

CHAMBER ACTION

1 The Health & Families Council recommends the following:

2
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; requiring the agency to prepare
17 a reimbursement plan; requiring the plan to be presented
18 to the Legislature; providing an effective date.

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

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22 Section 1. Section 400.0627, Florida Statutes, is created
23 to read:

HB 645 CS

2006
CS

24 | 400.0627 Emergency electrical power system capacity.--

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

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

38 | (a) Be located in Bay County, Broward County, Collier
39 | County, Miami-Dade County, Escambia County, Monroe County,
40 | Okaloosa County, Palm Beach County, Santa Rosa County, or Walton
41 | County;

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

43 | (c) Not have been cited for a class I deficiency within
44 | the 30 months preceding the commencement date of implementation
45 | of the pilot program;

46 | (d) Be capable of accepting and agree to accept at least
47 | 30 residents who are transferred from other nursing home
48 | facilities pursuant to applicable life safety and firesafety
49 | laws as determined by the agency. During any such evacuation,
50 | the facility from which the residents are transferred shall

51 provide the receiving facility with the staff required to care
52 for the transferred residents; and

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

55 (3) (a) A nursing home facility must notify the agency if
56 it seeks to participate in the pilot program. If a facility
57 providing such a notice meets the criteria in subsection (2) and
58 funds are available as specified in paragraph (b), the agency
59 shall reimburse the facility for up to one-half the cost of the
60 contract described in paragraph (2) (e) to secure an electrical
61 generator, which reimbursement shall not exceed \$7,500 for each
62 year of the 2-year pilot program. The agency shall also
63 reimburse the facility for the cost incurred to install a
64 permanent, predesigned electrical service entry that will allow
65 a quick connection to a temporary electrical generator. The
66 connection must be installed inside a permanent metal enclosure
67 that is rated as suitable for the purpose of providing such an
68 entry, may be located on the exterior of the building, and must
69 be adequate to allow the operation of the facility under normal
70 conditions. Before any such reimbursement, the facility must
71 provide the agency with documentation that the installation is
72 complete and the electrical work associated with the
73 installation was performed by a certified electrical contractor.

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

78 (c) Subject to appropriation, the agency shall reimburse
79 the facility for the cost of the predesigned electrical service
80 entry that allows a quick connection to a temporary electrical
81 generator based on the lowest of three bids secured by the
82 facility. Each facility must submit copies of the three bids to
83 the agency with its request for plan approval.

84 (4) A nursing home facility that participates and is
85 reimbursed for an installation under the pilot program shall
86 ensure the proper safekeeping and maintenance of the
87 installation and allow the agency access as needed to inspect
88 the installation.

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

96 (6) The agency may adopt rules pursuant to ss. 120.536 and
97 120.54 to implement the provisions of this section.

98 (7) The agency is directed to develop a reimbursement plan
99 to maximize federal funding in order to expand the pilot
100 program. The plan shall include criteria for expansion to other
101 counties and shall take into account the experiences of the
102 participants in the pilot program. The plan shall be presented
103 to the President of the Senate and the Speaker of the House of
104 Representatives by December 31, 2006.

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