

Amendment No. 1

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WITHDRAWN	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 Market Reform
 2 Subcommittee

3 Representative Webb offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraphs (a) and (b) of subsection (3) of
 8 section 409.979, Florida Statutes, are amended to read:

9 409.979 Eligibility.—

10 (3) WAIT LIST, RELEASE, AND OFFER PROCESS.—The Department
 11 of Elderly Affairs shall maintain a statewide wait list for
 12 enrollment for home and community-based services through the
 13 long-term care managed care program.

14 (a) The Department of Elderly Affairs shall prioritize
 15 individuals for potential enrollment for home and community-
 16 based services through the long-term care managed care program

Amendment No. 1

17 using a frailty-based screening tool that results in a priority
18 score. The priority score is used to set an order for releasing
19 individuals from the wait list for potential enrollment in the
20 long-term care managed care program. If capacity is limited for
21 individuals with identical priority scores, the individual with
22 the oldest date of placement on the wait list shall receive
23 priority for release.

24 1. Pursuant to s. 430.2053, aging resource center
25 personnel certified by the Department of Elderly Affairs shall
26 perform the screening for each individual requesting enrollment
27 for home and community-based services through the long-term care
28 managed care program. The Department of Elderly Affairs shall
29 request that the individual or the individual's authorized
30 representative provide alternate contact names and contact
31 information.

32 2. The individual requesting the long-term care services,
33 or the individual's authorized representative, must participate
34 in an initial screening or rescreening for placement on the wait
35 list. The screening or rescreening must be completed in its
36 entirety before placement on the wait list.

37 3. Pursuant to s. 430.2053, aging resource center
38 personnel shall administer rescreening annually or upon
39 notification of a significant change in an individual's
40 circumstances for individuals with high priority scores. Aging
41 resource center personnel may administer rescreening annually or

Amendment No. 1

42 upon notification of a significant change in an individual's
43 circumstances for individuals with low priority scores.

44 4. The Department of Elderly Affairs shall adopt by rule a
45 screening tool that generates the priority score, and shall make
46 publicly available on its website the specific methodology used
47 to calculate an individual's priority score.

48 (b) Upon completion of the screening or rescreening
49 process, the Department of Elderly Affairs shall notify the
50 individual or the individual's authorized representative that
51 the individual has been placed on the wait list, unless the
52 individual has a low priority score. The Department of Elderly
53 Affairs must maintain contact information for each individual
54 with a low priority score for purposes of any future
55 rescreening. Aging resource center personnel shall inform
56 individuals with low priority scores of community resources
57 available to assist them and inform them that they may contact
58 the aging resource center for a new assessment at any time if
59 they experience a change in circumstances.

60 Section 2. Paragraph (a) of subsection (5) of section
61 430.205, Florida Statutes, is amended to read:

62 (5) Any person who has been classified as a functionally
63 impaired elderly person is eligible to receive community-care-
64 for-the-elderly core services.

65 (a) Those elderly persons who are determined by protective
66 investigations to be vulnerable adults in need of services,

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Amendment No. 1

67 pursuant to s. 415.104(3)(b), or to be victims of abuse,
68 neglect, or exploitation who are in need of immediate services
69 to prevent further harm and are referred by the adult protective
70 services program, shall be given primary consideration for
71 receiving community-care-for-the-elderly services. As used in
72 this paragraph, "primary consideration" means that an assessment
73 and services must commence within 72 hours after referral to the
74 department or as established in accordance with department
75 contracts by local protocols developed between department
76 service providers and the adult protective services program.
77 Regardless, a community-care-for-the-elderly services provider
78 may dispute a referral under this paragraph by requesting that
79 adult protective services negotiate the referral placement of,
80 and the services to be provided to, a vulnerable adult or victim
81 of abuse, neglect, or exploitation. If no agreement can be
82 reached with adult protective services for modification of the
83 referral decision, the determination by adult protective
84 services shall prevail.

85 Section 3. This act shall take effect July 1, 2020.

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

89 Remove everything before the enacting clause and insert:
90 An act relating to long-term care; amending s. 409.979, F.S.;
91 exempting aging resource centers from annual rescreening of

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1373 (2020)

Amendment No. 1

92 individuals with low priority scores; providing that the
93 Department of Elderly Affairs has discretion regarding the
94 addition of individuals with low priority scores to the wait
95 list for services; requiring aging resource centers to provide
96 information on alternative resources to individuals with low
97 priority scores; amending s. 430.205, F.S.; allowing providers
98 of community care for the elderly services to dispute referrals
99 made by Adult Protective Services; providing an effective date.