

*(Substantial rewording of Rule 59A-35.060 follows. See Florida Administrative Code for present text.)*

**59A-35.060 Licensure Application Process.**

(1) Applicants must apply for licensure or exemption from licensure using the program specific forms incorporated in this rule and the Health Care Licensing Application Addendum, AHCA Form 3110-1024, XXXXX 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. All forms are available at: <http://ahca.myflorida.com/HQALicensureforms> and online through the Agency's Online Portal at: <http://apps.ahca.myflorida.com/SingleSignOnPortal>. For online submissions, the information required on the Health Care Licensing Application Addendum is incorporated into the program specific online licensure application forms found in sections (3) and (4) of this rule.

(2) Renewal applicants must submit an online licensure application form, fees, and supporting documents electronically through the Agency's Online Portal.

(3) Application forms to be used by applicants for licensure.

(a) Abortion Clinic, as provided under Chapter 390, F.S.

1. Health Care Licensing Application Abortion Clinic, AHCA Form 3130-1000, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Abortion Clinic, AHCA Form 3130-1000OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) Adult Day Care Center, as provided under Chapter 429, Part III, F.S.

1. Health Care Licensing Application Adult Day Care Center, AHCA Form 3180-1004, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-0XXXXX>; or

2. Health Care Licensing Online Application Adult Day Care Center, AHCA Form 3180-1004OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(c) Adult Family-Care Home, as provided under Chapter 429, Part II, F.S.

1. Health Care Licensing Application Adult Family-Care Home, AHCA Form 3180-1022, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Adult Family-Care Home, AHCA Form 3180-1022OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(d) Ambulatory Surgical Center, as provided in 395 Part I, F.S.

1. Health Care Licensing Application Ambulatory Surgical Center, AHCA Form 3130-2001, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Ambulatory Surgical Center, AHCA Form 3130-2001OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(e) Assisted Living Facility, as provided in 429 Part I, F.S.

1. Health Care Licensing Application Assisted Living Facilities, AHCA Form 3110-1008, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Assisted Living Facilities, AHCA Form 3110-1008OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(f) Birth Center, as provided under Chapters 383.30 – 383.335, F.S.

1. Health Care Licensing Application Birth Center, AHCA Form 3130-3001, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Birth Center, AHCA Form 3130-3001OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(g) Crisis Stabilization Unit or Short-Term Residential Treatment Facility, as provided under Parts I and IV of Chapter 394, F.S.

1. Health Care Licensing Application Crisis Stabilization Unit or Short-Term Residential Treatment Facility, AHCA Form 3180-5003, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Crisis Stabilization Unit or Short-Term Residential Treatment Facility, AHCA Form 3180-5003OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(h) Forensic Toxicology Laboratory (also known as Drug Free Workplace Laboratory), as provided under Chapter 112, Part I and 440.102, F.S.

1. Health Care Licensing Application Forensic Toxicology Laboratory, AHCA Form 3170-5001, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> ; or

2. Health Care Licensing Online Application Forensic Toxicology Laboratory, AHCA Form 3170-5001OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(i) Health Care Clinic, as provided under Chapter 400, Part X, F.S.

1. Health Care Licensing Application Health Care Clinic, AHCA Form 3110-0013, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Form Health Care Clinic, AHCA Form 3110-0013OL, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(j) Health Care Services Pool, as provided under Chapter 400, Part IX, F.S.

1. Health Care Licensing Application Health Care Services Pool, AHCA Form 3110-1010, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Health Care Services Pool, AHCA Form 3110-1010OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(k) Home Health Agency, as provided under Chapter 400 Part III, F.S.

1. Health Care Licensing Application Home Health Agencies, AHCA Form 3110-1011, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Home Health Agencies, AHCA Form 3110-1011OL, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(l) Home Medical Equipment Provider, as provided under Chapter 400, Part VII, F.S.

1. Health Care Licensing Application Home Medical Equipment Provider AHCA Form 3110-1005, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Home Medical Equipment Provider AHCA Form 3110-1005OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(m) Homes for Special Services, as provided under Chapter 400, Part V, F.S.

1. Health Care Licensing Application Homes for Special Services, AHCA Form 3110-3001, Month 2021, and incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

(n) Homemaker and Companion Services Provider, as provided under Chapter 400, Part III, F.S.

1. Health Care Licensing Application Homemaker and Companion Services Provider, AHCA Form 3110-1003, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Homemaker and Companion Services Provider, AHCA Form 3110-1003OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(o) Hospice, as provided under Chapter 400, Part IV, F.S.

1. Health Care Licensing Application Hospice, AHCA Form 3110-4001, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Hospice, AHCA Form 3110-4001OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(p) Hospital, as provided under Chapter 395, Part I, F.S.

1. Health Care Licensing Application Hospitals, AHCA Form 3130-8001, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Hospitals AHCA Form 3130-8001OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(q) Intermediate Care Facilities for the Developmentally Disabled, as provided under Chapter 400, Part VIII and Chapter 393, F.S.

1. Health Care Licensing Application Intermediate Care Facilities for the Developmentally Disabled, AHCA Form 3110-5003, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Intermediate Care Facilities for the Developmentally Disabled, AHCA Form 3110-5003OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(r) Nurse Registry, as provided under 400.506, F.S.

1. Health Care Licensing Application Nurse Registry, AHCA Form 3110-7004, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Nurse Registry, AHCA Form 3110-7004OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(s) Nursing Home, as provided under Chapter 400, Part II, F.S.

1. Health Care Licensing Application Nursing Home, AHCA Form 3110-6001, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Nursing Home, AHCA Form 3110-6001OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(t) Organ Procurement Organization, Tissue Bank, or Eye Bank, as provided under Chapter 765, Part V, F.S.

1. Health Care Licensing Application Organ Procurement Organization, Tissue Bank, Eye Bank, AHCA Form 3140-2001, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Organ Procurement Organization, Tissue Bank, Eye Bank, AHCA Form 3140-2001OL, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(u) Prescribed Pediatric Extended Care Center, as provided under Chapter 400, Part VI, F.S.

1. Health Care Licensing Application Prescribed Pediatric Extended Care Centers, AHCA Form 3110-8002, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Prescribed Pediatric Extended Care Centers, AHCA Form 3110-8002OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(v) Residential Treatment Center for Children and Adolescents, as provided under Chapter 394, Part IV, F.S.

1. Health Care Licensing Application Residential Treatment Center for Children and Adolescents, AHCA Form 3180-5004, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Residential Treatment Center for Children and Adolescents, AHCA Form 3180-5004OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(w) Residential Treatment Facility, as provided under Chapter 394, Part IV, F.S.

1. Health Care Licensing Application Residential Treatment Facility, AHCA Form 3180-5005, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Residential Treatment Facility, AHCA Form 3180-5005OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(x) Transitional Living Facility, as provided under Chapter 400, Part XI

1. Health Care Licensing Application Transitional Living Facility, AHCA Form 3110-9001, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Health Care Licensing Online Application Transitional Living Facility, AHCA Form 3110-9001OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(4) Application forms to be used to apply for certificates of exemption from licensure.

(a) Health Care Clinic Exemption from Licensure, as provided under Chapter 400, Part X, F.S.

1. Application for Certificate of Exemption from Licensure as a Health Care Clinic, AHCA Form 3110-0014, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Online Application for Certificate of Exemption from Licensure as a Health Care Clinic, AHCA Form 3110-0014OL, Month 2021 incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) Home Health Agency Exemption from Licensure, as provided under Chapter 400 Part III, F.S.

1. Application for Certificate of Exemption from Licensure as a Home Health Agency, AHCA Form 3110-1009, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; or

2. Online Application for Certificate of Exemption from Licensure as a Home Health Agency, AHCA Form 3110-1009OL, Month 2021, incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(5) All required licensure fees must be included with application submissions. Applications will be returned to the applicant unprocessed if the fee does not accompany the application. Applications from state agencies must include a copy of the posted journal transactions by State-Wide Document Number (SWDN) within benefiting Operating Level Organization (OLO) and site.

(6) Applications received more than 120 days prior to the date of license expiration or the effective date will be returned to the applicant unprocessed.

(7) If an applicant, licensee, or controlling interest is required to register or file with the Florida Secretary of State, Division of Corporations, the principal, fictitious name and mailing addresses submitted with the licensure

application for the applicant, licensee and controlling interests must be the same as the information registered with the Division of Corporations.

(8) Unresponsive applicant. If certified mail sent to the provider's address of record, or mailing address if applicable, is returned as unclaimed or undeliverable, the Agency will send a copy of the letter by regular mail to the provider's address of record, or mailing address if applicable, with a copy to the applicant's address if different from the provider. The applicant must respond to the request within 21 days of the date of the letter sent by regular mail. If timely response is not received, the application will be subject to withdrawal or denial.

(9) An application is considered complete upon receipt of:

(a) All required documents and information and appropriate fee;

(b) All required background screening results; and

(c) Completion of a satisfactory inspection if required by authorizing statutes or rules. Satisfactory inspection means no regulatory violations exist, or all prior violations found have been determined by the Agency to be corrected.

(10) A licensure inspection will not be authorized until sections (9)(a) and (9)(b) of this rule have been satisfied.

(11) An application for license renewal may only be filed by the licensee.

(12) Direct care workforce survey. The information to be collected, analyzed, and published in accordance with section 408.822, F.S., will be obtained during the license renewal process utilizing the appropriate licensure application form.

(13) This rule is in effect for five years from its effective date.

Rulemaking Authority 112.0455; 383.305; 390.0111; 390.012; 394.877; 395.004; 395.1055; 400.23; 400.497; 400.509; 400.605; 400.801; 400.914; 400.935; 400.967; 400.980; 400.9925; 400.9982; 408.819; 429.41; 429.67; 429.73; 429.929; 765.541 FS. Law Implemented 112.0455; 383.305; 390.014; 390.015; 394.876; 394.877; 395.004; 395.0161; 400.062; 400.071; 400.464; 400.471; 400.506; 400.509; 400.606; 400.801; 400.905; 400.906; 400.931; 400.962; 400.980; 400.991; 400.9925; 400.9935; 400.9972; 408.805; 408.806; 408.809; 408.810; 408.811; 429.07; 429.11; 429.17; 429.67; 429.909; 765.544 FS. History—New 7-14-10, Amended 5-4-15, .