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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.