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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/03/2013	.	
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The Committee on Judiciary (Soto) recommended the following:

Senate Amendment (with title amendment)

Between lines 220 and 221
insert:

Section 3. Paragraph (q) of subsection (1) of section
400.141, Florida Statutes, is amended to read:

400.141 Administration and management of nursing home
facilities.—

(1) Every licensed facility shall comply with all
applicable standards and rules of the agency and shall:

(q) Maintain general and professional liability insurance
coverage that is in force at all times. Any general and
professional liability insurance that provides for the payment



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14 of litigation costs or attorney fees for the defense of any
15 claim against a nursing home pursuant to common law, s. 400.023,
16 or s. 400.0233 as a deduction from the liability limits of the
17 policy or that in any way reduces the liability coverage limits
18 available under the policy for a settlement or judgment by any
19 amount attributable to legal costs or attorney fees incurred
20 during the course of the defense of the insured does not fulfill
21 the insurance requirement of this section. In lieu of such
22 coverage, a state-designated teaching nursing home and its
23 affiliated assisted living facilities created under s. 430.80
24 may demonstrate proof of financial responsibility as provided in
25 s. 430.80(3)(g).

26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Delete line 36

30 and insert:

31
32 damages; amending s. 400.141, F.S.; providing that
33 general and professional liability insurance policies
34 containing certain provisions are insufficient to
35 fulfill certain requirements specified by state law:
36 providing for applicability; providing an effective
37 date.