

1 A bill to be entitled
2 An act creating the Task Force on the
3 Availability and Affordability of Long-term
4 Care; providing for membership and duties;
5 providing for staff and expenses; requiring a
6 report; providing for the expiration of the
7 task force; providing an appropriation;
8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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

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

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

27 (c) The role of family members in caring for elderly
28 relatives and ways in which quality family care can be
29 encouraged.

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1 (d) The adequacy of reimbursements for the cost of
2 providing care to the elderly in nursing homes and in
3 alternative housing and care settings.

4 (e) The availability and affordability of
5 long-term-care insurance coverage and the potential for
6 funding long-term care through such coverage.

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

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

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

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

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

22 (k) The availability of liability insurance coverage
23 for long-term-care providers through Florida insurance
24 companies.

25 (l) The primary causes for recent bankruptcies facing
26 the nursing home industry.

27 (m) The additional costs to Medicaid, Medicare, and
28 the family when a patient suffering from a preventable
29 condition has to be admitted to a hospital.

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1 (n) The ways in which other states have promoted the
2 development of alternative and home-based care and what they
3 have learned from these innovations.

4 (o) The difference between the quality of care
5 provided by for-profit skilled nursing facilities and by
6 not-for-profit skilled nursing facilities.

7 (p) An evaluation of how the quality of care in the
8 long-term care facilities of this state compare with the
9 quality of care in such facilities in other states.

10 (2) The task force shall be composed of 19 members, as
11 follows:

12 (a) The Lieutenant Governor, who shall serve as chair
13 of the task force.

14 (b) The Secretary of Elderly Affairs.

15 (c) The director of the state Medicaid program.

16 (d) A member of The Florida Bar, appointed by The
17 Florida Bar.

18 (e) A representative of the Florida Assisted Living
19 Association, appointed by the association.

20 (f) A representative of the Florida Association of
21 Homes for the Aging, appointed by the association.

22 (g) A representative of the insurance industry who has
23 experience in the insurance markets affecting long-term care,
24 appointed by the Governor in consultation with the President
25 of the Senate and the Speaker of the House of Representatives.

26 (h) A member to represent private sponsors of housing
27 for the elderly financed through the United States Department
28 of Housing and Urban Development, appointed by the Secretary
29 of Elderly Affairs.

30 (i) An investment banker who has experience in
31 long-term-care economics, appointed by the Governor in

1 consultation with the President of the Senate and the Speaker
2 of the House of Representatives.

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

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

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

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

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

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

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

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

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

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

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

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

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

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