



570218

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/22/2011	.	
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The Committee on Health Regulation (Latvala) recommended the following:

Senate Amendment (with title amendment)

Between lines 1344 and 1345
insert:

Section 36. Subsection (1) of section 400.509, Florida Statutes, is amended to read:

400.509 Registration of particular service providers exempt from licensure; certificate of registration; regulation of registrants.—

(1) Any organization that provides companion services or homemaker services and does not provide a home health service to a person is exempt from licensure under this part. However, any



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13 organization that provides companion services or homemaker
14 services must register with the agency. Organizations that
15 provide companion services only for persons with developmental
16 disabilities, as defined in s. 393.063, under contract with the
17 Agency for Persons with Disabilities, are exempt from
18 registration with the agency.

19 Section 37. For the purpose of incorporating the amendment
20 made by this act to section 400.509, Florida Statutes, in a
21 reference thereto, paragraph (b) of subsection (5) of section
22 400.464, Florida Statutes, is reenacted to read:

23 400.464 Home health agencies to be licensed; expiration of
24 license; exemptions; unlawful acts; penalties.-

25 (5) The following are exempt from the licensure
26 requirements of this part:

27 (b) Home health services provided by a state agency, either
28 directly or through a contractor with:

29 1. The Department of Elderly Affairs.

30 2. The Department of Health, a community health center, or
31 a rural health network that furnishes home visits for the
32 purpose of providing environmental assessments, case management,
33 health education, personal care services, family planning, or
34 followup treatment, or for the purpose of monitoring and
35 tracking disease.

36 3. Services provided to persons with developmental
37 disabilities, as defined in s. 393.063.

38 4. Companion and sitter organizations that were registered
39 under s. 400.509(1) on January 1, 1999, and were authorized to
40 provide personal services under a developmental services
41 provider certificate on January 1, 1999, may continue to provide



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42 such services to past, present, and future clients of the
43 organization who need such services, notwithstanding the
44 provisions of this act.

45 5. The Department of Children and Family Services.

46 Section 38. For the purpose of incorporating the amendment
47 made by this act to section 400.509, Florida Statutes, in a
48 reference thereto, paragraph (a) of subsection (6) of section
49 400.506, Florida Statutes, is reenacted to read:

50 400.506 Licensure of nurse registries; requirements;
51 penalties.—

52 (6) (a) A nurse registry may refer for contract in private
53 residences registered nurses and licensed practical nurses
54 registered and licensed under part I of chapter 464, certified
55 nursing assistants certified under part II of chapter 464, home
56 health aides who present documented proof of successful
57 completion of the training required by rule of the agency, and
58 companions or homemakers for the purposes of providing those
59 services authorized under s. 400.509(1). A licensed nurse
60 registry shall ensure that each certified nursing assistant
61 referred for contract by the nurse registry and each home health
62 aide referred for contract by the nurse registry is adequately
63 trained to perform the tasks of a home health aide in the home
64 setting. Each person referred by a nurse registry must provide
65 current documentation that he or she is free from communicable
66 diseases.

67
68 ===== T I T L E A M E N D M E N T =====

69 And the title is amended as follows:

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71 Delete line 108

72 and insert:

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74 schedule of home health agency inspection violations;
75 amending s. 400.509, F.S.; providing that
76 organizations that provide companion services only to
77 persons with developmental disabilities, under
78 contract with the Agency for Persons with
79 Disabilities, are exempt from registration with the
80 Agency for Health Care Administration; reenacting ss.
81 400.464(5)(b) and 400.506(6)(a), F.S., relating to
82 home health agencies and licensure of nurse
83 registries, respectively, to incorporate the amendment
84 made to s. 400.509, F.S., in references thereto;