

Health Care Clinic Frequently Asked Questions

These questions and answers are provided as a resource for health care clinic licensure. A wealth of information may also be found on the Agency for Health Care Administration's website at (http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/HealthCareClinic/index.shtml) including links to applicable statutes and rules, application forms, survey regulation sets and other related information.

The health care clinic licensure laws allow for several "exemptions," each listed in section [400.9905\(4\)](#), Florida Statutes (F.S.). (See item 3 below.) The Agency for Health Care Administration will make a determination of whether an entity qualifies for an exemption from licensure only after an application has been submitted and reviewed as a determination is based upon the individual entity's ownership structure and other factors. Each entity must review the law and decide if it qualifies; the Agency for Health Care Administration cannot make this determination over the phone or via email.

1. Is my practice or facility a health care clinic?

Answer: A health care clinic is an entity that provides health care services and tenders charges for reimbursement for these services to payors such as Medicare, Medicaid or other insurance. If an entity meets this complete definition, then it is a health care clinic. See section [400.9905\(4\)](#), F.S.

2. If my practice or facility is a health care clinic, am I required to license it as such?

Answer: Health care clinics are required to be licensed in Florida unless they qualify for exemption from licensure (see 3 below). Health care clinic licensing information and applications may be obtained at: <http://ahca.myflorida.com/healthcareclinic>. Revisions to the Florida Medicaid Provider Enrollment Policy will require proof of health care clinic licensure or proof of possession of a certificate of exemption from licensure as a health care clinic for Medicaid enrollment of specific provider types. Refer to the draft Florida Medicaid Provider Enrollment Policy (handbook), [Rule 59G-1.60, F.A.C.](#), for details.

3. Does my practice or facility qualify for an exemption as a health care clinic?

Answer: Exemptions from licensure as a health care clinic are listed in sections [400.9905\(4\)\(a\)-\(n\)](#), F.S. Please note: An entity must be licensed as a health care clinic in order to receive reimbursement under the Florida Motor Vehicle No-Fault Law [known as Personal Injury Protection (PIP) insurance] unless also exempted under section [627.736\(5\)\(h\)](#), F.S.

4. How do I obtain a certificate of exemption from licensure as a health care clinic?

Answer: If an entity self-determines it qualifies for an exemption from licensure as a health care clinic, then it must submit an application along with fees and supporting documentation to the Agency. If the Agency determines the exemption criteria is met, then a certificate of exemption will be issued.

5. What is the fee for a health care clinic license or certificate of exemption?

Answer: The application fee for a health care clinic license is \$2,000 every two years. See section [400.9925\(3\)](#), F.S. and section [59A-33.002](#), Florida Administrative Code (F.A.C.).

The application fee for a certificate of exemption from licensure as a health care clinic is \$100 every two years. See section [400.9935\(6\)](#), F.S. and section [59A-33.006](#), F.A.C.

6. My practice or facility is attempting to come into compliance with upcoming Medicaid enrollment requirements. When should I apply for a health care clinic license or certificate of exemption?

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Answer: Applications may be submitted as soon as a complete licensure or certificate of exemption application has been prepared. Waiting to apply may cause delays due to heavier workloads as Medicaid rule deadlines approach. Refer to the draft Florida Medicaid Provider Enrollment Policy (handbook), [Rule 59G-1.60, F.A.C.](#), for details.

7. For the purposes of health care clinic regulation, what is the difference between a mobile clinic and a portable equipment provider?

Answer:

Mobile Clinic is a movable or detached self-contained health care unit, such as a vehicle or trailer, within or from which direct health care services are provided and which otherwise meets the definition of a health care clinic. See sections [400.9905\(6\)](#) and [400.991\(1\)](#), F.S.

Portable Equipment Provider is a single administrative office from which treatment, services and/or diagnostic testing is provided to individuals in multiple locations and which otherwise meets the definition of a health care clinic. See sections [400.9905\(7\)](#) and [400.991\(1\)](#), F.S.

8. Who is eligible to serve as the medical or clinic director of a health care clinic?

Answer: As referenced in section [400.9905\(5\)](#), F.S. and section [59A-33.008](#), F.A.C., a “medical director” is a physician who is employed or under contract with a clinic and who maintains a full and unencumbered physician license in accordance with chapter 458 (medical physician), 459 (osteopathic physician), 460 (chiropractic physician) or 461 (podiatric physician).

However, if the clinic does not provide services pursuant to the practice acts in chapters 458, 459, 460 or 461, F.S., it may appoint a Florida-licensed health care practitioner to serve as a clinic director who is responsible for the clinic’s activities. If a health care clinic licensure applicant employs a clinic director rather than a medical director, the licensed health care practitioner may not supervise services beyond the scope of the practitioner’s license. Health care clinic applicants must submit information explaining how services provided are within the proposed clinic director’s licensed scope of practice as regulated by the Florida Department of Health.

A health care practitioner may not serve as the clinic director if the services provided at the clinic are beyond the scope of that practitioner’s license, except that a licensee specified in s. [456.053\(3\)\(b\)](#), F.S. who provides only these services (speech-language pathology and audiology, occupational, and physical therapy) may serve as clinic director of an entity providing these services.

9. Is there a maximum number of health care clinics a medical or clinic director can serve?

Answer: A medical or clinic director may supervise up to five health care clinics provided the cumulative total of employees and persons under contract does not exceed two hundred (200). A medical or clinic director may not supervise a health care clinic more than 200 miles from any other health care clinic supervised by the same medical or clinic director.