

HB 843

2011

1 A bill to be entitled
 2 An act relating to a teaching agency for home and
 3 community-based care; creating s. 430.81, F.S.; providing
 4 a definition; authorizing the Agency for Health Care
 5 Administration to designate a home health agency as a
 6 teaching agency for home and community-based care and to
 7 charge a fee for such designation; establishing criteria
 8 for qualification; authorizing a teaching agency to be
 9 affiliated with an academic research university in the
 10 state that meets certain criteria; authorizing a teaching
 11 agency to be affiliated with an academic health center;
 12 providing an effective date.

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

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 16 Section 1. Section 430.81, Florida Statutes, is created to
 17 read:

18 430.81 Implementation of a teaching agency for home and
 19 community-based care.-

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

25 (2) The Agency for Health Care Administration may
 26 designate a home health agency as a teaching agency for home and
 27 community-based care if the home health agency:

28 (a) Has been a not-for-profit, designated community care
 29 for the elderly lead agency for home and community-based
 30 services for more than 10 consecutive years and serves a
 31 geographic area with a minimum of 200,000 adults age 60 and
 32 older.

33 (b) Participates in a nationally recognized accreditation
 34 program and holds a valid accreditation, such as the
 35 accreditation awarded by the Community Health Accreditation
 36 Program.

37 (c) Has been in business in this state for a minimum of 30
 38 consecutive years.

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

41 (e) Has a formalized affiliation agreement with at least
 42 one established academic research university with a nationally
 43 accredited health professions program in this state.

44 (f) Has salaried academic faculty from a nationally
 45 accredited health professions program.

46 (g) Is a Medicare and Medicaid certified home health
 47 agency that has participated in the nursing home diversion
 48 program for a minimum of 5 consecutive years.

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

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

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55 2. Obtaining and maintaining pursuant to chapter 675 an
56 unexpired, irrevocable, nontransferable, and nonassignable
57 letter of credit issued by any bank or savings association
58 authorized to do business in this state. This letter of credit
59 shall be used to satisfy the obligation of the agency to the
60 claimant upon presentation of a final judgment indicating
61 liability and awarding damages to be paid by the facility or
62 upon presentment of a settlement agreement signed by all parties
63 to the agreement when such final judgment or settlement is a
64 result of a liability claim against the agency.

65 (3) The Agency for Healthcare Administration may charge a
66 home health agency seeking designation as a teaching agency for
67 home and community-based care a fee, up to \$250, to comply with
68 this section.

69 (4) A teaching agency for home and community-based care
70 may be affiliated with an academic health center in this state.
71 The purpose of such affiliation is to foster the development of
72 methods for improving and expanding the capability of home
73 health agencies to respond to the medical, health care,
74 psychological, and social needs of frail and elderly persons by
75 providing the most effective and appropriate services. A
76 teaching agency for home and community-based care shall serve as
77 a resource for research and for training health care
78 professionals in providing health care services in homes and
79 community-based settings to frail and elderly persons.

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