

By Senator Lynn

7-00833-09

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1 A bill to be entitled
2 An act relating to nurse registries and companion-
3 homemaker organizations; creating s. 400.510, F.S.;
4 requiring nurse registries and organizations that
5 provide companion or homemaker services to provide
6 notice to patients or clients contracting with the
7 registry or organization; specifying the contents of
8 the notice; requiring the notice to be kept for 3
9 years; providing an exception; requiring the Agency
10 for Health Care Administration to develop a form for
11 the notice; providing an effective date.

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

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

17 400.510 Client notice.-

18 (1) Each nurse registry licensed under s. 400.506 and each
19 organization registered under s. 400.509 must provide to each
20 patient or client who contracts with the nurse registry or
21 organization for the referral of persons who provide, or for the
22 provision of, nursing, certified nursing assistant, home health
23 aide, companion, or homemaker services the following notice that
24 identifies:

25 (a) The nurse registry or organization as the referring
26 entity or employer, joint employer, or leasing employer of the
27 person providing the services; and

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

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- 30 1. The day-to-day supervision of the person;
31 2. Assigning duties to the person;
32 3. Hiring, firing, and disciplining the person;
33 4. Providing equipment or materials for use by the person;
34 5. Checking the person's references; and
35 6. Withholding the person's social security taxes.
- 36 (2) The notice must be signed by the patient or client, a
37 copy provided to the patient or client, and the signed original
38 retained by the nurse registry or organization at its office for
39 at least 3 years after the termination of the contract with the
40 patient or client.
- 41 (3) Notice is not required when the person providing the
42 services is temporarily substituting for the patient's or
43 client's regular service worker.
- 44 (4) The consumer notice shall be on a form developed by the
45 agency.
- 46 Section 2. This act shall take effect July 1, 2009.