

By the Committee on Higher Education; and Senator Aronberg

589-04416-10

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1 A bill to be entitled

2 An act relating to teaching nursing homes; amending s.  
3 430.80, F.S.; revising the term "teaching nursing  
4 home" as it relates to the implementation of a  
5 teaching nursing home pilot project; revising the  
6 requirements to be designated as a teaching nursing  
7 home; amending s. 400.141, F.S.; conforming a cross-  
8 reference; providing an effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. Subsections (1) and (3) of section 430.80,  
13 Florida Statutes, are amended to read:

14 430.80 Implementation of a teaching nursing home pilot  
15 project.-

16 (1) As used in this section, the term "teaching nursing  
17 home" means a nursing home facility licensed under chapter 400  
18 which contains a minimum of 170 ~~400~~ licensed nursing home beds;  
19 has access to a resident senior population of sufficient size to  
20 support education, training, and research relating to geriatric  
21 care; and has a contractual relationship with a federally funded  
22 accredited geriatric research center in this state.

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

25 (a) Provide a comprehensive program of integrated senior  
26 services that include institutional services and community-based  
27 services;

28 (b) Participate in a nationally recognized accreditation  
29 program and hold a valid accreditation, such as the

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30 accreditation awarded by the Joint Commission on Accreditation  
31 of Healthcare Organizations, or, at the time of initial  
32 designation, possess a Gold Seal Award as conferred by the state  
33 on its licensed nursing home;

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

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

38 (e) Have a formalized contractual relationship with at  
39 least one accredited health profession education program located  
40 in this state;

41 ~~(f) Have a formalized contractual relationship with an~~  
42 ~~accredited hospital that is designated by law as a teaching~~  
43 ~~hospital; and~~

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

47 (g)(h) Maintain insurance coverage pursuant to s.  
48 400.141(1)(s) or proof of financial responsibility in a minimum  
49 amount of \$750,000. Such proof of financial responsibility may  
50 include:

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

53 2. Obtaining and maintaining pursuant to chapter 675 an  
54 unexpired, irrevocable, nontransferable and nonassignable letter  
55 of credit issued by any bank or savings association organized  
56 and existing under the laws of this state or any bank or savings  
57 association organized under the laws of the United States that  
58 has its principal place of business in this state or has a

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59 branch office which is authorized to receive deposits in this  
60 state. The letter of credit shall be used to satisfy the  
61 obligation of the facility to the claimant upon presentment of a  
62 final judgment indicating liability and awarding damages to be  
63 paid by the facility or upon presentment of a settlement  
64 agreement signed by all parties to the agreement when such final  
65 judgment or settlement is a result of a liability claim against  
66 the facility.

67 Section 2. Paragraph (s) of subsection (1) of section  
68 400.141, Florida Statutes, is amended to read:

69 400.141 Administration and management of nursing home  
70 facilities.—

71 (1) Every licensed facility shall comply with all  
72 applicable standards and rules of the agency and shall:

73 (s) Maintain general and professional liability insurance  
74 coverage that is in force at all times. In lieu of general and  
75 professional liability insurance coverage, a state-designated  
76 teaching nursing home and its affiliated assisted living  
77 facilities created under s. 430.80 may demonstrate proof of  
78 financial responsibility as provided in s. 430.80(3) (g) ~~(h)~~.

79 Section 3. This act shall take effect July 1, 2010.