

By Senator Calatayud

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1 A bill to be entitled
2 An act relating to home health care services; amending
3 s. 400.476, F.S.; deleting geographical limitations on
4 the home health agencies that an administrator may
5 manage at any given time; amending s. 400.487, F.S.;
6 deleting a requirement that, under certain
7 circumstances, a home health agency provide the
8 initial admission visit, service evaluation visits,
9 and the discharge visit to admitted patients by a
10 direct employee; amending s. 400.52, F.S.; revising
11 the eligibility criteria for awards under the
12 Excellence in Home Health Program; providing an
13 effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraph (a) of subsection (1) of section
18 400.476, Florida Statutes, is amended to read:

19 400.476 Staffing requirements; notifications; limitations
20 on staffing services.—

21 (1) ADMINISTRATOR.—

22 (a) An administrator may manage only one home health
23 agency, except that an administrator may manage up to five home
24 health agencies if all five home health agencies have identical
25 controlling interests as defined in s. 408.803 ~~and are located~~
26 ~~within one agency geographic service area or within an~~
27 ~~immediately contiguous county~~. If the home health agency is
28 licensed under this chapter and is part of a retirement
29 community that provides multiple levels of care, an employee of

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30 the retirement community may administer the home health agency
31 and up to a maximum of four entities licensed under this chapter
32 or chapter 429 which all have identical controlling interests as
33 defined in s. 408.803. An administrator shall designate, in
34 writing, for each licensed entity, a qualified alternate
35 administrator to serve during the administrator's absence.

36 Section 2. Subsection (5) of section 400.487, Florida
37 Statutes, is amended to read:

38 400.487 Home health service agreements; physician's,
39 physician assistant's, and advanced practice registered nurse's
40 treatment orders; patient assessment; establishment and review
41 of plan of care; provision of services; orders not to
42 resuscitate.—

43 ~~(5) When nursing services are ordered, the home health~~
44 ~~agency to which a patient has been admitted for care must~~
45 ~~provide the initial admission visit, all service evaluation~~
46 ~~visits, and the discharge visit by a direct employee. Nursing~~
47 ~~services provided by direct employees of and individuals others~~
48 under contractual arrangements to a home health agency must be
49 monitored and managed by the admitting home health agency. The
50 admitting home health agency is fully responsible for ensuring
51 that all care provided through its employees or contract staff
52 is delivered in accordance with this part and applicable rules.

53 Section 3. Paragraph (a) of subsection (2) of section
54 400.52, Florida Statutes, is amended to read:

55 400.52 Excellence in Home Health Program.—

56 (2) (a) The agency shall adopt rules establishing criteria
57 for the program which must include, at a minimum, standards that
58 are adaptable to all types of home health agencies, regardless

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59 of the payor type, patient population, or service designation.
60 The criteria must also include, at a minimum, ~~meeting~~ standards
61 relating to:

62 1. Patient or client satisfaction, including communication
63 and willingness to recommend the home health agency.

64 2. Service excellence.

65 a. For skilled providers, service excellence includes
66 outcomes related to clinical improvements, such as reducing
67 adverse events, unplanned emergency care, and hospitalizations.

68 b. For nonskilled providers, service excellence includes
69 contributions to daily living support, personal care quality,
70 and overall client well-being ~~Patients requiring emergency care~~
71 for wound infections.

72 3. Workforce stability and development, including employee
73 satisfaction, retention rates, and training initiatives
74 appropriate to the home health agency's services ~~Patients~~
75 admitted or readmitted to an acute care hospital.

76 4. Innovation in care delivery, such as implementing new
77 technologies, caregiver education programs, or tailored
78 approaches to meeting patient or client needs ~~Patient~~
79 improvement in the activities of daily living.

80 ~~5. Employee satisfaction.~~

81 ~~6. Quality of employee training.~~

82 ~~7. Employee retention rates.~~

83 ~~8. High performance under federal Medicaid electronic visit~~
84 ~~verification requirements.~~

85 Section 4. This act shall take effect July 1, 2025.