

Bill No. CS for SB 1226

Amendment No. ____ Barcode 952608

CHAMBER ACTION

Senate

House

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Senator Saunders moved the following amendment:

Senate Amendment (with title amendment)

On page 26, line 12, through
page 30, line 5, delete those lines

and insert:

Section 7. Subsection (1) of section 430.502, Florida
Statutes, is amended to read:

430.502 Alzheimer's disease; memory disorder clinics
and day care and respite care programs.--

(1) There is established:

(a) A memory disorder clinic at each of the three
medical schools in this state;

(b) A memory disorder clinic at a major private
nonprofit research-oriented teaching hospital, and may fund a
memory disorder clinic at any of the other affiliated teaching
hospitals;

(c) A memory disorder clinic at the Mayo Clinic in
Jacksonville;

(d) A memory disorder clinic at the West Florida

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1 Regional Medical Center;

2 (e) The East Central Florida Memory Disorder Clinic at
3 the Joint Center for Advanced Therapeutics and Biomedical
4 Research of the Florida Institute of Technology and Holmes
5 Regional Medical Center, Inc.;

6 (f) A memory disorder clinic at the Orlando Regional
7 Healthcare System, Inc.;

8 (g) A memory disorder center located in a public
9 hospital that is operated by an independent special hospital
10 taxing district that governs multiple hospitals and is located
11 in a county with a population greater than 800,000 persons;

12 (h) A memory disorder clinic at St. Mary's Medical
13 Center in Palm Beach County;

14 (i) A memory disorder clinic at Tallahassee Memorial
15 Healthcare;

16 (j) A memory disorder clinic at Lee Memorial Hospital
17 created by chapter 63-1552, Laws of Florida, as amended; ~~and~~

18 (k) A memory disorder clinic at Sarasota Memorial
19 Hospital in Sarasota County; ~~and,~~

20 (l) A memory disorder clinic at Morton Plant Hospital,
21 Clearwater, in Pinellas County,

22
23 for the purpose of conducting research and training in a
24 diagnostic and therapeutic setting for persons suffering from
25 Alzheimer's disease and related memory disorders. However,
26 memory disorder clinics funded as of June 30, 1995, shall not
27 receive decreased funding due solely to subsequent additions
28 of memory disorder clinics in this subsection.

29 Section 8. Subsection (2) of section 430.7031, Florida
30 Statutes, is amended to read:

31 430.7031 Nursing home transition program.--The

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1 department and the Agency for Health Care Administration:

2 (2) Shall collaboratively work to identify ~~long-stay~~
3 nursing home residents who are able to move to community
4 placements, and to provide case management and supportive
5 services to such individuals while they are in nursing homes
6 to assist such individuals in moving to less expensive and
7 less restrictive settings. CARES program staff shall annually
8 review at least 20 percent of the case files for nursing home
9 residents who are Medicaid recipients to determine which
10 nursing home residents are able to move to community
11 placements.

12 Section 9. Section 430.705, Florida Statutes, is
13 amended to read:

14 430.705 Implementation of the long-term care community
15 diversion pilot projects.--

16 (1) In designing and implementing the community
17 diversion pilot projects, the department shall work in
18 consultation with the agency.

19 (2) The department shall select projects whose design
20 and providers demonstrate capacity to maximize the placement
21 of participants in the least restrictive appropriate care
22 setting. The department shall select providers that have a
23 plan administrator who is dedicated to the diversion pilot
24 project and project staff who perform the necessary project
25 administrative functions, including data collection,
26 reporting, and analysis. The department shall select providers
27 that:

28 (a) Are determined by the Department of Financial
29 Services to:

30 1. Meet surplus requirements specified in s. 641.225;

31 2. Demonstrate the ability to comply with the

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1 standards for financial solvency specified in s. 641.285;

2 3. Demonstrate the ability to provide for the prompt
3 payment of claims as specified in s. 641.3155; and

4 4. Demonstrate the ability to provide technology with
5 the capability for data collection that meets the security
6 requirements of the federal Health Insurance Portability and
7 Accountability Act of 1996, 42 C.F.R. ss. 160 and 164.

8 (b) Demonstrate the ability to contract with multiple
9 providers that provide the same type of service.

10 (3) The agency shall seek federal waivers necessary to
11 place a cap on the number of diversion pilot project providers
12 in each geographic area.

13 (4) Pursuant to 42 C.F.R. s. 438.6(c), the agency, in
14 consultation with the department, shall annually reevaluate
15 and recertify the capitation rates for the diversion pilot
16 projects. The agency, in consultation with the department,
17 shall secure the utilization and cost data for Medicaid and
18 Medicare beneficiaries served by the program which shall be
19 used in developing rates for the diversion pilot projects.

20 (5) In order to achieve rapid enrollment into the
21 program and efficient diversion of applicants from nursing
22 home care, the department and the agency shall allow
23 enrollment of Medicaid beneficiaries on the date that
24 eligibility for the community diversion pilot project is
25 approved. The provider shall receive a prorated capitated rate
26 for those enrollees who are enrolled after the first of each
27 month.

28 (6)(3) The department shall provide to prospective
29 participants a choice of participating in a community
30 diversion pilot project or any other appropriate placement
31 available. To the extent possible, individuals shall be

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1 allowed to choose their care providers, including long-term
2 care service providers affiliated with an individual's
3 religious faith or denomination.

4 ~~(7)(4)~~ The department shall enroll participants.
5 Providers shall not directly enroll participants in community
6 diversion pilot projects.

7 ~~(5) In selecting the pilot project area, the~~
8 ~~department shall consider the following factors in the area:~~

9 ~~(a) The nursing home occupancy level.~~

10 ~~(b) The number of certificates of need awarded for~~
11 ~~nursing home beds for which renovation, expansion, or~~
12 ~~construction has not begun.~~

13 ~~(c) The annual number of additional nursing home beds.~~

14 ~~(d) The annual number of nursing home admissions.~~

15 ~~(e) The adequacy of community-based long-term care~~
16 ~~service providers.~~

17 ~~(8)(6)~~ The department may require participants to
18 contribute to their cost of care in an amount not to exceed
19 the cost-sharing required of Medicaid-eligible nursing home
20 residents.

21 ~~(9)(7)~~ Community diversion pilot projects must:

22 (a) Provide services for participants that are of
23 sufficient quality, quantity, type, and duration to prevent or
24 delay nursing facility placement.

25 (b) Integrate acute and long-term care services, and
26 the funding sources for such services, as feasible.

27 (c) Encourage individuals, families, and communities
28 to plan for their long-term care needs.

29 (d) Provide skilled and intermediate nursing facility
30 care for participants who cannot be adequately cared for in
31 noninstitutional settings.

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1 Section 10. Paragraph (b) of subsection (2) of section
2 1004.445, Florida Statutes, is amended to read:

3 1004.445 Florida Alzheimer's Center and Research
4 Institute.--

5 (2)

6 (b)1. The affairs of the not-for-profit corporation
7 shall be managed by a board of directors who shall serve
8 without compensation. The board of directors shall consist of
9 the President of the University of South Florida and the chair
10 of the State Board of Education, or their designees, 5
11 representatives of the state universities, and no fewer than 9
12 nor more than 14 representatives of the public who are neither
13 medical doctors nor state employees. Each director who is a
14 representative of a state university or of the public shall be
15 appointed to serve a term of 3 years. The chair of the board
16 of directors shall be selected by a majority vote of the
17 directors. Each director shall have only one vote.

18 2. The initial board of directors shall consist of the
19 President of the University of South Florida and the chair of
20 the State Board of Education, or their designees; the five
21 university representatives, of whom one shall be appointed by
22 the Governor, two by the President of the Senate, and two by
23 the Speaker of the House of Representatives; and nine public
24 representatives, of whom three shall be appointed by the
25 Governor, three by the President of the Senate, and three by
26 the Speaker of the House of Representatives.

27 3. Upon the expiration of the terms of the initial
28 appointed directors, all directors subject to 3-year terms of
29 office under this paragraph shall be appointed by a majority
30 vote of the directors. ~~and~~

31 4. The board may be expanded to include additional

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1 public representative directors up to the maximum number
2 allowed. Additional members may be added by a majority vote of
3 the directors.

4 5. Any vacancy in office shall be filled for the
5 remainder of the term by majority vote of the directors. Any
6 director may be reappointed.

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

10 And the title is amended as follows:

11 On page 2, line 20, through
12 page 3, line 7, delete those lines

13

14 and insert:

15 Legislature; amending s. 430.502, F.S.;
16 establishing a memory disorder clinic at a
17 hospital in Pinellas County; amending s.
18 430.7031, F.S.; requiring the department and
19 the agency to review the case files of a
20 specified percentage of Medicaid nursing home
21 residents annually for the purpose of
22 determining whether the residents are able to
23 move to community placements; amending s.
24 430.705, F.S.; providing additional eligibility
25 requirements for entities that provide services
26 under the long-term-care community diversion
27 pilot projects; requiring the annual evaluation
28 and certification of capitation rates;
29 providing additional requirements to be used in
30 developing capitation rates for the pilot
31 projects; amending s. 1004.445, F.S.; providing

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1 for appointment of additional members to the
2 board of the Florida Alzheimer's Center and
3 Research Institute; providing an effective
4 date.

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