

Blog Post

# Florida Clinic License Exemptions Subject to Change

March 15, 2018

Holders of Florida healthcare clinic license exemptions take note. Exemption certificates, which currently bear no expiration date, will expire every two years if a bill recently passed by the Florida Legislature becomes law. Senate Bill 622 will require exemption holders to renew their clinic license exemption biennially.

The bill is silent as to treatment of existing certificate holders, but businesses that have current exemptions should not be surprised if they receive a renewal notice from the Florida Agency for Health Care Administration as early as this summer. Governor Rick Scott has until March 27, 2018 to sign the bill into law, veto it in full or in part, or allow it to become law without his signature. If the bill becomes law, it takes effect July 1, 2018.

Clinic licenses (rather than exemptions) are required for entities that provide paid healthcare services to individuals and that are not already licensed as another facility type. A host of exemptions to the license requirement apply, including an exemption for practices owned by licensed providers such as physicians and their spouse, parents, children, or siblings. Payors often require either a clinic license or proof of exemption from licensure, leading many exempt entities to apply for an exemption certificate from AHCA. A lapse in a needed exemption

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certificate could lead to interruptions in reimbursement.

Providers that are unsure whether they need – or need to maintain – an exemption certificate should contact legal counsel.

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