

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

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1 Committee/Subcommittee hearing bill: Select Committee on Health  
2 Innovation

3 Representative Silvers offered the following:

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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (6) is added to section 409.982,  
8 Florida Statutes, to read:

9 409.982 Long-term care managed care plan accountability.-

10 In addition to the requirements of s. 409.967, plans and  
11 providers participating in the long-term care managed care  
12 program must comply with the requirements of this section.

13 (6) An adult day care center holding a contract with a  
14 managed care plan may provide nonemergency transportation  
15 services for its clients to and from the center. A managed care  
16 plan contracting with an adult day care center shall reimburse

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17 for such transportation services at rates negotiated between the  
18 adult day care center and the managed care plan.

19 Section 2. Section 429.924, Florida Statutes, is created to  
20 read:

21 429.924 Continuing education requirements for operators.-

22 (1) The purpose of this section is to establish the  
23 requirements and standards for a continuing education course for  
24 operators managing the day-to-day operations of licensed adult  
25 day care centers in the state. An operator who cannot comply  
26 with the continuing education requirements of this section due  
27 to active duty in the military may submit a written request for  
28 a waiver to the department.

29 (2) In addition to any existing adult day care center  
30 staff training required by department rule or established under  
31 this part, each operator must complete every year an 8-hour  
32 continuing education course developed and offered by the Florida  
33 Adult Day Services Association and approved by the department.  
34 The course may also be provided by any other educational  
35 provider that is approved by the department. The course must  
36 include training in the following subject areas:

37 (a) One hour on compliance with the Agency for Health Care  
38 Administration.

39 (b) One hour on Alzheimer's disease and related disorders.

40 (c) One hour on the state comprehensive emergency  
41 management plan.

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42 (d) One hour on anti-fraud, abuse, and neglect.

43 (e) One hour on nonemergency medical transportation.

44 (f) One hour on daily management.

45 (g) One hour on staff compliance with Participant Care  
46 Standards, rule 59A-16.103, Florida Administrative Code.

47 (h) One hour on the Health Insurance Portability and  
48 Accountability Act.

49 (3) The continuing education course described in  
50 subsection (2) may be offered in person or online. Upon  
51 completion of the online course, an operator must pass a  
52 department-approved online examination with a minimum score of  
53 80 percent. An operator attending an in-person course is exempt  
54 from the examination requirement. A person who teaches an  
55 approved course of instruction, or lectures at any approved  
56 course, and who attends the entire course shall qualify for the  
57 same number of classroom hours as a person who takes and  
58 successfully completes such course. Credit is limited to the  
59 number of hours actually taught or lectured unless the person  
60 attends the entire course.

61 (4) Each person or entity providing a course for  
62 continuing education credit must furnish, within 30 days after  
63 completion of the course, in a form satisfactory to the  
64 department or its designee a roster showing the adult day care  
65 center license numbers and the names of the operators who have

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66 successfully completed the continuing education course and who  
67 request the continuing education credits.

68 (5) (a) An operator's compliance with the continuing  
69 education requirements of this section is a condition precedent  
70 to the issuance, continuation, reinstatement, or renewal of an  
71 adult day care center license. The department may, for good  
72 cause shown, grant an operator an extension of time during which  
73 the continuing education requirements must be completed, except  
74 that any such extension may not exceed 1 year.

75 (b) Unless the department has granted an operator a waiver  
76 or an extension under paragraph (a), the department may not  
77 issue a renewal license to an adult day care center whose  
78 operator fails to complete the requirements of this section  
79 until the operator successfully completes the continuing  
80 education course.

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**T I T L E   A M E N D M E N T**

84 Remove everything before the enacting clause and insert:  
85 An act relating to adult day care centers; amending s. 409.982,  
86 F.S.; extending a licensure expiration date for rural hospitals;  
87 creating s. 429.924, F.S.; providing purpose; authorizing  
88 requests for a waiver of the continuing education requirements  
89 under a specified circumstance; providing continuing education  
90 requirements for adult date care center operators; providing the

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91 required subject areas for such continuing education courses;  
92 authorizing such courses to be offered in person or online;  
93 requiring operators to pass certain online examinations with a  
94 specified minimum score under certain circumstances; providing  
95 continuing education credit hours under certain circumstances;  
96 requiring continuing education course providers to furnish  
97 specified rosters to the Department of Elderly Affairs or its  
98 designee; providing that compliance with continuing education  
99 requirements is a condition precedent to the issuance,  
100 continuation, reinstatement, and renewal of adult day care  
101 center licenses; authorizing the department to grant extensions  
102 of time for completion of continuation education requirements  
103 under certain circumstances; prohibiting the department from  
104 issuing renewal licenses to adult day care centers under a  
105 specified circumstance; providing exceptions; providing an  
106 effective date.