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LEGISLATIVE ACTION

Senate

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House

The Committee on Health and Human Services Appropriations (Rich) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 400.510, Florida Statutes, is created to
read:

400.510 Client notice.-

(1) Each nurse registry licensed under s. 400.506 and each
organization registered under s. 400.509 must provide to each
patient or client the following notice that identifies:

(a) The nurse registry or organization as the referring
entity or employer, joint employer, or leasing employer of the



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13 person providing the services; and

14 (b) With respect to the person providing the services, who
15 is responsible for:

16 1. Daily supervision of the person;

17 2. Assigning duties to the person;

18 3. Hiring, firing, and disciplining the person;

19 4. Providing equipment or materials for use by the person;

20 5. Checking the person's references; and

21 6. Withholding the person's social security taxes.

22 (2) Each organization registered under s. 400.509 must
23 include in the notice required by subsection 1 the following
24 language in bold, capitalized letters in at least 12-point type:

25
26 PLEASE READ CAREFULLY:

27 THIS ORGANIZATION IS A COMPANION SITTER/HOMEMAKER

28 SERVICE THAT IS REGISTERED, BUT NOT LICENSED BY THE

29 FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION.

30 ACCORDINGLY, IT IS NOT AUTHORIZED TO PROVIDE YOU WITH

31 ANY PERSONAL OR HANDS-ON CARE, INCLUDING ASSISTANCE

32 WITH BATHING, FEEDING, DRESSING, TOILETING,

33 MEDICATION, OR GETTING IN OR OUT OF BED.

34
35 (3) The notice must be signed by the patient, the client,
36 or the legal representative of the patient or client no later
37 than the date the contract for health care services is executed
38 and must be retained by the nurse registry or organization at
39 its office for at least 3 years after the termination of the
40 contract with the patient or client.

41 (4) Notice is not required when the person providing the



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42 services is temporarily substituting for the patient's or
43 client's regular service worker.

44 (5) The consumer notice shall be on a form developed by the
45 agency.

46 Section 2. This act shall take effect July 1, 2009.

47
48 ===== T I T L E A M E N D M E N T =====

49 And the title is amended as follows:

50 Delete everything before the enacting clause
51 and insert:

52 A bill to be entitled
53 An act relating to homemaker services; creating s.
54 400.510, F.S.; requiring each nurse registry and each
55 organization that provides companion services or
56 homemaker services to provide a notice to each patient
57 or client; providing the information to be included in
58 the notice; requiring the notice to be signed by
59 certain persons; providing circumstances when notice
60 is not required; providing that the notice be on a
61 form developed by the Agency for Health Care
62 Administration; providing an effective date.