

CHAMBER ACTION

1 The Domestic Security Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to nursing home facilities; creating s.
7 400.0627, F.S.; providing legislative intent; requiring
8 the Agency for Health Care Administration to implement a
9 pilot program to increase the emergency electrical power
10 capacity of nursing home facilities; providing criteria
11 for participation in the program; providing conditions for
12 reimbursement of participating facilities; permitting
13 inspections of certain facilities by the agency; requiring
14 facilities to comply with current codes and standards when
15 modifying emergency electrical power systems; authorizing
16 the agency to adopt rules; providing an effective date.

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

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20 Section 1. Section 400.0627, Florida Statutes, is created
21 to read:

22 400.0627 Emergency electrical power system capacity.--

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23 (1) It is the intent of the Legislature that each nursing
24 home facility in this state be encouraged to have an emergency
25 electrical power system capacity that is sufficient to remain
26 fully operational during and after an emergency in order to
27 maintain the safety and health of the residents of the nursing
28 home facility and, if necessary, to provide care to residents
29 evacuated from other nursing home facilities.

30 (2) By July 1, 2006, the Agency for Health Care
31 Administration shall commence implementation of a 2-year pilot
32 program to provide the capability for increasing the capacity of
33 emergency electrical power systems of nursing home facilities.
34 To participate in the pilot program a nursing home facility
35 must:

36 (a) Be located in Broward County, Collier County, Dade
37 County, Monroe County, or Palm Beach County;

38 (b) Not be located within a hurricane evacuation zone;

39 (c) Not have been cited for a class I deficiency within
40 the 30 months preceding the commencement date of implementation
41 of the pilot program;

42 (d) Be capable of accepting and agree to accept at least
43 30 residents who are transferred from other nursing home
44 facilities pursuant to applicable life safety and firesafety
45 laws as determined by the agency. During any such evacuation,
46 the facility from which the residents are transferred shall
47 provide the receiving facility with the staff required to care
48 for the transferred residents; and

49 (e) Have a contract with a company that is able to supply
50 an electrical generator when needed.

51 (3) (a) A nursing home facility must notify the agency if
52 it seeks to participate in the pilot program. If a facility
53 providing such a notice meets the criteria in subsection (2) and
54 funds are available as specified in paragraph (b), the agency
55 shall reimburse the facility for one-half the cost up to \$15,000
56 of the contract described in paragraph (2) (e) to secure an
57 electrical generator within the 2-year duration of the pilot
58 program. The agency shall also reimburse the facility for the
59 cost incurred to install a permanent, predesigned electrical
60 service entry that will allow a quick connection to a temporary
61 electrical generator. The connection must be installed inside a
62 permanent metal enclosure that is rated as suitable for the
63 purpose of providing such an entry, may be located on the
64 exterior of the building, and must be adequate to allow the
65 operation of the facility under normal conditions. Before any
66 such reimbursement, the facility must provide the agency with
67 documentation that the installation is complete and the
68 electrical work associated with the installation was performed
69 by a certified electrical contractor.

70 (b) Reimbursement to a facility under paragraph (a) is
71 available to the extent that funds are appropriated for each of
72 the 2 years of the pilot program. Funds shall be provided to
73 eligible facilities on a first-come, first-served basis.

74 (c) Subject to appropriation, the agency shall reimburse
75 the facility for the cost of the predesigned electrical service
76 entry that allows a quick connection to a temporary electrical
77 generator based on the lowest of three bids secured by the

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78 | facility. Each facility must submit copies of the three bids to
79 | the agency with its request for plan approval.

80 | (4) A nursing home facility that participates and is
81 | reimbursed for an installation under the pilot program shall
82 | ensure the proper safekeeping and maintenance of the
83 | installation and allow the agency access as needed to inspect
84 | the installation.

85 | (5) This section does not require a nursing home facility
86 | to participate in the pilot program or to modify the capacity of
87 | its existing emergency electrical power system. However, if the
88 | existing emergency electrical power system of a nursing home
89 | facility is modified as part of an installation for which
90 | reimbursement is provided under subsection (3), such system must
91 | comply with all current codes and standards.

92 | (6) The agency may adopt rules pursuant to ss. 120.536 and
93 | 120.54 to implement the provisions of this section.

94 | Section 2. This act shall take effect upon becoming a law.