

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Harrison offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 1408 and 1409, insert:

5 Section 45. Paragraph (d) of subsection (2) of section
6 400.23, Florida Statutes, is amended to read:

7 400.23 Rules; evaluation and deficiencies; licensure
8 status.—

9 (2) Pursuant to the intention of the Legislature, the
10 agency, in consultation with the Department of Health and the
11 Department of Elderly Affairs, shall adopt and enforce rules to
12 implement this part and part II of chapter 408, which shall
13 include reasonable and fair criteria in relation to:

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14 (d) The equipment essential to the health and welfare of
15 the residents. The state has exclusive authority to address
16 emergency environmental control and associated alternate power
17 sources and equipment in the event of the loss of primary
18 electrical power in nursing homes licensed under this chapter.
19 This paragraph expressly preempts such regulation of emergency
20 environmental control to the state and supersedes any municipal
21 or county ordinance on the subject.

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23 -----
24 **T I T L E A M E N D M E N T**

25 Between lines 80 and 81, insert:
26 amending s. 400.23, F.S.; providing that the state has
27 exclusive authority to address alternate power sources
28 and equipment in the event of primary electrical power
29 loss in a nursing home; providing for preemption of
30 certain regulation of emergency environmental control;

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