

To: FLiCRA Membership
From: Bennett Napier, CAE
Date: May 10, 2010
Re: Final Report from the 2010 Regular Florida Legislative Session

Continuing Care Retirement Community Legislation

Senate Bill 2030 by Senator Fasano and House Bill 1253 by Representative Proctor related to continuing care retirement communities was filed as a result of a joint effort among FLiCRA, FAHSA and the state Office of Insurance Regulation.

House Bill 1253 passed the Florida Legislature on April 30th. It has been sent to the Governors Office and the Governors Health Policy staff has already been in touch with FLiCRA staff for additional background on the legislation.

The Governor is expected to sign the legislation sometime in May and the provisions will become law July 1, 2010. FLiCRA will send out to its chapter presidents a full analysis of the legislation.

Interested residents are encouraged to attend either the May 20th FLiCRA regional meeting in Longwood, Florida or the regional meeting May 24th in Naples, Florida for an in person up date on the legislative session.

Assisted Living Facility External Defibrillators

House Bill 945 passed the Florida legislature and will require any assisted living facility in the state that has 17 or more beds to have an automated external defibrillator on premises. Additionally, it would require ALF staff at the facility to receive training and register the system with the local emergency medical services director. If signed by the Governor, the bill becomes law July 1, 2011.

Nursing Home Funding

The final 2010-11 budget approved by legislators contains a 5 percent cut for nursing home reimbursement, contingent upon the U.S. Congress passing the extension of the enhanced federal funding.

Within the budget negotiations, the Legislature approved nursing home staffing where nursing homes must have a total combined weekly average direct care staffing requirement of 3.9 hours per resident per day while maintaining the daily staffing minimums of 1.0 hours of direct licensed nursing staff and 2.7 hours of direct Certified Nursing Assistant (CNA) staff.

Medicaid and Managed Care

Both the House and Senate's proposals to expand managed care failed this year. The House had developed a comprehensive proposal to overhaul the Medicaid system, which included moving all Medicaid recipients into managed care over the next five years (with seniors requiring long term care services enrolled by 2015). Similar proposals are likely to be filed again for the 2011 legislative session.

Nursing Home Background Screening

House Bill 7069 passed the Legislature and is on its way to the Governor's desk for signature.

The bill establishes that all employees or contractors who provide personal care and employees with access to resident living areas or residents' property must have Level 2 FBI check completed before they can begin work. The requirement applies to new employees as of August 1, 2010, and current employees must be screened by June 30, 2015. The Governor is expected to sign this legislation.