

By Senator Margolis

35-256-07

See HB

1 A bill to be entitled

2 An act relating to nursing home facilities;

3 creating s. 400.0627, F.S.; providing

4 legislative intent; requiring the Agency for

5 Health Care Administration to implement a pilot

6 program to increase the emergency electrical

7 power capacity of nursing home facilities;

8 providing criteria for participation in the

9 program; providing conditions for reimbursement

10 of participating facilities; permitting

11 inspections of certain facilities by the

12 agency; requiring facilities to comply with

13 current codes and standards when modifying

14 emergency electrical power systems; authorizing

15 the agency to adopt rules; requiring the agency

16 to prepare a reimbursement plan; requiring the

17 plan to be presented to the Legislature;

18 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

23 created to read:

24 400.0627 Emergency electrical power system capacity.--

25 (1) It is the intent of the Legislature that each

26 nursing home facility in this state be encouraged to have an

27 emergency electrical power system capacity that is sufficient

28 to remain fully operational during and after an emergency in

29 order to maintain the safety and health of the residents of

30 the nursing home facility and, if necessary, to provide care

31 to residents evacuated from other nursing home facilities.

1 (2) By July 1, 2007, the Agency for Health Care
2 Administration shall commence implementation of a 2-year pilot
3 program to provide the capability for increasing the capacity
4 of emergency electrical power systems of nursing home
5 facilities. To participate in the pilot program, a nursing
6 home facility shall:

7 (a) Be located in Bay County, Broward County, Collier
8 County, Miami-Dade County, Escambia County, Monroe County,
9 Okaloosa County, Palm Beach County, Santa Rosa County, or
10 Walton County.

11 (b) Not be located within a hurricane evacuation zone.

12 (c) Not have been cited for a class I deficiency
13 within the 30 months preceding the commencement date of
14 implementation of the pilot program.

15 (d) Be capable of accepting and agree to accept at
16 least 30 residents who are transferred from other nursing home
17 facilities pursuant to applicable life safety and firesafety
18 laws as determined by the agency. During any such evacuation,
19 the facility from which the residents are transferred shall
20 provide the receiving facility with the staff required to care
21 for the transferred residents.

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

24 (3)(a) A nursing home facility shall notify the agency
25 if it seeks to participate in the pilot program. If a facility
26 providing such a notice meets the criteria in subsection (2)
27 and funds are available as specified in paragraph (b), the
28 agency shall reimburse the facility for up to one-half the
29 cost of the contract described in paragraph (2)(e) to secure
30 an electrical generator, which reimbursement shall not exceed
31 \$7,500 for each year of the 2-year pilot program. The agency

1 shall also reimburse the facility for the cost incurred to
2 install a permanent, predesigned electrical service entry that
3 allows a quick connection to a temporary electrical generator.
4 The connection shall be installed inside a permanent metal
5 enclosure that is rated as suitable for the purpose of
6 providing such an entry, may be located on the exterior of the
7 building, and shall be adequate to allow the operation of the
8 facility under normal conditions. Before any such
9 reimbursement, the facility shall provide the agency with
10 documentation that the installation is complete and the
11 electrical work associated with the installation was performed
12 by a certified electrical contractor.

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

17 (c) Subject to appropriation, the agency shall
18 reimburse the facility for the cost of the predesigned
19 electrical service entry that allows a quick connection to a
20 temporary electrical generator based on the lowest of three
21 bids secured by the facility. Each facility shall submit
22 copies of the three bids to the agency with its request for
23 plan approval.

24 (4) A nursing home facility that participates and is
25 reimbursed for an installation under the pilot program shall
26 ensure the proper safekeeping and maintenance of the
27 installation and allow the agency access as needed to inspect
28 the installation.

29 (5) This section does not require a nursing home
30 facility to participate in the pilot program or to modify the
31 capacity of its existing emergency electrical power system.

1 However, if the existing emergency electrical power system of
2 a nursing home facility is modified as part of an installation
3 for which reimbursement is provided under subsection (3), such
4 system shall comply with all current codes and standards.

5 (6) The agency may adopt rules pursuant to ss.
6 120.536(1) and 120.54 to implement the provisions of this
7 section conferring duties upon it.

8 (7) The agency shall develop a reimbursement plan to
9 maximize federal funding in order to expand the pilot program.
10 The plan must include criteria for expansion to other counties
11 and take into account the experiences of the participants in
12 the pilot program. The plan shall be presented to the
13 President of the Senate and the Speaker of the House of
14 Representatives by December 31, 2007.

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

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