

Amendment No. 1

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WITHDRAWN	_____	(Y/N)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: Commerce Committee
 2 Representative Persons-Mulicka offered the following:

Amendment (with title amendment)

Remove lines 126-606 and insert:

6 12. An independent evaluation and examination opinion for
 7 the first 5 years of operations, or a comparable opinion
 8 acceptable to the office, by the certified public accountant
 9 ~~consultant~~ who prepared the study, of the underlying assumptions
 10 used as a basis for the forecasts or projections in the study
 11 and that the assumptions are reasonable and proper and the
 12 project as proposed is feasible.

13 13. Any other information that the provider deems relevant
 14 and appropriate to provide to enable the office to make a more
 15 informed determination.

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17 If any material change occurs in the facts set forth in an
18 application filed with the office pursuant to this section, an
19 amendment setting forth such change must be filed with the
20 office within 10 business days after the applicant becomes aware
21 of such change, and a copy of the amendment must be sent by
22 registered mail to the principal office of the facility and to
23 the principal office of the controlling company.

24 (4) The provider is entitled to secure release of the
25 moneys held in escrow within 7 days after receipt by the office
26 of an affidavit from the provider, along with appropriate copies
27 to verify, and notification to the escrow agent by certified
28 mail that the following conditions have been satisfied:

29 (b) Payment in full has been received for at least 50
30 percent of the total units of a phase or of the total of the
31 combined phases constructed; or a provider has collected a
32 reservation deposit for at least 75 percent of the proposed
33 units for which an entrance fee is to be charged and the
34 escrowed funds will be used for the sole purpose of paying
35 secured indebtedness as specified in the feasibility study
36 submitted pursuant to paragraph (2) (a). The minimum reservation
37 deposit must be the lesser of \$40,000 or 10 percent of the then-
38 current entrance fee for the unit being reserved. If the
39 expansion is to be completed in multiple phases, the 75 percent
40 reservation requirement applies separately to each phase of the
41 expansion. If a provider offering continuing care at-home is

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42 applying for a release of escrowed entrance fees, the same
43 minimum requirement must be met for the continuing care and
44 continuing care at-home contracts independently of each other.

45
46 Notwithstanding chapter 120, only the provider, the escrow
47 agent, and the office have a substantial interest in any office
48 decision regarding release of escrow funds in any proceedings
49 under chapter 120 or this chapter.

50 (6) Within 30 ~~45~~ days after the date on which an
51 application is deemed complete as provided in paragraph (5)(b),
52 the office shall complete its review and, based upon its review,
53 approve an expansion by the applicant and issue a determination
54 that the application meets all requirements of law, that the
55 feasibility study was based on sufficient data and reasonable
56 assumptions, and that the applicant will be able to provide
57 continuing care or continuing care at-home as proposed and meet
58 all financial and contractual obligations related to its
59 operations, including the financial requirements of this
60 chapter. If the application is denied, the office must notify
61 the applicant in writing, citing the specific failures to meet
62 the requirements of this chapter. The denial entitles the
63 applicant to a hearing pursuant to chapter 120.

64 Section 4. Paragraph (b) of subsection (2) of section
65 651.026, Florida Statutes, is amended to read:

66 651.026 Annual reports.—

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67 (2) The annual report shall be in such form as the
68 commission prescribes and shall contain at least the following:

69 (b) A financial report audited by an independent certified
70 public accountant which must contain, for two or more periods if
71 the facility has been in existence that long, all of the
72 following:

73 1. An accountant's opinion and, in accordance with
74 generally accepted accounting principles:

- 75 a. A balance sheet;
- 76 b. A statement of income and expenses;
- 77 c. A statement of equity or fund balances; and
- 78 d. A statement of changes in cash flows.

79 2. Notes to the financial report considered customary or
80 necessary for full disclosure or adequate understanding of the
81 financial report, financial condition, and operation.

82 3. If the provider's financial statements are consolidated
83 or combined in accordance with generally accepted accounting
84 principles with the financial statements of additional entities
85 owned or controlled by the provider, the financial report must
86 include as supplemental information a separate balance sheet,
87 statement of income and expenses, statement of equity or fund
88 balances, and statement of changes in cash flows for the
89 individual provider and each additional entity comprising the
90 consolidated or combined financial report.

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91 4. If the provider is a member of an obligated group, the
92 provider may use the obligated group's audited financial
93 statements if they contain as supplemental information a
94 separate balance sheet, statement of income and expenses,
95 statement of equity or fund balances, and statement of changes
96 in cash flows for the individual provider and other members of
97 the obligated group.

98 Section 5. Subsection (1) of section 651.0261, Florida
99 Statutes, is amended to read:

100 651.0261 Quarterly and monthly statements.—

101 (1) Within 45 days after the end of each fiscal quarter,
102 each provider shall file a quarterly unaudited financial
103 statement of the provider or of the facility in the form
104 prescribed by commission rule and days cash on hand, occupancy,
105 debt service coverage ratio, and a detailed listing of the
106 assets maintained in the liquid reserve as required under s.
107 651.035. The last quarterly statement for a fiscal year is not
108 required if a provider does not have pending a regulatory action
109 level event, impairment, or a corrective action plan. If a
110 provider falls below two or more of the thresholds set forth in
111 s. 651.011(26) ~~s. 651.011(25)~~ at the end of any fiscal quarter,
112 the provider shall submit to the office, at the same time as the
113 quarterly statement, an explanation of the circumstances and a
114 description of the actions it will take to meet the
115 requirements.

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116 Section 6. Paragraph (a) of subsection (1) and paragraph
117 (c) of subsection (3) of section 651.033, Florida Statutes, are
118 amended, and paragraph (a) of subsection (3) of that section is
119 republished, to read:

120 651.033 Escrow accounts.—

121 (1) When funds are required to be deposited in an escrow
122 account pursuant to s. 651.0215, s. 651.022, s. 651.023, s.
123 651.0246, s. 651.035, or s. 651.055:

124 (a) The escrow account must be established in a Florida
125 state-chartered bank, ~~Florida savings bank and loan association,~~
126 or Florida trust company, or a federal savings or thrift
127 association, bank, savings bank, or trust company ~~national bank~~
128 ~~that is chartered and supervised by the Office of the~~
129 ~~Comptroller of the Currency within the United States Department~~
130 ~~of the Treasury and that has a branch in this state~~, which is
131 acceptable to the office, or such funds must be deposited with
132 the department and be kept and maintained in an account separate
133 and apart from the provider's business accounts.

134 (3) When entrance fees are required to be deposited in an
135 escrow account pursuant to s. 651.0215, s. 651.022, s. 651.023,
136 s. 651.0246, or s. 651.055:

137 (a) The provider shall deliver to the resident a written
138 receipt. The receipt must show the payor's name and address, the
139 date, the price of the care contract, and the amount of money
140 paid. A copy of each receipt, together with the funds, must be

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141 deposited with the escrow agent or as provided in paragraph (c).
142 The escrow agent must release such funds to the provider 7 days
143 after the date of receipt of the funds by the escrow agent if
144 the provider, operating under a certificate of authority issued
145 by the office, has met the requirements of s. 651.0215(8), s.
146 651.023(6), or s. 651.0246. However, if the resident rescinds
147 the contract within the 7-day period, the escrow agent must
148 release the escrowed fees to the resident.

149 (c) As an alternative to paragraph (a) ~~At the request of~~
150 ~~an individual resident of a facility~~, the provider may hold the
151 check for the 7-day period and may not deposit it during this
152 time period. If the resident rescinds the contract within the 7-
153 day period, the check must be immediately returned to the
154 resident. Upon the expiration of the 7 days, the provider shall
155 deposit the check.

156 Section 7. Subsection (7) of section 651.034, Florida
157 Statutes, is renumbered as subsection (8), subsection (6) is
158 amended, and a new subsection (7) is added to that section, to
159 read:

160 651.034 Financial and operating requirements for
161 providers.-

162 (6) The office may exempt a provider from subsection (1)
163 or subsection (2) until stabilized occupancy is reached or until
164 the time projected to achieve stabilized occupancy as reported
165 in the last feasibility study required by the office as part of

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166 an application filing under s. 651.0215, s. 651.023, s. 651.024,
167 or s. 651.0246 has elapsed, but for no longer than 5 years
168 following the end of the provider's fiscal year in which ~~after~~
169 ~~the date of issuance of~~ the certificate of occupancy was issued.

170 Section 8. Paragraph (b) of subsection (1), paragraph (a)
171 of subsection (2), subsection (5), and paragraph (a) of
172 subsection (7) of section 651.035, Florida Statutes, are amended
173 to read:

174 651.035 Minimum liquid reserve requirements.—

175 (1) A provider shall maintain in escrow a minimum liquid
176 reserve consisting of the following reserves, as applicable:

177 (b) A provider that has outstanding indebtedness that requires
178 a debt service reserve to be held in escrow pursuant to a trust
179 indenture or mortgage lien on the facility and for which the
180 debt service reserve may only be used to pay principal and
181 interest payments on the debt that the debtor is obligated to
182 pay, and which may include property taxes and insurance, may
183 include such debt service reserve in computing the minimum
184 liquid reserve needed to satisfy this subsection if the provider
185 furnishes to the office a copy of the agreement under which such
186 debt service reserve is held, together with a statement of the
187 amount being held in escrow for the debt service reserve,
188 certified by the lender or trustee and the provider to be
189 correct. The trustee shall provide the office with any
190 information concerning the debt service reserve account upon

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191 request of the provider or the office. In addition, the trust
192 indenture, loan agreement, or escrow agreement must provide that
193 the provider, trustee, lender, escrow agent, or a person
194 designated to act in its place shall notify the office in
195 writing at least 10 days before the withdrawal of any portion of
196 the debt service reserve funds required to be held in escrow as
197 described in this paragraph. The notice must include an
198 affidavit sworn to by the provider, the trustee, or a person
199 designated to act in its place which includes the amount of the
200 scheduled debt service payment, the payment due date, the amount
201 of the withdrawal, the accounts from which the withdrawal will
202 be made, and a plan with a schedule for replenishing the
203 withdrawn funds. If the plan is revised by a consultant that is
204 retained as prescribed in the provider's financing documents,
205 the revised plan must be submitted to the office within 10 days
206 after the approval by the lender or trustee. Any such separate
207 debt service reserves are not subject to the transfer provisions
208 set forth in subsection (8).

209 (2)(a) In facilities where not all residents are under
210 continuing care or continuing care at-home contracts, the
211 reserve requirements of subsection (1) shall be computed only
212 with respect to the proportional share of operating expenses
213 that are applicable to residents. For purposes of this
214 calculation, the proportional share shall be based upon the
215 ratio of residents under continuing care or continuing care at-

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216 home contracts to the total of all residents, including those
217 residents who do not hold such contracts.

218 (5) A provider may satisfy the minimum liquid reserve
219 requirements of this section by acquiring from a financial
220 institution, as specified in paragraph (b), a clean,
221 unconditional irrevocable letter of credit equal to the
222 requirements of this section, less the amount of escrowed
223 operating cash required in paragraph (d).

224 (a) The letter of credit must be issued by a financial
225 institution participating in the State of Florida Treasury
226 Certificate of Deposit Program; a Florida state-chartered bank,
227 savings bank, or trust company; or a federal savings or thrift
228 association, bank, savings bank, or trust company, and must be
229 approved by the office before issuance and before any renewal or
230 modification thereof. At a minimum, the letter of credit must
231 provide for:

232 1. Ninety days' prior written notice to both the provider
233 and the office of the financial institution's determination not
234 to renew or extend the term of the letter of credit.

235 2. Unless otherwise arranged by the provider to the
236 satisfaction of the office, deposit by the financial institution
237 of letter of credit funds in an account designated by the office
238 no later than 30 days before the expiration of the letter of
239 credit.

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240 3. Deposit by the financial institution of letter of
241 credit funds in an account designated by the office within 4
242 business days following written instructions from the office
243 that, in the sole judgment of the office, funding of the minimum
244 liquid reserve is required.

245 (b) The terms of the letter of credit must be approved by
246 the office and the long-term debt of the financial institution
247 providing such letter of credit must be rated in one of their
248 top three long-term debt rating categories by either Moody's
249 Investors Service, Standard & Poor's Corporation, or a
250 recognized securities rating agency acceptable to the office.

251 (c) The letter of credit must name the office as beneficiary.

252 (d) Notwithstanding any other provision of this section, a
253 provider using a letter of credit pursuant to this subsection
254 shall, at all times, have and maintain in escrow an operating
255 cash reserve equal to 2 months' operating expenses as determined
256 pursuant to s. 651.026.

257 (e) If the issuing financial institution no longer
258 participates in the State of Florida Treasury Certificate of
259 Deposit Program, such financial institution shall deposit as
260 collateral with the department eligible securities, as
261 prescribed by s. 625.52, having a market value equal to or
262 greater than 100 percent of the stated amount of the letter of
263 credit.

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264 (7) (a) A provider may withdraw funds held in escrow
265 without the approval of the office if:

266 1. The amount held in escrow exceeds the requirements of
267 this section and if the withdrawal will not affect compliance
268 with this section; or

269 2. The withdrawal is from a debt service reserve required
270 to be held in escrow pursuant to a trust indenture or mortgage
271 lien on the facility as described in paragraph (1) (b) and will
272 be used to pay principal or interest payments, which may include
273 property taxes and insurance, the debtor is obligated to pay
274 when sufficient funds are not available on the next principal or
275 interest payment due date.

276
277 The notice specified in section 651.035(1) (b) must be sent to
278 the office 10 days before debt service reserve funds may be
279 withdrawn without prior approval.

280
281 Section 9. Subsection (2) of section 651.055, Florida
282 Statutes, is amended to read:

283 651.055 Continuing care contracts; right to rescind.—

284 (2) A resident has the right to rescind a continuing care
285 contract and receive a full refund of any funds paid, without
286 penalty or forfeiture, within 7 days after executing the
287 contract. However, if an individual signs a reservation contract
288 pursuant to s. 651.023(4) and fails to cancel such contract

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289 within 30 days after executing the contract and subsequently
290 signs a residency contract pursuant to this section and rescinds
291 the contract within 7 days, the forfeiture penalty authorized
292 under s. 651.023(4) may be deducted from the refund unless there
293 is evidence of extenuating circumstances such as, but not
294 limited to, the death, illness, or diagnosis of a chronic or
295 terminal illness of the individual or the individual's spouse or
296 partner or a change in financial or asset position which
297 warrants cancellation of the contract. A resident may not be
298 required to move into the facility designated in the contract
299 before the expiration of the 7-day period. During the 7-day
300 period, the resident's funds must be held in an escrow account,
301 or the provider may hold the check until the 7-day period
302 expires unless otherwise requested by the resident pursuant to
303 s. 651.033(3)(c).

304 Section 10. Paragraphs (a) and (d) of subsection (2) of
305 section 651.081, Florida Statutes, are amended to read:

306 651.081 Residents' council.—

307 (2)(a) Each facility shall establish a residents' council
308 created for the purpose of representing residents on matters set
309 forth in s. 651.085. A residents' council has the authority to
310 establish and maintain its own governance documents such as
311 bylaws, operating agreements, policies, and operating
312 procedures, which may include establishment of committees.
313 Residents, as defined in s. 651.011, have the right to

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314 participate in resident council matters, including elections.
315 The residents' council shall be established through an election
316 in which the residents, as defined in s. 651.011, vote by
317 ballot, physically or by proxy. If the election is to be held
318 during a meeting, a notice of the organizational meeting must be
319 provided to all residents of the community at least 10 business
320 days before the meeting. Notice may be given through internal
321 mailboxes, communitywide newsletters, bulletin boards, in-house
322 television stations, and other similar means of communication.
323 An election creating a residents' council is valid if at least
324 40 percent of the total resident population participates in the
325 election and a majority of the participants vote affirmatively
326 for the council. The initial residents' council created under
327 this section is valid for at least 12 months. A residents'
328 organization formalized by bylaws and elected officials must be
329 recognized as the residents' council under this section and s.
330 651.085. Within 30 days after the election of a newly elected
331 president or chair of the residents' council, the provider shall
332 give the president or chair a copy of this chapter and rules
333 adopted thereunder, or direct him or her to the appropriate
334 public website to obtain this information. Only one residents'
335 council may represent residents before the governing body of the
336 provider as described in s. 651.085(2).

337 (d) A residents' council's ~~council shall adopt its own~~
338 ~~bylaws and governance documents subject to the vote and approval~~

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339 ~~of the residents. The residents' council shall provide for open~~
340 ~~meetings when appropriate. The governing documents shall define~~
341 the manner in which residents may submit an issue to the council
342 and define a reasonable timeframe in which the residents'
343 council shall respond to a resident submission or inquiry. The A
344 residents' council may include term limits in its governing
345 documents to ensure consistent integration of new leaders. If a
346 licensed facility files for bankruptcy under chapter 11 of the
347 United States Bankruptcy Code, 11 U.S.C. chapter 11, the
348 facility, in its required filing of the 20 largest unsecured
349 creditors with the United States Trustee, shall include the name
350 and contact information of a designated resident selected by the
351 residents' council, and a statement explaining that the
352 designated resident was chosen by the residents' council to
353 serve as a representative of the residents' interest on the
354 creditors' committee, if appropriate.

355 Section 11. Paragraph (f) of subsection (1) of section
356 651.083, Florida Statutes, is amended to read:

357 651.083 Residents' rights.—

358 (1) No resident of any facility shall be deprived of any
359 civil or legal rights, benefits, or privileges guaranteed by
360 law, by the State Constitution, or by the United States
361 Constitution solely by reason of status as a resident of a
362 facility. Each resident of a facility has the right to:

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363 (f) Present grievances and recommend changes in policies,
364 procedures, and services to the staff of the facility, governing
365 officials, or any other person without restraint, interference,
366 coercion, discrimination, or reprisal. This right includes
367 access to ombudsman volunteers and staff and advocates and the
368 right to be a member of, and active in, and to associate with,
369 advocacy or special interest groups or associations.

370 Section 12. Subsections (2), (3), and (5) of section
371 651.085, Florida Statutes, are amended to read:

372 651.085 Quarterly meetings between residents and the
373 governing body of the provider; resident representation before
374 the governing body of the provider.—

375 (2) A residents' council formed pursuant to s. 651.081, members
376 of which are elected by the residents, shall nominate and elect
377 ~~designate~~ a designated resident representative to represent them
378 before the governing body of the provider on matters specified
379 in subsection (3). The initial designated resident
380 representative elected under this section shall be elected to
381 serve at least 12 months. The designated resident representative
382 does not have to be a current member of the residents' council;
383 however, such individual must be a resident, as defined in s.
384 651.011.

385 (3) The designated resident representative shall be
386 notified by a representative of the provider at least 14 days in
387 advance of any meeting of the full governing body at which the

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388 annual budget and proposed changes or increases in resident fees
389 or services are on the agenda or will be discussed. The
390 designated resident representative shall be invited to attend
391 and participate in that portion of the meeting designated for
392 the discussion of such changes. Designated resident
393 representatives shall perform their duties in good faith. For
394 providers that own or operate more than one facility in the
395 state, each facility must have its own designated resident
396 representative.

397 (5) The board of directors or governing board of a
398 licensed provider may at its sole discretion allow a resident of
399 the facility to be a voting member of the board or governing
400 body of the facility. The board of directors or governing board
401 of a licensed provider may establish specific criteria for the
402 nomination, selection, and term of a resident as a member of the
403 board or governing body. If the board or governing body of a
404 licensed provider operates more than one licensed facility,
405 regardless of whether the facility is in-state or out-of-state,
406 the board or governing body may select at its sole discretion
407 one resident from among its facilities to serve on the board of
408 directors or governing body on a rotating basis. A resident who
409 serves as a member of the board or governing body of the
410 facility shall perform his or her duties in a fiduciary manner,
411 including the duty of confidentiality, duty of care, duty of

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412 loyalty, and duty of obedience, as required of any individual
413 serving on the board or governing body of the facility.

414 Section 13. Paragraphs (e) through (k) and paragraph (l)
415 of subsection (2) of section 651.091, Florida Statutes, are
416 redesignated as paragraphs (f) through (l) and paragraph (n),
417 respectively, paragraph (d) of subsection (3) is amended, and
418 new paragraphs (e) and (m) are added to subsection (2) and
419 paragraph (m) is added to subsection (3) of that section, to
420 read:

421 651.091 Availability, distribution, and posting of reports
422 and records; requirement of full disclosure.-

423 (2) Every continuing care facility shall:

424 (e) Provide a copy of the final examination report and
425 corrective action plan, if one is required by the office, to the
426 executive officer of the provider's board or governing body and
427 to the president or chair of the residents' council within 60
428 days after issuance of the report.

429 (m) Provide to the president or chair of the residents'
430 council a written notice of any change in management within 10
431 business days.

432 (3) Before entering into a contract to furnish continuing
433 care or continuing care at-home, the provider undertaking to
434 furnish the care, or the agent of the provider, shall make full
435 disclosure, obtain written acknowledgment of receipt, and
436 provide copies of the disclosure documents to the prospective

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437 resident or his or her legal representative, of the following
438 information:

439 (d) In keeping with the intent of this subsection relating
440 to disclosure, the provider shall make available for review
441 master plans approved by the provider's board or governing body
442 ~~board~~ and any plans for expansion or phased development, to the
443 extent that the availability of such plans does not put at risk
444 real estate, financing, acquisition, negotiations, or other
445 implementation of operational plans and thus jeopardize the
446 success of negotiations, operations, and development.

447 (m) Disclosure of whether the provider has one or more
448 residents serving on its board or governing body and whether
449 that resident has a vote or is serving in a nonvoting, ex
450 officio capacity.

451 Section 14. Subsection (7) of section 651.105, Florida
452 Statutes, is renumbered as subsection (6), and subsection (1)
453 and present subsection (6) of that section are amended to read:

454 651.105 Examination.—

455 (1) The office may at any time, and shall at least once
456 every 3 years, examine the business of any applicant for a
457 certificate of authority and any provider engaged in the
458 execution of care contracts or engaged in the performance of
459 obligations under such contracts, in the same manner as is
460 provided for the examination of insurance companies pursuant to
461 ss. 624.316 and 624.318. For a provider as deemed accredited

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462 | under s. 651.028, such examinations must take place at least
 463 | once every 5 years. An examination covering the preceding 3 or 5
 464 | fiscal years of the provider, as applicable, must be commenced
 465 | within 12 months after the end of the most recent fiscal year
 466 | covered by the examination. Such examination may include events
 467 | subsequent to the end of the most recent fiscal year and the
 468 | events of any prior period that relate to possible violations of
 469 | this chapter or that affect the present financial condition of
 470 | the provider. At least once every 3 or 5 fiscal years, as
 471 | applicable, the office shall conduct an interview in person,
 472 | telephonically, or through electronic communication with the
 473 | current president or chair of the residents' council, or another
 474 | designated officer of the council if the president or chair is
 475 | not available, as part of the examination process. The ~~Such~~
 476 | examinations must be made by a

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

Remove lines 5-56 and insert:

481 | s. 651.0246, F.S.; revising a requirement for specified
 482 | information that must be submitted by a provider applying for
 483 | expansion of a certificated continuing care facility; revising a
 484 | condition for the release of certain escrowed funds to
 485 | providers; revising the timeframe in which the Office of
 486 | Insurance Regulation must complete its review of an application

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1573 (2023)

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487 for expansion; amending s. 651.026, F.S.; revising information
488 required to be contained in certain providers' financial reports
489 in their annual reports; amending s. 651.033, F.S.; revising
490 financial institutions in which escrow accounts must be
491 established; revising a condition under which a provider may
492 hold and not deposit a resident's check for a specified period;
493 amending s. 651.034, F.S.; revising the timeframe during which
494 the office may exempt certain providers from certain regulatory
495 actions; amending s. 651.035, F.S.; providing that certain
496 documents relating to a provider's debt service reserve must
497 require certain notice to the office before the withdrawal of
498 debt service reserve funds; specifying requirements for the
499 notice and for certain plans to replenish withdrawn funds;
500 revising the calculation of minimum liquid reserve requirements
501 for certain facilities; revising requirements for letters of
502 credit which satisfy minimum liquid reserve requirements;
503 revising circumstances under which a provider may withdraw funds
504 held in escrow without the office's approval; making a technical
505 change; amending s. 651.055, F.S.; specifying that a forfeiture
506 penalty may be deducted from certain resident refunds, except
507 under certain circumstances; conforming a provision to changes
508 made by the act; amending s. 651.081, F.S.; specifying the
509 authority of residents' councils and the eligibility of persons
510 to participate in residents' council matters; deleting a
511 requirement for open meetings of residents' councils; amending

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512 s. 651.083, F.S.; specifying that a resident has the right to
513 access ombudsman staff; amending s. 651.085, F.S.; requiring
514 residents' councils to nominate and elect a designated resident
515 representative to represent them on specified matters; providing
516 requirements for designated resident representatives; revising
517 meetings of the full governing body for which the designated
518 resident representative must be notified; requiring each
519 facility of certain providers to have its own designated
520 resident representative; providing a requirement for certain
521 designated resident representatives; amending s. 651.091, F.S.;
522 adding reporting and notice requirements for continuing care
523 facilities; adding a disclosure requirement for providers to
524 prospective residents or their legal representatives; amending
525 s. 651.105, F.S.; specifying requirements for the office's
526 examination of providers and applicants for certificates of
527 authority; deleting a requirement for a provider's
528 representative to give examination reports and corrective action
529 plans to the governing body's executive officer within a certain
530 timeframe; amending ss. 651.012 and 651.0261, F.S.; conforming
531 cross-references; providing an effective date.