



911184

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/30/2011	.	
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The Committee on Health Regulation (Fasano) recommended the following:

Senate Amendment (with title amendment)

Between lines 462 and 463
insert:

Section 2. Paragraph (b) of subsection (1) of section
408.040, Florida Statutes, is amended to read:

408.040 Conditions and monitoring.—

(1)

(b) The agency may consider, in addition to the other
criteria specified in s. 408.035, a statement of intent by the
applicant that a specified percentage of the annual patient days
at the facility will be used ~~utilized~~ by patients eligible for



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13 care under Title XIX of the Social Security Act. A ~~Any~~
14 certificate of need issued to a nursing home in reliance upon
15 such statement ~~an applicant's statements that a specified~~
16 ~~percentage of annual patient days will be utilized by residents~~
17 ~~eligible for care under Title XIX of the Social Security Act~~
18 must include a statement that such certification is a condition
19 of issuance of the certificate of need. The certificate-of-need
20 program shall notify the Medicaid program office and the
21 Department of Elderly Affairs when it imposes conditions as
22 authorized in this paragraph in an area in which a community
23 diversion pilot project is implemented. Effective March 31,
24 2012, the agency may not consider, or impose conditions related
25 to, patient day utilization by patients eligible for care under
26 Title XIX of the Social Security Act in making certificate-of-
27 need determinations for nursing homes.

28
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete line 4

32 and insert:

33 made by the act; amending s. 408.040, F.S.; deleting a
34 condition for determining whether to issue a
35 certificate of need to a nursing home; providing a
36 directive to the Division of Statutory Revision;
37 amending s. 409.016, F.S.; conforming