

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

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

3 Representative Good offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 600-659 and insert:

7 shall assist with the arrangement of ~~arrange, with the~~
8 ~~appropriate health care provider,~~ the necessary care and
9 services to treat the condition.

10 (9)~~(8)~~ The Department of Children and Families may require
11 an examination for supplemental security income and optional
12 state supplementation recipients residing in facilities at any
13 time and shall provide the examination whenever a resident's
14 condition requires it. Any facility administrator; personnel of
15 the agency, the department, or the Department of Children and
16 Families; or a representative of the State Long-Term Care

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17 Ombudsman Program who believes a resident needs to be evaluated
18 shall notify the resident's case manager, who shall take
19 appropriate action. A report of the examination findings shall
20 be provided to the resident's case manager and the facility
21 administrator to help the administrator meet his or her
22 responsibilities under subsection (1).

23 ~~(9) A terminally ill resident who no longer meets the~~
24 ~~criteria for continued residency may remain in the facility if~~
25 ~~the arrangement is mutually agreeable to the resident and the~~
26 ~~facility; additional care is rendered through a licensed~~
27 ~~hospice, and the resident is under the care of a physician who~~
28 ~~agrees that the physical needs of the resident are being met.~~

29 (10) Facilities licensed to provide extended congregate
30 care services shall promote aging in place by determining
31 appropriateness of continued residency based on a comprehensive
32 review of the resident's physical and functional status; the
33 ability of the facility, family members, friends, or any other
34 pertinent individuals or agencies to provide the care and
35 services required; and documentation that a written service plan
36 consistent with facility policy has been developed and
37 implemented to ensure that the resident's needs and preferences
38 are addressed.

39 ~~(11) No resident who requires 24-hour nursing supervision,~~
40 ~~except for a resident who is an enrolled hospice patient~~

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41 ~~pursuant to part IV of chapter 400, shall be retained in a~~
42 ~~facility licensed under this part.~~

43 Section 9. Paragraphs (a) and (k) of subsection (1) and
44 subsection (3) of section 429.28, Florida Statutes, are amended
45 to read:

46 429.28 Resident bill of rights.-

47 (1) No resident of a facility shall be deprived of any
48 civil or legal rights, benefits, or privileges guaranteed by
49 law, the Constitution of the State of Florida, or the
50 Constitution of the United States as a resident of a facility.
51 Every resident of a facility shall have the right to:

52 (a) Live in a safe and decent living environment, free
53 from abuse, exploitation, and neglect.

54 (k) At least 45 days' notice of relocation or termination
55 of residency from the facility unless, for medical reasons, the
56 resident is certified by a physician to require an emergency
57 relocation to a facility providing a more skilled level of care
58 or the resident engages in a pattern of conduct that is harmful
59 or offensive to other residents. In the case of a resident who
60 has been adjudicated mentally incapacitated, the guardian shall
61 be given at least 45 days' notice of a nonemergency relocation
62 or residency termination. Reasons for relocation shall be set
63 forth in writing and provided to the resident or the resident's
64 legal representative. The written notice must contain the
65 current statewide toll-free telephone number and e-mail address

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66 of the State Long-Term Care Ombudsman Program and a statement
67 that The State Long-Term Care Ombudsman Program provides
68 services that assist in protecting the health, safety, welfare
69 and rights of residents. The contact information and statement
70 must be in 12-point Times New Roman or Calibri font. In order
71 for a facility to

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T I T L E A M E N D M E N T

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Remove lines 39-44 and insert:

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services and requiring the facility to assist with the

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arrangement of such services under certain circumstances;

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removing provisions relating to the retention of certain

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residents in a facility; amending s. 429.28, F.S.; revising

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residents' rights relating to a safe and secure living

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environment; revising residents' rights relating to notice of

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relocation; amending s.