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Client Alert: What Happens to a Florida Health Care Entity License that Expires During the Renewal Application?

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Most health care facility licenses in Florida are issued by the Florida Agency for Health Care Administration (AHCA). This includes, but is not limited to, licenses for hospitals, home medical equipment, nursing homes, assisted living facilities, ambulatory surgical centers, home health agencies, and hospice. As part of its enforcement tools, AHCA relies on Florida Statutes Chapter 408, Part II in its licensure activities. Florida Statutes section 408.806 (located in Part II of Chapter 408) states in part:

License application process.—(2)(a) The applicant for a renewal license must submit an application that must be received by the agency at least 60 days but no more than 120 days before the expiration of the current license. An application received more than 120 days before the expiration of the current license shall be returned to the applicant. If the renewal application and fee are received prior to the license expiration date, the license shall not be deemed to have expired if the license expiration date occurs during the agency's review of the renewal application.

Therefore, if you timely applied to renew your AHCA license and the application has not been withdrawn or denied, the license is valid beyond its stated date while it is in process. If you receive an omission letter from AHCA, it is imperative that you timely respond. It is important to seek counsel experienced with the licensure process when navigating any licensure hurdles. Our health care team has extensive experience with AHCA and its regulation.