



LEGISLATIVE ACTION

Senate	.	House
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Senator Detert moved the following:

Senate Amendment (with title amendment)

Delete lines 95 - 97
and insert:

(5) The provisions of subsections (1)-(4) of this section apply only to nursing homes that have been designated as Gold Seal facilities by the Governor's Panel on Excellence in Long-Term Care as defined in s. 400.235, at any time during the period beginning 3 years prior to the accrual of the cause of action for which punitive damages are sought. In an action brought under this part relating to a nursing home that has not been designated as a Gold Seal facility by the Governor's Panel on Excellence in Long-Term Care as defined in s. 400.235, the



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14 provisions of part II of chapter 768 and common law shall apply
15 to a claim for punitive damages. This section is remedial in
16 nature and shall take effect upon becoming a law.

17 Section 2. This act shall take effect upon becoming a law
18 and applies to causes of action accruing on or after the
19 effective date.

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21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 Delete line 24

24 and insert:

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26 damages; providing that the sections apply only to
27 nursing homes that have been designated as Gold Seal
28 facilities by the Governor's Panel on Excellence in
29 Long-Term Care under certain circumstances; providing
30 that if a nursing home has not been designated as a
31 Gold Seal facility by the Governor's Panel on
32 Excellence in Long-Term Care the provisions of part II
33 of chapter 768 and common law apply to a claim for
34 punitive damages; providing for application; providing
35 an effective date.