



HB 1529

2003
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CHAMBER ACTION

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The Committee on Future of Florida's Families recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to nursing home facilities; providing that the Agency for Health Care Administration require nursing homes to provide wage or benefit increases for certain staff members; providing for computation of such increases; providing exclusions; providing for monitoring by the agency; providing exemptions; providing an effective date.

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

Section 1. (1) The Agency for Health Care Administration shall require that all nursing homes increase wages or benefits, or a combination thereof, excluding bonuses, by an amount computed by multiplying \$1 by each hour worked by all hourly staff. The provisions of this subsection do not include those individuals specified in ss. 400.071(2)(b) and (d) and 400.141(1)-(4), Florida Statutes. The hours worked by hourly



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29 staff shall include hours worked by leased or similarly arranged
30 staff who provide the majority of hours worked at the facility.
31 The hours shall not include agency, temporary, pool, contracted,
32 or home office staff that are not regularly scheduled at the
33 facility.

34 (2) The wage or benefit funds may be used to provide new
35 or improved benefits or to defray the costs to employees of
36 benefits, such as lower premiums for health insurance. Funds may
37 not be used to defray the increased costs to facilities of
38 existing benefits, such as premium increases paid by facilities
39 for health insurance.

40 (3) The increase in wages or benefits, or a combination
41 thereof, shall be considered an allowable cost for Medicaid cost
42 report purposes, but shall not be subject to the interim rate
43 provisions of the Title XIX Long-Term Care Reimbursement Plan.

44 (4) The agency shall develop systems for the application
45 and monitoring of the wage or benefit funds. The increase in
46 wages or benefits, or a combination thereof, shall be computed
47 by comparing the total of these wages and benefits to the total
48 wages and benefits paid during the period of July 1, 2002,
49 through June 30, 2003. The agency shall monitor future
50 compliance with this provision by a reconciliation of benefits
51 schedule to be submitted with all Medicaid cost reports ending
52 on or after July 31, 2003.

53 (5) Nursing homes which, as of the effective date of this
54 act, offer to all staff members health insurance benefits that
55 cover employees and dependents with an employer contribution of
56 at least 80 percent of the total premium costs shall be exempt



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57 from the provisions of this act. To qualify for this exemption,
58 nursing homes must continue to provide health insurance plans
59 that are substantially similar to the coverage in place on the
60 effective date of this act.

61 (6) The increase in wages or benefits, or a combination
62 thereof, shall become effective July 1, 2003, and shall not be
63 rescinded at any time by the nursing home operator, a future
64 operator, a management company, or a staff leasing entity. This
65 section does not require wage or benefit increases in addition
66 to those that take effect on July 1, 2003.

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