

**STORAGE NAME:** h1861.elt.doc  
**DATE:** April 4, 2001

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
ELDER & LONG TERM CARE  
TRUST FUND RE-CREATION ANALYSIS**

**BILL #:** HB 1861 (formerly PCB ELT 01-03)  
**RELATING TO:** Long Term Care/Quality of Long-Term Care Facility Improvement Trust Fund  
**SPONSOR(S):** Committee on Elder & Long Term Care and Representative Green

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:**

- (1) ELDER & LONG TERM CARE YEAS 9 NAYS 0
  - (2)
  - (3)
  - (4)
  - (5)
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**I. SUMMARY:**

This legislation creates within the Agency for Health Care Administration a Quality of Long Term Care Facility Improvement Trust Fund (QOLTCFITF) to support activities and programs directly related to improvement of care of nursing home and assisted living facility residents. The QOLTCFITF shall be funded through proceeds generated pursuant to s. 400.0238 and s. 400.430, through a percentage of funds recovered by the Medicaid program from the estates of deceased Medicaid beneficiaries previously supported in long term care facilities, through funds specifically appropriated by the legislature, and through gifts, endowments, and other charitable contributions allowed under federal and state law.

The agency shall be responsible and accountable for carrying out the priorities and directives specified in the appropriation by the legislature through the Quality of Long Term Care Facility Improvement Trust Fund.

**II. SUBSTANTIVE ANALYSIS:**

**A. PRESENT SITUATION:**

PCB 01-01 by the Elder and Long Term Care Committee provides that one half of punitive damages awarded in s.400.0238 to plaintiffs in civil actions against nursing homes licensed under chapter 400, part II and in s. 400.430 to plaintiffs in civil actions against assisted living facilities licensed under chapter 400, part III, shall be collected by the Department of Banking and Finance and deposited in the Quality of Long Term Care Facility Improvement Trust Fund.

**1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:**

N/A

**2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:**

N/A

**3. MAJOR SOURCES OF REVENUE FOR THE FUND:**

N/A

**B. EFFECT OF PROPOSED CHANGES:**

This bill creates within the Agency for Health Care Administration a Quality of Long Term Care Facility Improvement Trust Fund (QOLTCFITF) to support activities and programs directly related to improvement of care of nursing home and assisted living facility residents. The QOLTCFITF shall be funded through proceeds generated pursuant to s. 400.0238 and s. 400.430, through a percentage of funds recovered by the Medicaid program from the estates of deceased Medicaid beneficiaries previously supported in long term care facilities, through funds specifically appropriated by the legislature, and through gifts, endowments, and other charitable contributions allowed under federal and state law.

**III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:**

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply creates a state trust fund.

**IV. COMMENTS:**

N/A

**V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:**

N/A

**VI. SIGNATURES:**

**COMMITTEE ON ELDER & LONG TERM CARE:**

Prepared by:

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