

1 A bill to be entitled
 2 An act relating to Nursing Home Guides; amending s.
 3 400.191, F.S.; requiring the Agency for Health Care
 4 Administration to publish Gold Seal designations in
 5 the Nursing Home Guide; requiring each nursing home
 6 facility to post a sign on every facility entrance
 7 which indicates the Gold Seal designation of the
 8 facility; requiring a nursing home facility on the
 9 Nursing Home Guide Watch List to provide notice
 10 containing certain information to the primary familial
 11 contact for each resident; reenacting 400.23(2)(h),
 12 F.S., relating to reports and records regarding
 13 nursing home facilities and the Gold Seal Program, to
 14 incorporate the amendment made by the act to s.
 15 400.191, F.S., in a reference thereto; providing an
 16 effective date.

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

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

22 400.191 Availability, distribution, and posting of reports
 23 and records.—

24 (3) Each nursing home facility licensee shall maintain as
 25 public information, available upon request, records of all cost
 26 and inspection reports pertaining to that facility that have

27 | been filed with, or issued by, any governmental agency. Copies
28 | of the reports shall be retained in the records for not less
29 | than 5 years following the date the reports are filed or issued.

30 | (a) The agency shall publish in the Nursing Home Guide
31 | those nursing homes awarded the Gold Seal designation for
32 | excellence in long-term care pursuant to s. 400.235 and a
33 | "Nursing Home Guide Watch List" to assist consumers in
34 | evaluating the quality of nursing home care in Florida. The
35 | watch list must identify each facility that met the criteria for
36 | a conditional licensure status and each facility that is
37 | operating under bankruptcy protection. The watch list must
38 | include, but is not limited to, the facility's name, address,
39 | and ownership; the county in which the facility operates; the
40 | license expiration date; the number of licensed beds; a
41 | description of the deficiency causing the facility to be placed
42 | on the list; any corrective action taken; and the cumulative
43 | number of days and percentage of days the facility had a
44 | conditional license in the past 30 months. The watch list must
45 | include a brief description regarding how to choose a nursing
46 | home, the categories of licensure, the agency's inspection
47 | process, an explanation of terms used in the watch list, and the
48 | addresses and phone numbers of the agency's health quality
49 | assurance field offices.

50 | (b) Upon publication of each Nursing Home Guide, the
51 | agency must post a copy on its website by the 15th calendar day
52 | of the second month following the end of the calendar quarter.

53 Each nursing home licensee must retrieve the most recent version
54 of the Nursing Home Guide from the agency's website.

55 (c) Each nursing home facility must clearly and
56 conspicuously post a sign on every facility entrance that
57 indicates the Gold Seal designation of the nursing home.

58 (d) A facility placed on the watch list must provide
59 written or electronic notice to the primary familial contact of
60 each resident of that facility informing them of the placement
61 of that facility on the watch list. The notice must include a
62 description of the deficiency causing the facility to be placed
63 on the list, any corrective action taken by the facility to
64 resolve the deficiency, and the cumulative number of days and
65 percentage of days the facility had a conditional license in the
66 30 months immediately before the facility was placed on the
67 list.

68 Section 2. For the purpose of incorporating the amendment
69 made by this act to section 400.191, Florida Statutes, in a
70 reference thereto, paragraph (h) of subsection (2) of section
71 400.23, Florida Statutes, is reenacted to read:

72 400.23 Rules; evaluation and deficiencies; licensure
73 status.—

74 (2) Pursuant to the intention of the Legislature, the
75 agency, in consultation with the Department of Health and the
76 Department of Elderly Affairs, shall adopt and enforce rules to
77 implement this part and part II of chapter 408, which shall
78 include reasonable and fair criteria in relation to:

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79 | (h) The availability, distribution, and posting of reports
80 | and records pursuant to s. 400.191 and the Gold Seal Program
81 | pursuant to s. 400.235.

82 | Section 3. This act shall take effect July 1, 2015.