

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative R. Garcia offered the following:

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3 **Amendment (with directory and title amendments)**

4 Between lines 445 and 446, insert:

5 (16) (a) The agency may deny, suspend, or revoke the
6 license of a nurse registry and shall impose a fine of \$5,000
7 against a nurse registry that:

8 1. Provides services to residents in an assisted living
9 facility for which the nurse registry does not receive fair
10 market value remuneration;

11 2. Provides staffing to an assisted living facility for
12 which the nurse registry does not receive fair market value
13 remuneration;

14 3. Fails to provide the agency, upon request, with copies
15 of all contracts with assisted living facilities which were
16 executed within the last 5 years;

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17 4. Gives remuneration to a case manager, discharge
18 planner, facility-based staff member, or third-party vendor who
19 is involved in the discharge-planning process of a facility
20 licensed under chapter 395 or this chapter and from whom the
21 nurse registry receives referrals; or

22 5. Gives remuneration to a physician, a member of the
23 physician's office staff, or an immediate family member of the
24 physician, and the nurse registry received a patient referral in
25 the last 12 months from that physician or the physician's office
26 staff.

27 (b) The agency shall also impose an administrative fine of
28 \$15,000 if the nurse registry refers nurses, certified nursing
29 assistants, home health aides, or other staff without charge to
30 a facility licensed under chapter 429 in return for patient
31 referrals from the facility.

32 (c) The proceeds of all fines collected under this
33 subsection shall be deposited into the Health Care Trust Fund.

34 Section 11. Subsection (4) is added to section 400.518,
35 Florida Statutes, to read:

36 400.518 Prohibited referrals to home health agencies.--

37 (4) The agency shall impose an administrative fine of
38 \$15,000 if a home health agency provides nurses, certified
39 nursing assistants, home health aides, or other staff without
40 charge to a facility licensed under chapter 429 in return for
41 patient referrals from the facility. The proceeds of such fines
42 shall be deposited into the Health Care Trust Fund.

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D I R E C T O R Y A M E N D M E N T

Remove lines 427-428 and insert:

Section 10. Subsection (16) of section 400.506, Florida Statutes, is renumbered as subsection (17), paragraph (a) of subsection (6) is amended, and subsection (16) is added to that section, to read:

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

Remove line 56 and insert:

referred for contract by a nurse registry; authorizing the agency to impose penalties on nurse registries under specified conditions; authorizing the agency to impose an administrative fine under certain circumstances; providing for proceeds from fines to be deposited in the Health Care Trust Fund; amending s. 400.518, F.S.; authorizing the agency to impose an administrative fine under certain circumstances; amending s.