

By Senator Richter

37-00811-11

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1 A bill to be entitled
2 An act relating to assisted living facilities;
3 amending s. 429.14, F.S.; removing a provision that
4 authorizes the Agency for Health Care Administration
5 to deny a license to an applicant or controlling
6 interest of an assisted living facility when the
7 applicant or controlling interest has a financial or
8 ownership interest in another licensed facility upon
9 which specified sanctions have been imposed within a
10 certain period of time; removing a provision that
11 requires the agency to provide certain information
12 relating to assisted living facility license status to
13 the Division of Hotels and Restaurants of the
14 Department of Business and Professional Regulation;
15 providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsections (4), (5), and (7) of section 429.14,
20 Florida Statutes, are renumbered as subsections (3), (4), and
21 (5), respectively, and present subsections (3) and (6) of that
22 section are amended to read:

23 429.14 Administrative penalties.—

24 ~~(3) The agency may deny a license to any applicant or~~
25 ~~controlling interest as defined in part II of chapter 408 which~~
26 ~~has or had a 25 percent or greater financial or ownership~~
27 ~~interest in any other facility licensed under this part, or in~~
28 ~~any entity licensed by this state or another state to provide~~
29 ~~health or residential care, which facility or entity during the~~

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30 ~~5 years prior to the application for a license closed due to~~
31 ~~financial inability to operate; had a receiver appointed or a~~
32 ~~license denied, suspended, or revoked; was subject to a~~
33 ~~moratorium; or had an injunctive proceeding initiated against~~
34 ~~it.~~

35 ~~(6) The agency shall provide to the Division of Hotels and~~
36 ~~Restaurants of the Department of Business and Professional~~
37 ~~Regulation, on a monthly basis, a list of those assisted living~~
38 ~~facilities that have had their licenses denied, suspended, or~~
39 ~~revoked or that are involved in an appellate proceeding pursuant~~
40 ~~to s. 120.60 related to the denial, suspension, or revocation of~~
41 ~~a license.~~

42 Section 2. This act shall take effect July 1, 2011.