

705-165AXJ-08 Bill No. CS for CS for SB 596, 1st Eng.
Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Green offered the following:

Amendment to Amendment (030533) (with title amendment)

On page 27, between lines 5 & 6,

insert:

Section 19. 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 20. Paragraph (h) is added to subsection (3) of section 430.80, Florida Statutes, to read:

430.80 Implementation of a teaching nursing home pilot

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1 project.--

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

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

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

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

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

27 And the title is amended as follows:

28 On page 32, line 30, of the amendment after the first
29 semicolon,

30
31 insert:

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

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