

1 A bill to be entitled
2 An act relating to home health services; amending s.
3 400.506, F.S.; requiring each nurse registry to
4 provide a specified disclosure to clients at certain
5 times; authorizing the Agency for Health Care
6 Administration to adopt rules; prohibiting a nurse
7 registry from using certain terms in specified
8 materials; requiring a nurse registry to use a
9 specified phrase and provide a specified disclaimer in
10 specified materials and display its state license
11 number in all marketing and advertising; requiring
12 each nurse registry to file a current fee schedule
13 with the agency and provide the schedule to patients
14 before initiating services; providing requirements for
15 the fee schedule; authorizing the agency to impose
16 administrative sanctions under certain circumstances;
17 amending s. 400.509, F.S.; providing that registered
18 companion and homemaker service providers are subject
19 to initial and periodic inspections by the Agency for
20 Health Care Administration for certain purposes;
21 providing requirements for such inspections; requiring
22 companion and homemaker service providers to provide
23 standardized written disclosures to clients under
24 certain circumstances; providing requirements for the
25 disclosures; requiring the agency to establish

standard disclosure templates and acknowledgment forms; prohibiting companion and homemaker service providers from using specified terms in specified materials; requiring companion and homemaker service providers to use a specified phrase and provide a specified disclaimer in specified materials and display its state registration number in all marketing and advertising; requiring companion and homemaker service providers to maintain certain records for each client and report to the agency any adverse incidents or complaints; requiring the agency to establish procedures for investigating complaints; authorizing the agency to conduct unannounced visits and impose certain fines under certain circumstances; amending s. 408.803, F.S.; removing nurse registries from the definition of the term "low-risk provider"; amending s. 817.505, F.S.; prohibiting nurse registries from receiving a commission or fee under certain circumstances; providing an effective date.

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

Section 1. Subsections (21) and (22) are added to section 400.506, Florida Statutes, to read:

400.506 Licensure of nurse registries; requirements;

51 penalties.—

52 (21) (a) Each nurse registry shall provide standardized
53 written disclosures to clients at intake and annually
54 thereafter. The disclosures must:

55 1. Be presented in at least 14-point bold type.

56 2. Include a signed acknowledgment of receipt by the
57 client or the client's representative; and

58 3. Contain the following information:

59 a. A statement that caregivers referred by the nurse
60 registry are independent contractors and not employees of the
61 nurse registry.

62 b. The nurse registry's insurance status, including the
63 type and amount of liability coverage carried.

64 c. Contact information for filing complaints, including
65 the state hotline and applicable professional licensing boards.

66 d. A clear explanation of the risks associated with
67 patient transport or the operation of lifting equipment, along
68 with documentation of the client's consent or declination for
69 such activities.

70 (b) The agency shall adopt rules to implement this
71 subsection, including standard disclosure templates and
72 acknowledgment forms.

73 (22) (a) A nurse registry may not use the terms "home
74 health," "home healthcare," or "agency" in any business name,
75 advertising, website, or promotional materials.

76 (b) Each nurse registry must include the phrase "nurse
77 registry" in its licensed business name and display its state
78 license number prominently in all marketing and advertising,
79 including digital platforms.

80 (c) Each nurse registry must display, in a clear and
81 conspicuous manner on its website and in all digital or print
82 marketing materials, the following disclaimer:

83
84 "All caregivers referred by this nurse registry are
85 independent contractors, not employees. By law, the
86 registry has no authority to supervise, manage, or
87 train caregivers and assumes no responsibility for
88 their actions or the services they provide."

89
90 (d) Each nurse registry shall file a current fee schedule
91 with the agency and provide the schedule to clients before
92 initiating services. The fee schedule must clearly disclose all
93 costs and charges in a manner understandable to the general
94 public.

95 (e) The agency may impose administrative sanctions for
96 failure to comply with this subsection.

97 **Section 2. Subsections (6) and (7) of section 400.509,**
98 **Florida Statutes, are renumbered as subsections (11) and (12),**
99 **respectively, and new subsections (6) through (10) are added to**
100 **that section, to read:**

101 400.509 Registration of particular service providers
102 exempt from licensure; certificate of registration; regulation
103 of registrants.—

104 (6) (a) A registered companion or homemaker service
105 provider is subject to initial and periodic inspections by the
106 agency to determine compliance with applicable general laws and
107 rules.

108 (b) The agency shall adopt rules establishing the
109 frequency and scope of such inspections, which must occur at
110 least once every 36 months.

111 (c) Inspections must include, but are not limited to,
112 review of service records, client disclosures, background
113 screening documentation, and compliance with marketing
114 standards.

115 (7) (a) A registered companion or homemaker service
116 provider must provide standardized written disclosures to
117 clients upon initiation of services and annually thereafter.

118 (b) The disclosures must:

119 1. Be presented in at least 14-point bold type;

120 2. Include a signed acknowledgment of receipt by the
121 client or the client's representative; and

122 3. Contain all of the following information:

123 a. A statement that services are limited to nonmedical,
124 non-hands-on care.

125 b. The provider's insurance coverage status, including

126 type and amount of liability coverage.

127 c. Instructions for filing complaints, including the state
128 hotline number.

129 d. An explanation of the provider's scope and limitations,
130 including the prohibition against personal care or medical
131 services.

132 e. A disclosure of whether caregivers are employees or
133 independent contractors.

134 (c) The agency shall adopt rules establishing standard
135 disclosure templates and acknowledgment forms.

136 (8) (a) A companion or homemaker service provider may not
137 use the terms "home health," "home healthcare," "nursing,"
138 "nurse registry," or "agency" in any business name, advertising,
139 website, or promotional materials.

140 (b) A companion or homemaker service provider must include
141 the phrase "companion and homemaker services" in its licensed
142 business name and display its state registration number
143 prominently in all marketing and advertising, including digital
144 platforms.

145 (c) A companion or homemaker service provider must
146 display, in a clear and conspicuous manner on its website and in
147 all digital or print marketing materials, the following
148 disclaimer:

149
150 "This business provides companion and homemaker

services only. Services do not include personal care or any hands-on health care. By law, companion and homemaker service providers may not assist with activities requiring a health care license or certification."

(d) The agency shall adopt rules to implement this subsection.

(9) (a) Companion and homemaker service providers must maintain accurate, chronological service records for each client, including caregiver assignments, incident reports, and acknowledgment of required disclosures.

(b) Providers shall document and report to the agency any adverse incidents or complaints as required by rule.

(c) The agency shall adopt rules to implement this subsection.

(10) (a) The agency shall establish procedures for investigating complaints against companion and homemaker service providers and may conduct unannounced inspections.

(b) The agency may impose administrative fines or other sanctions for violations of this subsection or rules adopted thereunder.

Section 3. Subsection (10) of section 408.803, Florida Statutes, is amended to read:

408.803 Definitions.—As used in this part, the term:

176 (10) "Low-risk provider" means a nonresidential provider,
177 including a ~~nurse registry~~, a home medical equipment provider,
178 or a health care clinic.

179 **Section 4. Paragraph (h) of subsection (3) of section**
180 **817.505, Florida Statutes, is amended to read:**

181 817.505 Patient brokering prohibited; exceptions;
182 penalties.—

183 (3) This section shall not apply to the following payment
184 practices:

185 ~~(h) Commissions or fees paid to a nurse registry licensed~~
186 ~~under s. 400.506 for referring persons providing health care~~
187 ~~services to clients of the nurse registry.~~

188 **Section 5.** This act shall take effect July 1, 2026.