

Amendment No. 04 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Crist offered the following:

13 **Amendment (with directory language and title**
14 **amendments)**

15 On page 22, line 10 of the bill

17 insert:

18 (2) Every licensed facility shall submit the form of
19 its contract or contracts with residents to the agency for
20 approval. The agency shall reject any contract which contains
21 language which is vague, misleading, illegal, or against
22 public policy as set forth in the Florida Statutes or federal
23 laws or regulations, and the facility shall submit revised
24 contracts which cure the deficiencies found by the agency. If
25 a facility is part of a continuing care facility certified
26 under chapter 651, the review and approval of the contract or
27 contracts shall be completed by the Department of Insurance,
28 which shall consult with the agency regarding portions of
29 contracts related to nursing home care. Beginning 1 year after
30 the effective date of this subsection, a facility may not
31 enter into a contract, renew a contract, or enforce a contract

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1 with a resident unless the form of the contract has been
2 approved by the agency. Any contract submitted for review
3 shall be deemed approved if the reviewing agency has not
4 rejected it within 180 days after its submission, unless the
5 facility waives this provision. However, contracts which were
6 fully entered into prior to the effective date of this act and
7 which have not been amended or renewed subsequent thereto need
8 not be reviewed and approved pursuant to this subsection.

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11 == D I R E C T O R Y L A N G U A G E A M E N D M E N T ==

12 And the directory language is amended as follows:

13 On page 22, line 10

14

15 insert: Section 10. Subsection (2) of section 400.151,
16 Florida Statutes, is renumbered as subsection (3), and a new
17 subsection (2) is added to said section to read: 400.151
18 Contracts.--

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21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 2, line 17 after the word (training;)

24

25 insert:

26 amending s. 400.151, F.S.; requiring agency
27 approval of the form of facility contracts with
28 residents; providing exceptions;

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