

## MEMBERSHIP IN FLiCRA IS AN INVESTMENT WHICH PAYS DIVIDENDS!

During its history, FLiCRA has secured a number of changes to Florida law, which save residents money every year.

### *These include:*

	Estimated Annual Savings to Each Resident
Prescription Drug Repackaging	<b>\$200 plus a year for each qualified resident</b>
Homestead Exemption Equivalent	<b>\$400-600 annual credit on maintenance fees</b>
Sales Tax on Meals	<b>\$150 a year per resident</b>
Liability Insurance Premiums in Minimum Liquid Reserves	<b>\$500 - \$1,000 a year in reduced operating expenses per resident (based on a 300 resident CCRC)</b>
Defeat of \$10 a day Bed Tax for Nursing Beds	<b>\$1,200 savings a year per resident for a 300 resident CCRC with 100 skilled nursing beds</b>

FLiCRA Headquarters  
325 John Knox Road, L103  
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## WHAT IS FLiCRA?

The Florida Life Care Residents Association (FLiCRA) is a statewide nonprofit association of residents living in Continuing Care Retirement Communities (CCRCs).

Under the leadership of volunteer residents and a dedicated staff in Tallahassee, FLiCRA is a recognized voice before the legislature and state regulatory agencies.

The mission of FLiCRA is to promote and protect the rights of residents who live in CCRCs. FLiCRA accomplishes its mission through its relationship with legislators and state agencies. The association regularly participates in meetings of the Governors Continuing Care Advisory Council as well as other governmental bodies. FLiCRA staff members stay in constant contact with key state legislators who oversee health care and elder affairs issues.

The association is not meant to replace local resident councils or associations, or to deal with local disputes between councils and management. It is a separate entity meant to be the “watchdog” on state legislative issues. The continuing care industry is regulated under Chapter 651 of the Florida Statutes and is governed by the Florida Office of Insurance Regulation. Due to the wide range of services, communities may also be licensed as assisted living and nursing home facilities, which are regulated by the state Agency for Health Care Administration under Florida Statutes 400.

Through its efforts, the association is able to assist local FLiCRA chapters in understanding issues at the state level, which have an effect on communities.

FLiCRA represents more than 13,000 residents living in 54 of the state’s continuing care retirement communities. In some communities, nearly 100 percent of the residents are voluntary members of the association.

## WHY JOIN FLiCRA?

FLiCRA is the only statewide organization that is comprised exclusively of residents. It continually monitors, reviews and advocates on legislative or regulatory proposals that may have a positive or adverse effect on the life of residents.

During each legislative session, thousands of bills are filed in the Legislature. Many of these bills contain issues that are relevant to residents.

FLiCRA operates a grassroots program that encourages residents to contact legislators at the local level and then the Tallahassee staff follows up on these same issues that are of statewide concern to residents.

## SERVICE TO RESIDENTS

FLiCRA provides consistent leadership in a number of legislatively created panels that address resident concerns. FLiCRA members currently fill the three resident positions on the Governors Continuing Care Advisory Council. In addition, FLiCRA has a mandated seat on the Governors Panel on Excellence on Long Term Care and FLiCRA held a mandated seat on the End of Life Care Workgroup under the Department of Elder Affairs.

## WHAT HAS FLiCRA ACCOMPLISHED?

Since its inception, FLiCRA has been responsible for and participated in many legislative efforts that benefit CCRC residents. These efforts have from time to time been in cooperation with other nonprofit associations involved with elder issues.

Several of the issues that FLiCRA has worked on have resulted in not only protection for residents but also significant cost savings to residents. Here are a few examples of Florida laws passed or proposals defeated due in part or whole, to the efforts of FLiCRA:

### Cost Saving Measures

- Defeated proposal by the Department of Revenue to charge sales tax—retroactively for five years—on resident meals in Continuing Care Retirement Communities (CCRCs). Result: an average cost savings of \$150 per resident per year. A sales tax exemption on meals is now part of Florida law.
- Supported defeat of Bell South proposal to put a charge on local telephone calls.
- Defeated proposed daily tax of \$1.50 per nursing bed in CCRCs in 1991 and a \$10 per day proposed tax in 2005.
- Secured “homestead exemption” benefits for residents of for-profit and leased not-for-profit CCRCs. Based on local millage rates, this means an average savings of \$600 per year for each residential apartment.

### Continuing Care

- Clarified election procedure for residents establishing a resident’s council. (F.S. 651.085)
- Secured protection of residents of accredited CCRCs against waivers of requirements of Chapter 651. (F.S. 651.028)

- Developed “Bill of Rights” for residents. (F.S. 651.083)
- Secured a provision requiring management to provide an explanation to residents when maintenance fees exceed the CPI. (F.S. 651.085)
- Secured procedure for CCRC residents to elect a representative to represent them at meetings of the governing body at which changes in residents’ fees or services are discussed. (F.S. 651.085)
- Attained expanded requirements for “full disclosure” of providers’ financial reports. (F.S. 651.091)
- Supported state financial assistance to residents of CCRCs closed due to liquidation or pending liquidation. (F.S. 651.119)
- Increased representation of residents from two to three members on the Governor’s Continuing Care Advisory Council. (F.S. 651.121)
- Increased investigative powers of the Governor’s Continuing Care Advisory Council. (F.S. 651.121)
- Secured mediation/arbitration procedures for disputes between CCRC residents and owner/ providers. (F.S. 651.123)
- Secured legislative change, which removes liability insurance and property insurance premiums from expenses used to calculate the minimum liquid reserve (F.S. 651.035), a \$25 million cost savings annually to CCRCs.
- Secured that residents of continuing care communities are not considered new admissions relative to staffing moratorium rules in the nursing home portion of the community.

## Nursing & Health Center Regulations

- Supported right of residents holding Health Maintenance Organization (HMO) agreements to be referred back to their facility's nursing center for medical services by their primary care physician after hospitalization. (F.S. 641)
- Supported right of CCRCs to a Certificate of Need exemption so providers can establish home health agencies at their facilities. (Chapters 400 & 651)
- Supported right of CCRCs in financial need to utilize vacant sheltered nursing beds beyond initial five years for use by private pay patients with agency approval.
- Obtained provision that allows a resident to self-administer medication in assisted living units.
- Supported legislation requiring background checks on prospective employees in nursing facilities and long-term care communities.
- Supported legislation that would require geriatric medical training for physicians in Florida medical schools.
- Secured right of qualified residents to have prescription drugs provided through retirement programs repackaged for use in the health/nursing center.
- Supported the 2001 nursing home reforms, which brought forth needed changes to the nursing home litigation system and enhanced quality of care in long term care facilities.

*These are your basic rights as a continuing care resident thanks to FLiCRA:*

### 651.083 Residents' rights:

1. No resident of any facility shall be deprived of any civil or legal rights, benefits or privileges guaranteed by law, by the State Constitution, or by the United States Constitution solely by reason of status as a resident of a facility. Each resident of a facility has the right to:
  - a. Live in a safe and decent living environment, free from abuse and neglect.
  - b. Be treated with consideration and respect and with due recognition of personal dignity, individuality and the need for privacy.
  - c. Unrestricted private communication, including receiving and sending unopened correspondence.
  - d. Freedom to participate in and benefit from community services and activities and to achieve the highest possible level of independence, autonomy and interaction within the community.
  - e. Exercise civil and religious liberties. No religious beliefs or practices, and no requirement of attendance at religious services, may be imposed upon any resident.
  - f. Present grievances and recommend changes in policies, procedures and services to the staff of the facility, governing officials, or any other person without restraint, interference, coercion, discrimination or reprisal. This right includes access to ombudsman volunteers and advocates and the right to be a member of, and active in, and to associate with, advocacy or special interest groups.

- g. Freedom from governmental intrusion into the private life of the resident, as provided in s. 23, Art. I of the State Constitution.
- 2. The provider shall provide a copy of the bill of rights provided by subsection (1) to each resident at or before the resident's admission to the facility.
- 3. Any violation of the residents' rights set forth in subsection (1) constitutes grounds for disciplinary action by the department under ss. 651.106 and 651.108.
- 4. Any person who submits or reports a complaint concerning a suspected violation of a resident's rights or concerning services or conditions in a facility or who testifies in any administrative or judicial proceeding arising from such complaint is immune from any civil or criminal liability therefore, unless such person has acted in bad faith or with malicious purpose or if the court finds that there was a complete absence of a justifiable issue of either law or fact raised by the losing party.

## YOU NEED FLiCRA - FLiCRA NEEDS YOU - WE NEED EACH OTHER!

FLiCRA has been successful to date due to its broad-based support from residents.

Florida is at a crossroads with the fastest growing segment of the population being those 85 and older. Those over 60 are not far behind.

This trend makes long term care one of the most important issues currently debated by Florida's legislators.

Accomplishing FLiCRA's mission is an even harder task due to Florida's legislative term limits.

Starting with the 2000 elections, 83 percent of the House and 60 percent of the Senate were term limited out of office due to term limits. This ensures a revolving group of new legislators who need to be educated on senior issues.

In order to continue effective advocacy for residents' rights and welfare, FLiCRA needs a chapter in every CCRC and every resident to belong!

## MEMBERSHIP BENEFITS

By joining FLiCRA today, you are helping protect your personal interest and financial investment for years to come. Your membership helps provide:

- Representation in Tallahassee that promotes your interests as a resident before the Florida Legislature and state agencies.
- A Tallahassee based association headquarters with staff prepared to assist residents with questions on their rights and provide information regarding long term care issues.
- A quarterly association Newsletter, the "Resident Connection," FLiCRA Legislative Updates and Action Alerts, which provide members with updates on resident news.
- Frequent state and regional meetings where residents can tour other facilities and meet with residents from communities around the state.
- Association website with access to information and an interactive Legislative Action Center.

## JOIN FLiCRA TODAY!

### How do I join?

Just fill in the form on the next page and give it to your local FLiCRA representative.

### Who do I make the check out to?

Please make your check payable to FLiCRA and give to your local FLiCRA Chapter representative.

### What if we don't have a FLiCRA Chapter?

If no FLiCRA organization exists at your community, send your membership form and your payment to FLiCRA at 325 John Knox Road, L103, Tallahassee, Florida 32303. Memberships and contributions to FLiCRA are not tax deductible. *A local chapter can be formed as soon as 25 residents join.*



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## FLORIDA LIFE CARE RESIDENTS ASSOCIATION, INC. New Member Application

Name: \_\_\_\_\_

Second Name (*if two persons in unit*): \_\_\_\_\_

Community: \_\_\_\_\_

Address: \_\_\_\_\_ Apt. #: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

- Would you like additional copies of this brochure to share with other residents?
- Regular Member (*currently living in a CRCC*)
- Affiliate Member (*on a waiting list for a CRCC, or relative/trustee of a regular member*)

### Annual Dues

Single Person  
\$18.00

Two persons  
in a Unit \$31.00

### Life Membership

Single Person  
\$175.00

Two persons  
in a Unit \$275.00

Total Enclosed: \$ \_\_\_\_\_

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