

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee

3 Representative Yarborough offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 1438-1519 and insert:

7 651.035. The last quarterly statement for a fiscal year is not
 8 required if a provider does not have pending a regulatory action
 9 level event or a corrective action plan. If a provider falls
 10 below two or more of the thresholds set forth in s. 651.011(25),
 11 the provider shall submit to the office, at the same time as the
 12 quarterly statement, an explanation of the circumstances and a
 13 description of the actions it will take to meet the
 14 requirements.

15 (2) If the office finds, ~~pursuant to rules of the~~
 16 ~~commission,~~ that such information is needed to properly monitor

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17 the financial condition of a provider or facility or is
18 otherwise needed to protect the public interest, the office may
19 require the provider to file:

20 (a) Within 25 days after the end of each month, a monthly
21 unaudited financial statement of the provider or of the facility
22 in the form prescribed by the commission by rule and a detailed
23 listing of the assets maintained in the liquid reserve as
24 required under s. 651.035, within 45 days after the end of each
25 fiscal quarter, a quarterly unaudited financial statement of the
26 provider or of the facility in the form prescribed by the
27 commission by rule. The commission may by rule require all or
28 part of the statements or filings required under this section to
29 be submitted by electronic means in a computer-readable form
30 compatible with the electronic data format specified by the
31 commission.

32 (b) Such other data, financial statements, and pertinent
33 information as the commission or office may reasonably require
34 with respect to the provider or the facility, its directors, or
35 its trustees; or with respect to any parent, subsidiary, or
36 affiliate, if the provider or facility relies on a contractual
37 or financial relationship with such parent, subsidiary, or
38 affiliate in order to meet the financial requirements of this
39 chapter, to determine the financial status of the provider or of
40 the facility and the management capabilities of its managers and
41 owners.

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42 (3) A filing under subsection (2) may be required if any
43 of the following applies:

44 (a) The provider is:

45 1. Subject to administrative supervision proceedings;

46 2. Subject to a corrective action plan resulting from a
47 regulatory action level event and for up to 2 years after the
48 factors that caused the regulatory action level event have been
49 corrected; or

50 3. Subject to delinquency or receivership proceedings or
51 has filed for bankruptcy.

52 (b) The provider or facility displays a declining
53 financial position.

54 (c) A change of ownership of the provider or facility has
55 occurred within the previous 2 years.

56 (d) The provider is found to be impaired.

57 (4) The commission may by rule require all or part of the
58 statements or filings required under this section to be
59 submitted by electronic means in a computer-readable format
60 compatible with an electronic data format specified by the
61 commission.

62 Section 14. Section 651.028, Florida Statutes, is
63 repealed.

64
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66 **T I T L E A M E N D M E N T**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1033 (2019)

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67 Remove lines 58-70 and insert:
68 financial statements; providing an exception for filing a
69 certain quarterly statement; revising information that the
70 office may require providers to file and the circumstances under
71 which such information must be filed; revising the commission's
72 rulemaking authority; repealing s. 651.028, F.S.; relating to
73 accredited facilities; amending s. 651.033, F.S.; revising