



815878

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/19/2008	.	
	.	
	.	

1 The Committee on Health Regulation (Alexander) recommended the
2 following **amendment to amendment (754484)** :

3
4 **Senate Amendment**

5 Delete line(s) 990-1031

6 and insert:

7 (k) At least 45 days' written notice of relocation or
8 termination of residency from the facility unless, for medical
9 reasons, the resident is certified by a physician to require an
10 emergency relocation to a facility providing a more skilled level
11 of care or the resident engages in a pattern of conduct that is
12 harmful or offensive to other residents. The notice must specify
13 the reasons for the relocation or termination and a copy of the
14 notice must be sent by registered mail to the resident's
15 representative or designee, guardian, surrogate, or attorney in
16 fact at the same time the notice is mailed to the resident.

17 Notice must also be sent by regular mail, facsimile, or e-mail to



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18 the State Long-Term Care Ombudsman Program within 5 business days
19 after being mailed to the resident. The ombudsman program shall
20 incorporate the information received in their annual report,
21 including the number and reasons for relocation or termination of
22 facility residents, type and size of facilities, and other
23 relevant information, which shall be submitted to the Governor,
24 the President of the Senate, and the Speaker of the House of
25 Representatives. In the case of a resident who has been
26 adjudicated mentally incapacitated, the guardian shall be given
27 at least 45 days' notice of a nonemergency relocation or
28 residency termination. Reasons for relocation shall be set forth
29 in writing. In order for a facility to terminate the residency of
30 an individual without notice as provided in this paragraph
31 herein, the facility must shall show good cause in a court of
32 competent jurisdiction.

33 (1) Present grievances and recommend changes in policies,
34 procedures, and services to the staff of the facility, governing
35 officials, or any other person without restraint, interference,
36 coercion, discrimination, or reprisal. Each facility shall
37 establish a written grievance procedure to facilitate the
38 residents' exercise of this right which must include, at a
39 minimum, maintaining a written record of each grievance, the
40 stated reason for the grievance, actions taken by the facility,
41 and reporting of grievances. Each facility shall transmit a copy
42 of the written record on a weekly basis to the local ombudsman
43 council by regular mail, facsimile, or e-mail. Each facility must
44 accept grievances orally and may accept grievances in writing.
45 The local ombudsman council shall maintain a record of all
46 grievances received from each facility in the local area which
47 shall be submitted by the local council to the Office of State



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48 | Long-Term Care Ombudsman pursuant to s. 400.0089. This right also
49 | includes access to ombudsman volunteers and advocates and the
50 | right to be a member of, to be active in, and to associate with
51 | advocacy or special interest groups.