

By Senator Soto

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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 s. 400.23(2)(h),
12 F.S., to incorporate the amendment made to s. 400.191,
13 F.S., in a reference thereto; providing an effective
14 date.

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

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

20 400.191 Availability, distribution, and posting of reports
21 and records.—

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

28 (a) The agency shall publish in the Nursing Home Guide
29 those nursing homes awarded the Gold Seal designation for

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

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

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

56 (d) A facility placed on the watch list must provide
57 written or electronic notice to the primary familial contact of
58 each resident of that facility informing them of the placement

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59 of that facility on the watch list. The notice must include a
60 description of the deficiency causing the facility to be placed
61 on the list, any corrective action taken by the facility to
62 resolve the deficiency, and the cumulative number of days and
63 percentage of days the facility had a conditional license in the
64 30 months immediately before the facility was placed on the
65 list.

66 Section 2. Paragraph (h) of subsection (2) of s. 400.23,
67 Florida Statutes, is reenacted for the purpose of incorporating
68 the amendment made by this act to s. 400.191, Florida Statutes,
69 in a reference thereto.

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