equal to 32 weeks of gestation, weigh less than 1,500 grams birth weight, and/or born with critical illness. Hospitals with Level III services must have the staff listed in subsection 59A-3.249(3), F.A.C. readily available to provide emergency care as needed.

(d) “Level IV Neonatal Intensive Care Services” means Level III services plus the capability to provide continuous onsite surgical repair of complex congenital or acquired conditions in neonates.

(32) “Neonatal Intensive Care Unit Bed” or “NICU bed” means a patient care station within a Level II, Level III, or Level IV NICU that includes an incubator or other moveable or stationary devices supporting the ill neonate.

(33) “NICU” means Neonatal Intensive Care Unit.

(34) “Nursing services” means those services pertaining to the curative, restorative, and preventive aspects of nursing care that are performed or supervised by a registered professional nurse under the direction of a physician.

(35) “On duty” means personnel within the hospital, appropriately dressed, continuously alert and responsive to patient needs.

(36) “Operating room suite” means a room, or set of physically contiguous rooms located on the same floor, used primarily for the purpose of performing operations and other physically invasive procedures on patients, as well as rooms for surgical supply and disinfecting.

(37) “Organ” means a body part such as a heart, kidney, pancreas, liver, or lung that requires vascular
“Organ Procurement Organization” means a public or private entity designated as an OPO by the Secretary of the U.S. Department of Health and Human Services (HHS) which is engaged in the process of recovering organs for the purposes of transplantation and certified pursuant to section 765.541, F.S.

“Organized medical staff” means a formal organization of physicians and other health professionals approved by the governing board with the delegated responsibility to provide for the quality of all medical care, and other health care as appropriate, provided to patients, for planning for the improvement of that care, and for the ethical conduct and professional practices of its members. Nothing herein shall be construed to preclude a governing board from restricting membership on the organized medical staff to only those disciplines required to be included by Florida law.

“Paramedic” means any person who is certified as a paramedic pursuant to chapter 401, F.S.

“Pediatric cardiac services” means integrated hospital services providing age-appropriate diagnostic and interventional cardiac catheterization and cardiovascular surgical services on the premises of the hospital and available 24 hours per day, 7 days per week to pediatric and adult congenital patients. Hospitals providing pediatric cardiac services must have the capability to provide treatment of cardiac trauma, valvuloplasty, echocardiography, cardiac electrophysiology, advanced cardiac imaging, post-operative intensive care, and outpatient cardiac clinic services. For the purpose of Rule 59A-3.248, F.A.C., cardiovascular surgical services does not include heart transplantation.

“Pediatric” means a person under the age of 18 years.

“Pharmacist” means one who is licensed under chapter 465, F.S., and engages in the practice of the profession of pharmacy.

“Physician” means a doctor of medicine or osteopathy legally authorized to practice under the provisions of chapter 458 or 459, F.S.

“Physician Assistant” or “PA” means a person who is licensed to perform medical services delegated by the supervising physician pursuant to chapter 458 or 459, F.S.

“Podiatrist” means a person legally authorized to practice podiatry under chapter 461, F.S.

“Potential Donor” means any person approaching death or who has died in a Florida hospital and is deemed medically acceptable according to the medical standards of the affiliated OPO, tissue bank or eye bank for
organ, tissue, or eye donation.

(38) “Premises” means those buildings, beds, and facilities located at the main address of the licensee and all other buildings, beds, and facilities for the provision of hospital care located in such reasonable proximity to the main address of the licensee as to appear to the public to be under the dominion and control of the licensee.

(48) “Provisional accreditation” means a determination by a hospital accrediting organization that substantial standards compliance deficiencies exist in a hospital.

(49) “Provisional license” means a restricted license issued to a hospital which does not meet requirements for a standard license, but is in compliance with the pertinent statutes and rules.

(50) “Psychiatric hospital” means a Class III specialty hospital primarily restricted to treating persons whose sole diagnosis, or in the event of more than one diagnosis, the principal diagnosis is a mental illness as defined in section 394.455(28), F.S.

(51) “Qualified medical person” means for the purposes of section 395.1041, F.S., the licensed individual responsible for the operation of the emergency services area during the time of a transfer.

(52) “Quality improvement program” means a program of ongoing activities designed to objectively and systematically evaluate the quality of patient care and services, pursue opportunities to improve patient care and services, and resolve identified problems which applies standards of patient care to evaluate the quality of the hospital’s performance.

(53) “Registered dietitian” means one who meets the standards and qualifications established by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics and is currently registered with the Academy of Nutrition and Dietetics.

(54) “Registered professional nurse” means one who is currently licensed in the State of Florida to practice professional nursing as defined in chapter 464, F.S.

(55) “Rehabilitation hospital” means a Class III specialty hospital in which an organized program of integrated intensive care services is provided by a coordinated multidisciplinary team to patients with severe physical disabilities, as defined under rule 59C-1.039(2)(d), F.A.C.

(56) “Research Hospital” means a hospital which devotes clearly defined space, staff, equipment, and other resources for research purposes and has documented teaching affiliations with an accredited school of medicine in Florida or another state.
(57) “Research Program” means an organized program that conducts clinical trial research, collects treatment data, assesses outcome data, and publishes statistical reports showing research activity and findings.

(58) “Routine Inquiry Form” means a reporting document developed by the hospital that is used to indicate that a request for donation of organs, tissues, or eyes was made.

(48) “Rural hospital” means a general hospital which meets the definition of section 395.602(2)(b), F.S.

(59) “Selected Infectious Diseases” means Acquired Immunodeficiency Syndrome; anthrax; syphilis in an infectious stage; diphtheria; disseminated vaccinia; Hansen’s disease; hepatitis A; hepatitis B; hepatitis non-A, non-B; Legionnaire’s disease; malaria; measles; meningococcal meningitis; plague; poliomyelitis; psittacosis; pulmonary tuberculosis; Q fever; rabies; rubella; typhoid fever.

(60) “Special care unit” means a unit designated to provide acute care services, with a concentration of qualified professional staffing and supportive resources, to patients requiring extraordinary care on a concentrated and continuous 24-hour basis. Special care units include, but are not limited to burn, cardiac, cardiovascular surgery, neonatal, respiratory, renal care provided in the hospital, but not including ambulatory units, spinal injury units, trauma and multipurpose special care units, operating room suite, including medical-surgical intensive care or any combination of the above.

(61) “Substance abuse hospital” means a Class III specialty hospital primarily restricted to treating persons whose sole diagnosis, or in the event of more than one diagnosis, the principal diagnosis is substance abuse as defined in section 397.311(46), F.S.

(62) “Teaching Hospital” means any hospital which the Secretary of the Agency for Health Care Administration has determined meets the conditions specified in Section 408.07(44), F.S.

(63) “Tissue” means any non-visceral or non-vascularized collection of similar cells and their associated intercellular substances. There are four generally accepted basic body tissues:

(a) Epithelium (including corneal tissue);

(b) Connective tissues including blood, bone and cartilage;

(c) Muscle; and,

(d) Nerve tissue.

(64) “Tissue Bank” means a public or private entity certified pursuant to section 765.541, F.S., which is involved in at least one of the following activities:
(a) Procuring, processing, storing or distributing viable or nonviable human tissues to clinicians who are not involved in the procurement process;

(b) Procuring, processing, and storing human tissues in one institution and making these tissues available to clinicians in other institutions; or

(c) Procuring, processing, and storing human tissues for individual depositors and releasing these tissues to clinicians at the depositor’s request.

(65)“Transplantation” means the surgical grafting or implanting in its entirety or in part one or more tissues or organs taken from another person.

(66)“Transplantation Program” means the offering of administrative, surgical, and support services by a hospital through which one or more types of organ transplants are provided to one or more patients; and the offering of some or all phases of bone marrow transplantation.

(67)“Ventilation assistance” means the use of invasive and non-invasive equipment to support breathing until the patient’s respiratory functions become sufficient.