

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Health Care Committee

BILL: CS/SB 474

SPONSOR: Health Care Committee and Senator Saunders

SUBJECT: Nurse Registries

DATE: February 24, 2005 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	Wilson	HE	Fav/CS
2.				
3.				
4.				
5.				
6.				

I. Summary:

This bill repeals the requirement that, when a nurse registry contracts to provide services to a patient, a registered nurse must make monthly visits to the patient's home. The bill requires, instead, that when a nurse registry refers a certified nursing assistant or home health aide to a patient's home, the nurse registry must advise the patient, the patient's family, or any other person acting on behalf of the patient that a registered nurse is available to make monthly visits to the patient's home for an additional cost.

This bill amends s. 400.506, F.S.

II. Present Situation:

Nurse Registries

A nurse registry is not an employer of nurses, but rather acts as employment agency between an individual patient and a nurse, certified nursing assistant (CNA), home health aide, companion, or homemaker for services in the patient's home. All nurse registries are required to be licensed under s. 400.506, F.S., and surveyed by the Agency for Health Care Administration. Licenses are issued for a one-year period.

There were 212 licensed nurse registries in Florida as of December 18, 2004. A nurse registry is a business that offers contracts for registered nurses, licensed practical nurses, home health aides, CNAs, homemakers, and companions. These persons work as independent contractors and provide services to patients in their homes or private duty and staffing services in health care facilities. Nurse registries provide nursing care services, as follows:

- Nursing care provided by licensed registered nurses or licensed practical nurses;
- Care and services provided by certified nursing assistants or home health aides; or
- Homemaker or companion services registered under s. 400.509, F.S.

Persons who receive care from a home health aide or a CNA must have a physician, and the physician must be notified within 48 hours after the contract for care is completed. Under s. 400.506(10), F.S., a registered nurse must make a monthly visit to each patient who receives services from a home health aide or a CNA to assess the patient's condition and the quality of care provided.

III. Effect of Proposed Changes:

The bill amends s. 400.506, F.S., to delete the requirement that, when a nurse registry contracts to provide services to a patient, a registered nurse must make monthly visits to the patient's home. The bill requires, instead, that when a nurse registry refers a certified nursing assistant or home health aide to a patient's home, the nurse registry must advise the patient, the patient's family, or any other person acting on behalf of the patient that a registered nurse is available to make monthly visits to the patient's home for an additional cost.

The bill will take effect July 1, 2005.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Art. I, s. 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Eliminating the requirement that a registered nurse make a monthly visit to every patient that has a home health aide or CNA will benefit the nurse registry. The nurse registry will not have to contract with a registered nurse to perform the monthly assessments.

Persons receiving services through the nurse registry will have the choice of whether or not they want to pay the extra cost of a monthly registered nurse visit in addition to what they are paying for the home health aide or CNA.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

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