



HB 1529

2003

1 A bill to be entitled

2 An act relating to nursing home facilities; providing that
3 the Agency for Health Care Administration must require
4 that a portion of a nursing home facility's per diem be
5 earmarked for increases in the wages or benefits of
6 eligible staff members; providing definitions; providing
7 exclusions; providing minimum requirements; providing
8 agency duties and responsibilities; providing rulemaking
9 authority; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Medicaid per diem for nursing homes; portion to
14 benefit staff.--

15 (1) The Agency for Health Care Administration shall
16 require that a portion of a nursing home facility's Medicaid per
17 diem be earmarked for increases in the wages, benefits, or a
18 combination thereof for each eligible staff member. This
19 earmarked portion, which is to be known by the term "wage and
20 benefit pass-through," must be sufficient to provide for an
21 increase in the amount of \$1 per hour in wages, benefits, or a
22 combination thereof for the facility's eligible staff members.
23 As used in this subsection, the term "eligible staff member"
24 includes each employee of the nursing home except the
25 administrator and the director of nursing; however, the term
26 excludes agency, temporary, pool, or home-office staff members
27 who are not directly employed by and assigned exclusively to the
28 facility. Bonuses may not be paid from the earmarked wage and
29 benefit pass-through. The wage and benefit pass-through funds
30 may be used to provide new or improved benefits or to decrease



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31 the percentage of the cost paid by an eligible staff member for
32 benefits as of July 1, 2003. Funds may not be used to decrease
33 the percentage of the cost paid by facilities for existing
34 benefits.

35 (2) The agency shall monitor the application of the wage
36 and benefit pass-through provisions by facilities as provided in
37 this section.

38 (3) The agency may adopt rules to implement the provisions
39 of this section, including the determination of the amount to be
40 earmarked, the method of allocation to be used by facilities,
41 and reports necessary to permit the agency to perform its duties
42 under subsection (2).

43 Section 2. This act shall take effect July 1, 2003.