

Bill No. CS for SB 276, 1st Eng.

Amendment No. Barcode 290482

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Crist moved the following amendment:

Senate Amendment

On page 5, line 9, through
page 6, line 19, delete those lines

and insert:

(1) The facility is not subject to the provisions of
42 U.S.C. s. 1320a-7b;

(2) Payment to the contract provider is made under a
nonexclusive contract;

(3) The contract provider represents multiple
facilities with different owners; ~~provided~~

(4) The employee or contract provider clearly
indicates to all clients prior to referral that he or she
represents and is being compensated by the facility, in
addition to all other facilities represented by the person or
agency;

5. The employee or contract provider:

a. Is not a health care practitioner or employee,
vendor, or other contract provider of a health care facility

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1 in a position to make referrals to an assisted living
2 facility;

3 b. Is not employed by a health care facility, social
4 service agency, or any other organization in a position to
5 make referrals to an assisted living facility;

6 c. Does not have an ownership interest in an assisted
7 living facility and is not related to a person with an
8 ownership interest in an assisted living facility;

9 d. Does not contract with or pay a health care
10 facility, its employees, vendors, or other contract providers
11 for access to internal or external processes for discharge of
12 disabled persons over the age of 18 or frail and elderly
13 persons to assisted living facilities;

14 e. Cannot offer the client or referral any money or
15 gift of value as an enticement for services;

16 6. A level 2 background screening must be conducted
17 for the contract provider or related employees for the
18 purposes of conducting screening under chapter 435;

19 7. Referral is made to a licensed facility;

20 8. The contract does not require the facility or the
21 individual being referred to use any other services affiliated
22 with or owned in whole or in part by the contract provider;

23 9. The person referred remains a resident of the
24 facility for at least 90 days.

25 (b) As used in this section, the term:

26 1. "Facility" means an assisted living facility, as
27 defined in s. 400.402, which is not part of a continuing care
28 facility licensed under chapter 651;

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