

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Council for Healthy Communities offered the following:

Amendment

On page 38, between lines 16 and 17 of the bill

insert:

Section 15. Subsection (3) of section 400.062, Florida Statutes, is amended to read:

400.062 License required; fee; disposition; display; transfer.--

(3) The annual license fee required for each license issued under this part shall be comprised of two parts. Part I of the license fee shall be the basic license fee. The rate per bed for the basic license fee shall be established annually and shall be \$50 per bed. The agency may adjust the per bed licensure fees by the consumer price index based on the 12 months immediately preceding the increase ~~must be reasonably calculated~~ to cover the cost of regulation under this part, ~~but may not exceed \$35 per bed.~~ Part II of the license fee shall be the resident protection fee, which shall be at the rate of not less than 25 cents per bed. The rate

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1 per bed shall be the minimum rate per bed, and such rate shall
2 remain in effect until the effective date of a rate per bed
3 adopted by rule by the agency pursuant to this part. At such
4 time as the amount on deposit in the Resident Protection Trust
5 Fund is less than ~~\$1,000,000~~~~\$500,000~~, the agency may adopt
6 rules to establish a rate which may not exceed \$10 per bed.
7 The rate per bed shall revert back to the minimum rate per bed
8 when the amount on deposit in the Resident Protection Trust
9 Fund reaches ~~\$1,000,000~~~~\$500,000~~, except that any rate
10 established by rule shall remain in effect until such time as
11 the rate has been equally required for each license issued
12 under this part. Any amount in the fund in excess of
13 ~~\$2,000,000~~~~\$800,000~~ shall revert to the Health Care Trust Fund
14 and may not be expended without prior approval of the
15 Legislature. The agency may prorate the annual license fee
16 for those licenses which it issues under this part for less
17 than 1 year. Funds generated by license fees collected in
18 accordance with this section shall be deposited in the
19 following manner:

20 (a) The basic license fee collected shall be deposited
21 in the Health Care Trust Fund, established for the sole
22 purpose of carrying out this part. When the balance of the
23 account established in the Health Care Trust Fund for the
24 deposit of fees collected as authorized under this section
25 exceeds one-third of the annual cost of regulation under this
26 part, the excess shall be used to reduce the licensure fees in
27 the next year.

28 (b) The resident protection fee collected shall be
29 deposited in the Resident Protection Trust Fund for the sole
30 purpose of paying, in accordance with the provisions of s.
31 400.063, for the appropriate alternate placement, care, and

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1 treatment of a resident removed from a nursing home facility
2 on a temporary, emergency basis or for the maintenance and
3 care of residents in a nursing home facility pending removal
4 and alternate placement.
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