



158306

LEGISLATIVE ACTION

Senate

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House

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Floor: 1b/AD/2R

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04/23/2009 05:18 PM

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Senator Gaetz moved the following:

1 **Senate Amendment to Amendment (868070) (with title**
2 **amendment)**

3
4 Between lines 177 and 178
5 insert:

6 Section 6. Paragraph (a) of subsection (15) of section
7 400.506, Florida Statutes, is amended to read:

8 400.506 Licensure of nurse registries; requirements;
9 penalties.—

10 (15) (a) The agency may deny, suspend, or revoke the license
11 of a nurse registry and shall impose a fine of \$5,000 against a
12 nurse registry that:



158306

- 13 1. Provides services to residents in an assisted living
14 facility for which the nurse registry does not receive fair
15 market value remuneration.
- 16 2. Provides staffing to an assisted living facility for
17 which the nurse registry does not receive fair market value
18 remuneration.
- 19 3. Fails to provide the agency, upon request, with copies
20 of all contracts with assisted living facilities which were
21 executed within the last 5 years.
- 22 4. Gives remuneration to a case manager, discharge planner,
23 facility-based staff member, or third-party vendor who is
24 involved in the discharge planning process of a facility
25 licensed under chapter 395 or this chapter and from whom the
26 nurse registry receives referrals. A nurse registry is exempt
27 from this subparagraph if it does not bill the Florida Medicaid
28 program or the Medicare program or share a controlling interest
29 with any entity licensed, registered, or certified under part II
30 of chapter 408 that bills the Florida Medicaid program or the
31 Medicare program.
- 32 5. Gives remuneration to a physician, a member of the
33 physician's office staff, or an immediate family member of the
34 physician, and the nurse registry received a patient referral in
35 the last 12 months from that physician or the physician's office
36 staff. A nurse registry is exempt from this subparagraph if it
37 does not bill the Florida Medicaid program or the Medicare
38 program or share a controlling interest with any entity
39 licensed, registered, or certified under part II of chapter 408
40 that bills the Florida Medicaid program or the Medicare program.
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158306

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

43 And the title is amended as follows:

44 Delete line 426

45 and insert:

46 payment practices; exempting nurse registries that meet certain

47 conditions from a prohibition; creating s. 408.8065, F.S.;

48 providing