

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

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Representative(s) Green offered the following:

Amendment to Amendment (302337) (with title amendment)

On page 24, line 28, through page 26, line 1,
remove: all of said lines

and insert:

Section 30. Subsection (20) of section 400.141,
Florida Statutes, is amended to read:

400.141 Administration and management of nursing home
facilities.--Every licensed facility shall comply with all
applicable standards and rules of the agency and shall:

(20) Maintain liability insurance coverage that is in
force at all times. In lieu of general and professional
liability insurance coverage, a state-designated teaching
nursing home and its affiliated assisted living facilities
created under s. 430.80 may demonstrate proof of financial
responsibility as provided in s. 430.80(3)(h); the exception
provided in this paragraph shall expire July 1, 2005.

Section 31. Paragraph (h) is added to subsection (3)
of section 430.80, Florida Statutes, to read:

1 430.80 Implementation of a teaching nursing home pilot
2 project.--

3 (3) To be designated as a teaching nursing home, a
4 nursing home licensee must, at a minimum:

5 (h) Maintain insurance coverage pursuant to s.
6 400.141(20) or proof of financial responsibility in a minimum
7 amount of \$750,000. Such proof of financial responsibility may
8 include:

9 1. Maintaining an escrow account consisting of cash or
10 assets eligible for deposit in accordance with s. 625.52; or

11 2. Obtaining and maintaining pursuant to chapter 675
12 an unexpired, irrevocable, nontransferable and nonassignable
13 letter of credit issued by any bank or savings association
14 organized and existing under the laws of this state or any
15 bank or savings association organized under the laws of the
16 United States that has its principal place of business in this
17 state or has a branch office which is authorized to receive
18 deposits in this state. The letter of credit shall be used to
19 satisfy the obligation of the facility to the claimant upon
20 presentment of a final judgment indicating liability and
21 awarding damages to be paid by the facility or upon
22 presentment of a settlement agreement signed by all parties to
23 the agreement when such final judgment or settlement is a
24 result of a liability claim against the facility.

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27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 On page 29, line 24, through page 30, line 2, of the
30 amendment

31 remove: all of said lines

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1 and insert:
2 facility maintain a bond; amending s. 400.141,
3 F.S.; requiring nursing home facilities to
4 maintain general and professional liability
5 insurance coverage; authorizing
6 state-designated teaching nursing homes to
7 demonstrate certain proof of financial
8 responsibility; amending s. 430.80, F.S.;
9 specifying the minimum proof of financial
10 responsibility required for state-designated
11 teaching nursing homes; amending 477.025,
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