

By the Committee on General Provisions; and Commissioner Kruppenbacher

335-00147-17

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1                   A proposal to create  
2           a new section in Article X of the State Constitution  
3           to prohibit the state from limiting the number of  
4           specified health care facilities and services through  
5           the granting of certificates of need and to declare  
6           all conflicting laws void.

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8 Be It Proposed by the Constitution Revision Commission of  
9 Florida:

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11           A new section is added to Article X of the State  
12 Constitution to read:

13                                   ARTICLE X

14                                   MISCELLANEOUS

15           Prohibition on limitations on health care facilities and  
16 services.-

17           (a) The state may not limit the number of hospitals,  
18 nursing homes, hospices, or intermediate care facilities for  
19 individuals with intellectual disabilities, or services provided  
20 by these facilities, through the granting of certificates of  
21 need.

22           (b) Upon the effective date of this section, laws that  
23 relate to certificate of need approval for the number of  
24 hospitals, nursing homes, hospices, or intermediate care  
25 facilities for individuals with intellectual disabilities, or  
26 services provided by these facilities are void and of no effect.  
27 However, laws that restrict or limit the ownership or licensure  
28 of hospitals, nursing homes, hospices, or intermediate care  
29 facilities for individuals with intellectual disabilities shall  
30 remain in effect.