

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Tomkow offered the following:

Amendment (with title amendment)

Remove lines 560-618 and insert:

Section 8. Section 400.52, Florida Statutes, is created to read:

400.52 Excellence in Home Health Program.-

(1) There is created within the agency the Excellence in Home Health Program for the purpose of awarding home health agencies that meet the criteria specified in this section.

(2) (a) The agency shall adopt rules establishing criteria for the program which must include, at a minimum, meeting standards relating to:

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- 14 1. Patient satisfaction.
- 15 2. Patients requiring emergency care for wound infections.
- 16 3. Patients admitted or readmitted to an acute care
17 hospital.
- 18 4. Patient improvement in the activities of daily living.
- 19 5. Employee satisfaction.
- 20 6. Quality of employee training.
- 21 7. Employee retention rates.
- 22 8. High performance under federal Medicaid electronic
23 visit verification requirements.
- 24 (b) The agency must annually evaluate home health agencies
25 seeking the award which apply on a form and in the manner
26 designated by rule.
- 27 (3) The home health agency must:
- 28 (a) Be actively licensed and operating for at least 24
29 months to be eligible to apply for a program award. An award
30 under the program is not transferrable to another license,
31 except when the existing home health agency is being relicensed
32 in the name of an entity related to the current licenseholder by
33 common control or ownership, and there will be no change in the
34 management, operation, or programs of the home health agency as
35 a result of the relicensure.
- 36 (b) Have had no licensure denials, revocations, or any
37 Class I, Class II, or uncorrected Class III deficiencies within
38 the 24 months preceding the application for the program award.

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39 (4) The award designation shall expire on the same date as
40 the home health agency's license. A home health agency must
41 reapply and be approved for the award designation to continue
42 using the award designation in the manner authorized under
43 subsection (5).

44 (5) A home health agency that is awarded under the program
45 may use the designation in advertising and marketing. However, a
46 home health agency may not use the award designation in any
47 advertising or marketing if the home health agency:

48 (a) Has not been awarded the designation;

49 (b) Fails to renew the award upon expiration of the award
50 designation;

51 (c) Has undergone a change in ownership that does not
52 qualify for an exception under paragraph (3)(a); or

53 (d) Has been notified that it no longer meets the criteria
54 for the award upon reapplication after expiration of the award
55 designation.

56 (6) An application for an award designation under the
57 program is not an application for licensure. A designation award
58 or denial by the agency under this section does not constitute
59 final agency action subject to chapter 120.

60 Section 9. Section 400.53, Florida Statutes, is created to
61 read:

62 400.53 Nurse Registry Excellence Program.-

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63 (1) There is created within the agency the Nurse Registry
64 Excellence Program for the purpose of awarding nurse registries
65 that meet the criteria specified in this section.

66 (2) (a) The agency shall adopt rules establishing criteria
67 for the program which must include, at a minimum, meeting
68 standards relating to:

69 1. Patient or client satisfaction.

70 2. Patients or clients requiring emergency care for wound
71 infections.

72 3. Patients or clients admitted or readmitted to an acute
73 care hospital.

74 4. Patient or client longevity with the nurse registry.

75 5. Independent contractor satisfaction.

76 6. Independent contractor longevity with the nurse
77 registry.

78 7. High performance under federal Medicaid electronic
79 visit verification requirements.

80 (b) The agency must annually evaluate nurse registries
81 seeking the award which apply on a form and in the manner
82 designated by rule.

83 (3) The nurse registry must:

84 (a) Be actively licensed and operating for at least 24
85 months to be eligible to apply for a program award. An award
86 under the program is not transferrable to another license,
87 except when the existing nurse registry is being relicensed in

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88 the name of an entity related to the current licenseholder by
89 common control or ownership, and there will be no change in the
90 management, operation, or programs of the nurse registry as a
91 result of the relicensure.

92 (b) Have had no licensure denials, revocations, or any
93 Class I, Class II, or uncorrected Class III deficiencies within
94 the 24 months preceding the application for the program award.

95 (4) The award designation shall expire on the same date as
96 the nurse registry's license. A nurse registry must reapply and
97 be approved for the award designation to continue using the
98 award designation in the manner authorized under subsection (5).

99 (5) A nurse registry that is awarded under the program may
100 use the designation in advertising and marketing. However, a
101 nurse registry may not use the award designation in any
102 advertising or marketing if the nurse registry:

103 (a) Has not been awarded the designation;

104 (b) Fails to renew the award upon expiration of the award
105 designation;

106 (c) Has undergone a change in ownership that does not
107 qualify for an exception under paragraph (3) (a); or

108 (d) Has been notified that it no longer meets the criteria
109 for the award upon reapplication after expiration of the award
110 designation.

111 (6) An application for an award designation under the
112 program is not an application for licensure. A designation award

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113 | or denial by the agency under this section does not constitute
114 | final agency action subject to chapter 120.

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117 | **T I T L E A M E N D M E N T**

118 | Remove lines 34-51 and insert:
119 | nurse; creating s. 400.52, F.S.; creating the
120 | Excellence in Home Health Program within the agency;
121 | requiring the agency to adopt rules establishing
122 | program criteria; requiring the agency to annually
123 | evaluate certain home health agencies that apply for a
124 | program award; providing eligibility requirements;
125 | requiring an agency to reapply biennially for the
126 | award designation; authorizing an award recipient to
127 | use the designation in advertising and marketing;
128 | prohibiting a home health agency from using the award
129 | designation in any advertising or marketing under
130 | certain circumstances; providing that an application
131 | for an award designation under the program is not an
132 | application for licensure and such designation or
133 | denial of an award does not constitute final agency
134 | action subject to certain administrative procedures;
135 | creating s. 400.53, F.S.; creating the Nurse Registry
136 | Excellence Program within the agency; requiring the
137 | agency to adopt rules establishing program criteria;

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138 requiring the agency to annually evaluate certain
139 nurse registries that apply for a program award;
140 providing eligibility requirements; requiring a nurse
141 registry to reapply biennially for the award
142 designation; authorizing an award recipient to use the
143 designation in advertising and marketing; prohibiting
144 a nurse registry from using the award designation in
145 any advertising or marketing under certain
146 circumstances; providing that an application for an
147 award designation under the program is not an
148 application for licensure and such designation or
149 denial of an award does not constitute final agency
150 action subject to certain administrative procedures;
151 creating s. 408.064, F.S.; requiring the

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