



770156

LEGISLATIVE ACTION

Senate

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House

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The Committee on Budget (Flores) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 3561 and 3562

insert:

Section 88. Section 430.81, Florida Statutes, is created to read:

430.81 Implementation of a teaching agency for home and community-based care.-

(1) As used in this section, the term "teaching agency for home and community-based care" means a home health agency that is licensed under part III of chapter 400 and has access to a resident population of sufficient size to support education, training, and research relating to geriatric care.



770156

14           (2) The Department of Elderly Affairs may designate a home  
15 health agency as a teaching agency for home and community-based  
16 care if the home health agency:

17           (a) Has been a not-for-profit, designated community care  
18 for the elderly lead agency for home and community-based  
19 services for more than 10 consecutive years.

20           (b) Participates in a nationally recognized accreditation  
21 program and holds a valid accreditation, such as the  
22 accreditation awarded by the Community Health Accreditation  
23 Program.

24           (c) Has been in business in this state for a minimum of 20  
25 consecutive years.

26           (d) Demonstrates an active program in multidisciplinary  
27 education and research that relates to gerontology.

28           (e) Has a formalized affiliation agreement with at least  
29 one established academic research university that has a  
30 nationally accredited health professions program in this state.

31           (f) Has salaried academic faculty from a nationally  
32 accredited health professions program.

33           (g) Is a Medicare- and Medicaid-certified home health  
34 agency that has participated in the nursing home diversion  
35 program for a minimum of 5 consecutive years.

36           (h) Maintains insurance coverage pursuant to s.  
37 400.141(1)(s) or proof of financial responsibility in a minimum  
38 amount of \$750,000. Such proof of financial responsibility may  
39 include:

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

42           2. Obtaining and maintaining pursuant to chapter 675 an



770156

43 unexpired, irrevocable, nontransferable, and nonassignable  
44 letter of credit issued by any bank or savings association  
45 authorized to do business in this state. This letter of credit  
46 shall be used to satisfy the obligation of the agency to the  
47 claimant upon presentation of a final judgment indicating  
48 liability and awarding damages to be paid by the facility or  
49 upon presentment of a settlement agreement signed by all parties  
50 to the agreement when such final judgment or settlement is a  
51 result of a liability claim against the agency.

52 (3) A teaching agency for home and community-based care may  
53 be affiliated with an academic health center in this state. The  
54 purpose of such affiliation is to foster the development of  
55 methods for improving and expanding the capability of home  
56 health agencies to respond to the medical, health care,  
57 psychological, and social needs of frail and elderly persons by  
58 providing the most effective and appropriate services. A  
59 teaching agency for home and community-based care shall serve as  
60 a resource for research and for training health care  
61 professionals in providing health care services in homes and  
62 community-based settings to frail and elderly persons.

63  
64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete line 304

67 and insert:

68 issuance of conditional licenses; creating s. 430.81,  
69 F.S.; providing a definition; authorizing the  
70 Department of Elderly Affairs to designate a home  
71 health agency as a teaching agency for home and



770156

72 community-based care; establishing criteria for  
73 qualification; authorizing a teaching agency to be  
74 affiliated with an academic research university in the  
75 state which meets certain criteria; authorizing a  
76 teaching agency to be affiliated with an academic  
77 health center; repealing s.