



514458

LEGISLATIVE ACTION

Senate	.	House
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Senator Gaetz moved the following:

Senate Amendment (with title amendment)

Delete lines 2589 - 3633

and insert:

Section 40. Subsections (1) and (3) of section 430.80, Florida Statutes, are amended to read:

430.80 Implementation of a teaching nursing home pilot project.—

(1) As used in this section, the term "teaching nursing home" means a nursing home facility licensed under chapter 400 which contains a minimum of 275 ~~400~~ licensed nursing home beds; has access to a resident senior population of sufficient size to support education, training, and research relating to geriatric



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14 care; and has a contractual relationship with a federally funded
15 accredited geriatric research center in this state or operates
16 in its own right a geriatric research center.

17 (3) To be designated as a teaching nursing home, a nursing
18 home licensee must, at a minimum:

19 (a) Provide a comprehensive program of integrated senior
20 services that include institutional services and community-based
21 services;

22 (b) Participate in a nationally recognized accreditation
23 program and hold a valid accreditation, such as the
24 accreditation awarded by the Joint Commission on Accreditation
25 of Healthcare Organizations, or possess a Gold Seal Award as
26 conferred by the state of Florida on its licensed nursing home;

27 (c) Have been in business in this state for a minimum of 10
28 consecutive years;

29 (d) Demonstrate an active program in multidisciplinary
30 education and research that relates to gerontology;

31 (e) Have a formalized contractual relationship with at
32 least one accredited health profession education program located
33 in this state;

34 ~~(f) Have a formalized contractual relationship with an~~
35 ~~accredited hospital that is designated by law as a teaching~~
36 ~~hospital; and~~

37 (f)(g) Have senior staff members who hold formal faculty
38 appointments at universities, which must include at least one
39 accredited health profession education program; and-

40 (g)(h) Maintain insurance coverage pursuant to s.
41 400.141(1)(s) ~~s. 400.141(20)~~ or proof of financial
42 responsibility in a minimum amount of \$750,000. Such proof of



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43 financial responsibility may include:

44 1. Maintaining an escrow account consisting of cash or
45 assets eligible for deposit in accordance with s. 625.52; or

46 2. Obtaining and maintaining pursuant to chapter 675 an
47 unexpired, irrevocable, nontransferable and nonassignable letter
48 of credit issued by any bank or savings association organized
49 and existing under the laws of this state or any bank or savings
50 association organized under the laws of the United States that
51 has its principal place of business in this state or has a
52 branch office which is authorized to receive deposits in this
53 state. The letter of credit shall be used to satisfy the
54 obligation of the facility to the claimant upon presentment of a
55 final judgment indicating liability and awarding damages to be
56 paid by the facility or upon presentment of a settlement
57 agreement signed by all parties to the agreement when such final
58 judgment or settlement is a result of a liability claim against
59 the facility.

60 Section 41. Subsection (1) of section 651.105, Florida
61 Statutes, is amended to read:

62 651.105 Examination and inspections.—

63 (1) The office may at any time, and shall at least once
64 every 5 ~~3~~ years, examine the business of any applicant for a
65 certificate of authority and any provider engaged in the
66 execution of care contracts or engaged in the performance of
67 obligations under such contracts, in the same manner as is
68 provided for examination of insurance companies pursuant to s.
69 624.316. Such examinations shall be made by a representative or
70 examiner designated by the office, whose compensation will be
71 fixed by the office pursuant to s. 624.320. Routine examinations



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72 may be made by having the necessary documents submitted to the
73 office; and, for this purpose, financial documents and records
74 conforming to commonly accepted accounting principles and
75 practices, as required under s. 651.026, will be deemed
76 adequate. The final written report of each such examination
77 shall be filed with the office and, when so filed, will
78 constitute a public record. Any provider being examined shall,
79 upon request, give reasonable and timely access to all of its
80 records. The representative or examiner designated by the office
81 may at any time examine the records and affairs and inspect the
82 physical property of any provider, whether in connection with a
83 formal examination or not.

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

87 And the title is amended as follows:

88 Delete lines 193 - 303

89 and insert:

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91 430.80, F.S.; revising the term "teaching nursing home" as
92 it relates to the implementation of a teaching nursing home
93 pilot project; revising the requirements to be designated as a
94 teaching nursing home; conforming a cross-reference; amending s.
95 651.105, F.S.; revising the time period in which the Office of
96 Insurance Regulation is required to examine the business of an
97 applicant for a certificate of authority and a provider engaged
98 in the execution of continuing care contracts; providing an
99 effective date.