

dhs-21

Bill No. CS for SB 1222, 1st Eng.

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Russell offered the following:

Amendment (with title amendment)

remove from the bill: everything after the enacting clause,
and insert in lieu thereof:

Section 1. (1) There is created the Task Force on the Availability and Affordability of Long-term Care, to study issues related to the provision of long-term care to the elderly in nursing homes and alternatives to nursing homes, and to make recommendations to the Governor and the Legislature. The task force shall, at a minimum, study and make recommendations concerning the following:

(a) The availability of alternative housing and care settings for the elderly, including the use of rent-subsidized facilities, assisted living facilities, and adult family care homes.

(b) The availability of community-based care arrangements that support elderly individuals to age in place in their own homes and in alternative housing and care settings.

dhs-21

Bill No. CS for SB 1222, 1st Eng.

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

1 (c) The role of family members in caring for elderly
2 relatives and ways in which quality family care can be
3 encouraged.

4 (d) The adequacy of reimbursements for the cost of
5 providing care to the elderly in nursing homes and in
6 alternative housing and care settings.

7 (e) The availability and affordability of
8 long-term-care insurance coverage and the potential for
9 funding long-term care through such coverage.

10 (f) The role of the certificate-of-need process in the
11 development of systems of long-term care for the elderly.

12 (g) The extent to which the quality of care in
13 long-term-care facilities in this state is compromised because
14 of market changes that affect the financial stability of the
15 long-term-care industry.

16 (h) The effect of lawsuits against nursing homes and
17 long-term care facilities on the cost of nursing home care and
18 on the financial stability of the nursing home industry in the
19 state.

20 (i) The kinds of incidents that lead to the filing of
21 lawsuits and the extent to which frivolous lawsuits are filed.

22 (j) The cost of liability insurance coverage for
23 long-term-care providers and the extent to which such costs
24 affect the affordability of care.

25 (k) The availability of liability insurance coverage
26 for long-term-care providers through Florida insurance
27 companies.

28 (l) The primary causes for recent bankruptcies facing
29 the nursing home industry.

30 (m) The additional costs to Medicaid, Medicare, and
31 the family when a patient suffering from a preventable

dhs-21

Bill No. CS for SB 1222, 1st Eng.

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

- 1 condition has to be admitted to a hospital.
- 2 (n) The ways in which other states have promoted the
3 development of alternative and home-based care and what they
4 have learned from these innovations.
- 5 (o) The difference between the quality of care
6 provided by for-profit skilled nursing facilities and by
7 not-for-profit skilled nursing facilities.
- 8 (p) An evaluation of how the quality of care in the
9 long-term care facilities of this state compare with the
10 quality of care in such facilities in other states.
- 11 (2) The task force shall be composed of 19 members, as
12 follows:
- 13 (a) The Lieutenant Governor, who shall serve as chair
14 of the task force.
- 15 (b) The Secretary of Elderly Affairs.
- 16 (c) The director of the state Medicaid program.
- 17 (d) A member of The Florida Bar, appointed by The
18 Florida Bar.
- 19 (e) A representative of the Florida Assisted Living
20 Association, appointed by the association.
- 21 (f) A representative of the Florida Association of
22 Homes for the Aging, appointed by the association.
- 23 (g) A representative of the insurance industry who has
24 experience in the insurance markets affecting long-term care,
25 appointed by the Governor in consultation with the President
26 of the Senate and the Speaker of the House of Representatives.
- 27 (h) A member to represent private sponsors of housing
28 for the elderly financed through the United States Department
29 of Housing and Urban Development, appointed by the Secretary
30 of Elderly Affairs.
- 31 (i) An investment banker who has experience in

dhs-21

Bill No. CS for SB 1222, 1st Eng.

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

1 long-term-care economics, appointed by the Governor in
2 consultation with the President of the Senate and the Speaker
3 of the House of Representatives.

4 (j) An academic gerontologist appointed by the
5 Chancellor of the State University System.

6 (k) A physician whose specialty is geriatrics and who
7 is experienced in treating people with memory-related
8 disorders, appointed by the Florida Medical Association.

9 (l) A member of a Florida chapter of the American
10 Association of Retired Persons who has experience
11 administering a long-term care facility, appointed by the
12 Governor in consultation with the President of the Senate and
13 the Speaker of the House of Representatives.

14 (m) An individual who has experience with periodic
15 review of nursing homes and other long-term care facilities,
16 appointed by the Attorney General.

17 (n) A representative of the Florida Health Care
18 Association, appointed by the association.

19 (o) A local volunteer long-term care ombudsman with at
20 least two years of experience in assisting residents of
21 nursing homes and assisted living facilities, appointed by the
22 State Long-term Care Ombudsman.

23 (p) Two consumer representatives, one appointed by the
24 President of the Senate and one appointed by the Speaker of
25 the House of Representatives.

26 (q) Two members of the Legislature, one appointed by
27 the President of the Senate and one appointed by the Speaker
28 of the House of Representatives.

29 (3) The task force shall conduct research, hold public
30 meetings, receive testimony, employ consultants, and undertake
31 other activities determined by its members to be necessary to

dhs-21 Bill No. CS for SB 1222, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 complete its responsibilities.

2 (4) The members of the task force may not delegate
3 their attendance or voting power to designees.

4 (5) The task force shall be located at the University
5 of South Florida for administrative purposes. The Florida
6 Policy Exchange Center on Aging at the University of South
7 Florida shall provide staff and support services to the task
8 force. Members of the task force shall serve without
9 compensation, but are entitled to receive reimbursement for
10 travel and per diem as provided in section 112.061, Florida
11 Statutes.

12 (6) The appointments to the task force must be
13 completed within 30 days after the effective date of this act,
14 and the task force must hold its initial meeting within 45
15 days after the effective date of this act. The task force
16 shall submit a report containing its recommendations by
17 January 1, 2001, to the Governor, the President of the Senate,
18 and the Speaker of the House of Representatives. The
19 recommendations of the task force must include proposed
20 legislation. The task force shall expire on March 1, 2001.

21 Section 2. For the 2000-2001 fiscal year, the
22 nonrecurring sum of \$200,000 is appropriated from the General
23 Revenue Fund to the University of South Florida for the
24 purposes of implementing this act.

25 Section 3. This act shall take effect upon becoming a
26 law.

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

30 And the title is amended as follows:
31 remove from the title of the bill: the entire title

dhs-21

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1 and insert in lieu thereof:

2 A bill to be entitled

3 An act creating the Task Force on the

4 Availability and Affordability of Long-term

5 Care; providing for membership and duties;

6 providing for staff and expenses; requiring a

7 report; providing for the expiration of the

8 task force; providing an appropriation;

9 providing an effective date.

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