

hbd-032

Bill No. HB 1993, 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

On page 1, line 11,
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

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1 settings.

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

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

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

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

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

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

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

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

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

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

31 (m) The additional costs to Medicaid, Medicare, and

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

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1 (i) An investment banker who has experience in
2 long-term-care economics, appointed by the Governor in
3 consultation with the President of the Senate and the Speaker
4 of the House of Representatives.

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

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

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

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

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

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

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

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

30 (3) The task force shall conduct research, hold public
31 meetings, receive testimony, employ consultants, and undertake

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1 other activities determined by its members to be necessary to
2 complete its responsibilities.

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

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

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

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

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

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