

By Senator Soto

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1                   A bill to be entitled  
2           An act relating to the Nursing Home Guide Watch List;  
3           amending s. 400.191, F.S.; requiring a nursing home  
4           facility on the list to post signs containing certain  
5           information for a specified period; specifying the  
6           content and location of signs; providing sanctions for  
7           failure to comply; providing an effective date.

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

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11           Section 1. Subsection (3) of section 400.191, Florida  
12           Statutes, is amended to read:

13           400.191 Availability, distribution, and posting of reports  
14           and records.—

15           (3) Each nursing home facility licensee shall maintain as  
16           public information, available upon request, records of all cost  
17           and inspection reports pertaining to that facility that have  
18           been filed with, or issued by, any governmental agency. Copies  
19           of the reports shall be retained in the records for not less  
20           than 5 years following the date the reports are filed or issued.

21           (a) The agency shall publish in the Nursing Home Guide a  
22           "Nursing Home Guide Watch List" to assist consumers in  
23           evaluating the quality of nursing home care in Florida. The  
24           watch list must identify each facility that met the criteria for  
25           a conditional licensure status and each facility that is  
26           operating under bankruptcy protection. The watch list must  
27           include, but is not limited to, the facility's name, address,  
28           and ownership; the county in which the facility operates; the  
29           license expiration date; the number of licensed beds; a

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30 description of the deficiency causing the facility to be placed  
31 on the list; any corrective action taken; and the cumulative  
32 number of days and percentage of days the facility had a  
33 conditional license in the past 30 months. The watch list must  
34 include a brief description regarding how to choose a nursing  
35 home, the categories of licensure, the agency's inspection  
36 process, an explanation of terms used in the watch list, and the  
37 addresses and phone numbers of the agency's health quality  
38 assurance field offices.

39 (b) Upon publication of each Nursing Home Guide, the agency  
40 must post a copy on its website by the 15th calendar day of the  
41 second month following the end of the calendar quarter. Each  
42 nursing home licensee must retrieve the most recent version of  
43 the Nursing Home Guide from the agency's website.

44 (c) Any facility placed on the watch list must clearly and  
45 conspicuously post a sign on every facility entrance that reads,  
46 "NOTICE: THIS FACILITY IS CURRENTLY ON FLORIDA'S NURSING HOME  
47 GUIDE WATCH LIST." The sign must remain posted for the duration  
48 of time that the facility remains on the watch list. If the  
49 agency determines that a facility has violated this paragraph,  
50 the agency shall cite the facility for a class I deficiency and  
51 place the facility on a 6-month inspection visit cycle.

52 (d) Any facility placed on the watch list must provide  
53 written or electronic notice to the primary familial contact of  
54 each of that facilities residents informing them of the  
55 facilities placement on the watch list. Notice must include a  
56 description of the deficiency causing the facility to be placed  
57 on the list, any corrective action taken, and the cumulative  
58 number of days and percentage of days the facility had a

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59 conditional license in the past 30 months.

60 Section 2. This act shall take effect July 1, 2014.