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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
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The Committee on Health Policy (Albritton) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

409.979 Eligibility.—

(3) WAIT LIST, RELEASE, AND OFFER PROCESS.—The Department
of Elderly Affairs shall maintain a statewide wait list for
enrollment for home and community-based services through the



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11 long-term care managed care program.

12 (a) The Department of Elderly Affairs shall prioritize
13 individuals for potential enrollment for home and community-
14 based services through the long-term care managed care program
15 using a frailty-based screening tool that results in a priority
16 score. The priority score is used to set an order for releasing
17 individuals from the wait list for potential enrollment in the
18 long-term care managed care program. If capacity is limited for
19 individuals with identical priority scores, the individual with
20 the oldest date of placement on the wait list shall receive
21 priority for release.

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

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

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



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40 circumstances for an individual with a low priority score.

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

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

57 Section 2. Paragraph (a) of subsection (5) of section
58 430.205, Florida Statutes, is amended to read:

59 430.205 Community care service system.—

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

63 (a) Those elderly persons who are determined by protective
64 investigations to be vulnerable adults in need of services,
65 pursuant to s. 415.104(3)(b), or to be victims of abuse,
66 neglect, or exploitation who are in need of immediate services
67 to prevent further harm and are referred by the adult protective
68 services program, shall be given primary consideration for



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69 receiving community-care-for-the-elderly services. As used in
70 this paragraph, "primary consideration" means that an assessment
71 and services must commence within 72 hours after referral to the
72 department or as established in accordance with department
73 contracts by local protocols developed between department
74 service providers and the adult protective services program.
75 Regardless, a community-care-for-the-elderly services provider
76 may dispute a referral under this paragraph by requesting that
77 adult protective services negotiate the referral placement of,
78 and the services to be provided to, a vulnerable adult or victim
79 of abuse, neglect, or exploitation. If an agreement cannot be
80 reached with adult protective services for modification of the
81 referral decision, the determination by adult protective
82 services shall prevail.

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

84
85 ===== T I T L E A M E N D M E N T =====

86 And the title is amended as follows:

87 Delete everything before the enacting clause
88 and insert:

89 A bill to be entitled

90 An act relating to long-term care; amending s.
91 409.979, F.S.; requiring aging resource center
92 personnel to annually rescreen certain individuals
93 with high priority scores for purposes of the
94 statewide wait list for enrollment for home and
95 community-based services; authorizing such personnel
96 to administer rescreening for certain individuals with
97 low priority scores; requiring the Department of



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98 Elderly Affairs to maintain contact information for
99 individuals with low priority scores for rescreening
100 purposes; requiring aging resource center personnel to
101 inform such individuals of community resources;
102 amending s. 430.205, F.S.; authorizing community-care-
103 for-the-elderly services providers to dispute certain
104 referrals; providing that a referral decision by adult
105 protective service prevails; providing an effective
106 date.