

Bill No. SB 240

Barcode 100816

CHAMBER ACTION

Senate

House

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The Committee on Health Care (Pruitt) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (d) of subsection (2) of section 400.23, Florida Statutes, is amended to read:

400.23 Rules; evaluation and deficiencies; licensure status.--

(2) Pursuant to the intention of the Legislature, the agency, in consultation with the Department of Health and the Department of Elderly Affairs, shall adopt and enforce rules to implement this part, which shall include reasonable and fair criteria in relation to:

(d) The equipment essential to the health and welfare of the residents. This equipment must include an onsite emergency electrical system that is designed to provide the resident-occupied areas of the facility with sufficient electrical power to keep the facility within normal

Bill No. SB 240

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1 operational parameters for up to 72 hours when normal
 2 electrical service has been interrupted. The design,
 3 installation, and maintenance of the emergency electrical
 4 equipment must be in compliance with the Florida Building Code
 5 for nursing homes. Each nursing home licensed before July 1,
 6 2005, must be in compliance with the requirements of this
 7 paragraph by July 1, 2006.

8 Section 2. Companies that supply electrical power
 9 shall restore power to nursing home facilities as
 10 expeditiously as possible following a hurricane or other
 11 disaster that results in loss of power. If power is not
 12 restored in a timely manner, nursing homes shall be given
 13 priority over other facilities for generators provided by the
 14 state. The Division of Emergency Management and each affected
 15 county shall designate a local representative for nursing
 16 homes who shall serve as a liaison to nursing home facilities
 17 in the area affected by the hurricane or other disaster and
 18 monitor the status of residents in those facilities. If a
 19 nursing home facility has high-acuity residents who are
 20 dependent on electric-assistive devices or if the health and
 21 safety of the residents are threatened because of the lack of
 22 electrical power, the nursing home representative shall
 23 recommend to the local emergency operations center that the
 24 nursing home receive priority over other facilities for power
 25 restoration or generator power.

26 Section 3. If federal disaster funds are available to
 27 the state for purchasing generators, the state shall use the
 28 funds to purchase generators that can be loaned to nursing
 29 homes that lose electrical power during a hurricane or other
 30 disaster.

31 Section 4. The Medicaid rate for providers shall be

Bill No. SB 240

Barcode 100816

1 adjusted in order to allow reimbursement over a 5-year period
 2 for the Medicaid portion of the costs incurred to meet the
 3 requirements for emergency generators provided in section
 4 400.23(2)(d), Florida Statutes.

5 Section 5. This act shall take effect July 1, 2005.

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

9 And the title is amended as follows:

10 Delete everything before the enacting clause

11

12 and insert:

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A bill to be entitled

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An act relating to emergency electrical service
 in nursing home facilities; amending s. 400.23,
 F.S.; requiring that each nursing home have an
 emergency electrical system that is capable of
 providing electrical service for a specified
 period during an interruption of the normal
 electrical supply; providing requirements for
 priority in restoring electrical power to
 nursing homes; requiring that the state use
 federal disaster funds to purchase generators
 for use by nursing homes if such funds are
 available; requiring an adjustment of the
 Medicaid rate for the purpose of reimbursing
 nursing homes for the cost of acquiring
 emergency generators; providing an effective
 date.

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