

By the Committee on Health Regulation; and Senator Lynn

588-03427-09

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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; specifying the contents
7 of the notice; requiring the notice to be kept for a
8 specified number of years; providing an exception;
9 requiring the Agency for Health Care Administration to
10 develop a form for the notice; providing an effective
11 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 the following notice that identifies:

21 (a) The nurse registry or organization as the referring
22 entity or employer, joint employer, or leasing employer of the
23 person providing the services; and

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

26 1. Daily supervision of the person;

27 2. Assigning duties to the person;

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

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

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30 5. Checking the person's references; and

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

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

38 (3) Notice is not required when the person providing the
39 services is temporarily substituting for the patient's or
40 client's regular service worker.

41 (4) The consumer notice shall be on a form developed by the
42 agency.

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