

HOUSE MESSAGE SUMMARY

[s2568.hms]

BILL: CS/SB 2568
SPONSOR: Senator Lynn
SUBJECT: Protection and delivery of services to persons who are disabled, vulnerable, or elderly
PREPARED BY: Senate Committee on Children and Families
DATE: May 2, 2003

I. Amendments Contained in Message:

House Amendment 1 – 487613 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment 1 deletes or adds the following provisions:

- Provides the Department of Children and Families with the flexibility to use fee for service, case rate, or capitated contract methods, in addition to unit cost methods, in order to purchase and account for mental health and substance abuse services.
- Removes the amendment to the definition of “neglect” for adult protective services.
- Removes the Department of Children and Families’ authorization to contract with the sheriffs’ offices for adult protective services.
- Adds clinical social workers and court appointed guardians to the bottom of the list of persons who can serve as a proxy for health care decisions for incapacitated or developmentally disabled persons.
- Revises the guardianship provisions contained in the bill to remove the requirement that public guardians be bonded, to exclude from the educational requirements the parent who is the guardian of the property of a minor child, and to require annual instead of biennial registration.
- Removes the limitation to the consideration of offenses committed prior to October 1, 1995 in employment and licensure background screening.
- Adds the following provisions related to health programs administered through the Agency for Health Care Administration:
 - Requires nursing homes provide proof of legal right to occupy the property as part of an application for licensure or change of ownership (in CS/CS/SB 400);
 - Revises the grounds for denial, revocation, or suspension of an assisted living facility license and deletes the imposition of administrative fines from the section (in CS/CS/SB 400);
 - Eliminates the requirement that the Agency send renewal notices by certified mail to assisted living facilities (in CS/CS/SB 400);
 - Requires the agency to impose administrative fines in the manner provided in ch. 120, F.S. (in CS/CS/SB 400);
 - Allows the federal civil monetary penalty revenues to be deposited in the Quality of Long-Term Care Facility Improvement Fund (in CS/CS/SB 400);

- Allows reviewed financial statements to be considered in Nursing Home Gold Seal applications;
- Provides that the Department of Elder Affairs shall ensure that assisted living facility staff have met training and education requirements and allows training fees to be collected from all assisted living facilities;
- Directs the Agency and the Department of Elder Affairs to seek a Medicaid Home and Community Based waiver targeted to persons with Alzheimer's disease;
- Eliminates the requirement that the Agency send renewal notices by certified mail to adult day care centers (in CS/CS/SB 400);
- Requires the Agency to send renewal notices to adult family care homes at least 120 days prior to the expiration of licenses (in CS/CS/SB 400);
- Reinstates background screening for Health Care Services Pools repealed by a sunset provision (in CS/CS/SB 400);
- Repeals requirements for financial data submission by nursing homes and continuing care facilities (in CS/CS/SB 400);
- Eliminates the nursing home financial reporting requirement which will result in the reduction of 3 FTEs (in CS/CS/SB 400); and
- Requires all regulated providers to pay fines before change of ownerships can be approved (in CS/CS/SB 400).
- The Appropriations Subcommittee on Health and Human Services reports this amendment has no fiscal impact.