

HB 787

2014

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 watch list to post signs containing
5 certain information for a specified period; specifying
6 contents and location of signs; providing sanctions
7 for failure to comply; requiring a facility on the
8 watch list to provide notice containing certain
9 information to the resident's primary familial
10 contact; providing an effective date.

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

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

16 400.191 Availability, distribution, and posting of reports
17 and records.—

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

24 (a) The agency shall publish in the Nursing Home Guide a
25 "Nursing Home Guide Watch List" to assist consumers in
26 evaluating the quality of nursing home care in Florida. The

27 watch list must identify each facility that met the criteria for
28 a conditional licensure status and each facility that is
29 operating under bankruptcy protection. The watch list must
30 include, but is not limited to, the facility's name, address,
31 and ownership; the county in which the facility operates; the
32 license expiration date; the number of licensed beds; a
33 description of the deficiency causing the facility to be placed
34 on the list; any corrective action taken; and the cumulative
35 number of days and percentage of days the facility had a
36 conditional license in the past 30 months. The watch list must
37 include a brief description regarding how to choose a nursing
38 home, the categories of licensure, the agency's inspection
39 process, an explanation of terms used in the watch list, and the
40 addresses and phone numbers of the agency's health quality
41 assurance field offices.

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

47 (c) A facility placed on the watch list must clearly and
48 conspicuously post a sign on every facility entrance that reads:
49 "NOTICE: THIS FACILITY IS CURRENTLY ON FLORIDA'S NURSING HOME
50 GUIDE WATCH LIST." The sign must remain posted while the
51 facility remains on the watch list. If the agency determines
52 that a facility has violated this paragraph, the agency shall

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53 cite the facility for a class I deficiency and place the
54 facility on a 6-month inspection visit cycle.

55 (d) A facility placed on the watch list must provide
56 written or electronic notice to the primary familial contact of
57 each of that facility's residents informing them of the
58 facility's placement on the watch list. Notice must include a
59 description of the deficiency causing the facility to be placed
60 on the watch list, any corrective action taken, and the
61 cumulative number of days and percentage of days that the
62 facility had a conditional license in the past 30 months.

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