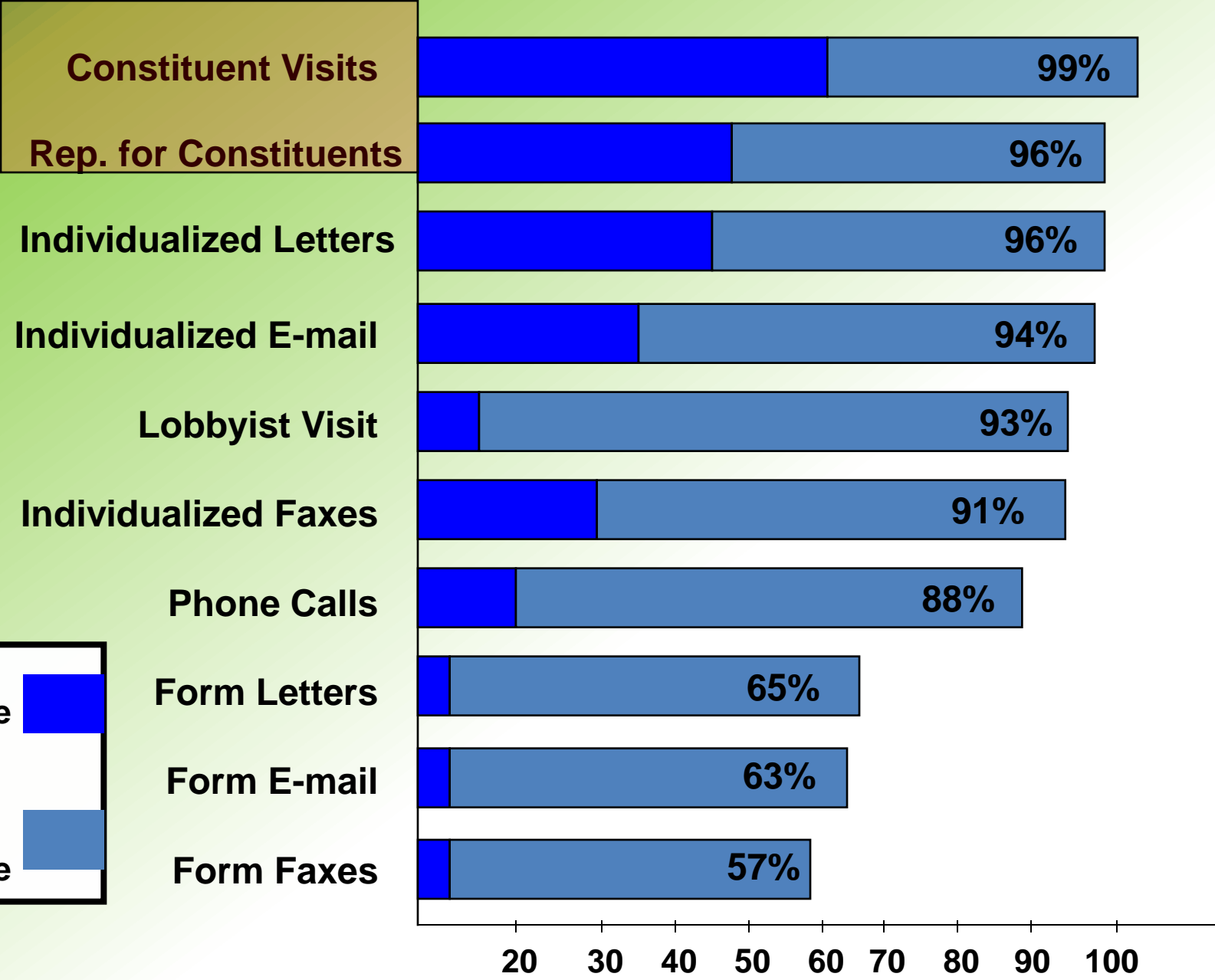




# 2015 Annual Conference





**A lot of Influence** 

**Some Influence** 

## 2015 Regular Session Outcomes

871	House Bills Filed
881	Senate Bills Filed
268	House Bills Passed House
155	House Bills Passed both Chambers
190	Senate Bills Passed Senate
77	Senate Bills Passed both Chambers
232	Bills Passed Both Chambers and Sent to Governor*
155	House Bills to Governor
77	Senate Bills to Governor

# 2016 Legislative Session

## Interim Committee Meetings

- November 2015 – Week of the 2nd
- November 2015 – Week of the 16th
- November 2015—Week of the 30th
  
- January 12, 2015 at Noon – Deadline for filing bills.
  
- January 12, 2016 will be the official start of the 2016 Legislative Session. The session is expected to conclude 60 days later on March 11, 2016.

## Senate and House Bills Filed for 2016 Thus Far

CONCURRENT RESOLUTIONS	3
RESOLUTIONS(ONE CHAMBER)	8
GENERAL BILLS	646
LOCAL BILLS	19
JOINT RESOLUTIONS	18
MEMORIALS	13

# Legislative Update

## Key Provisions of **House Bill 749**:

- **Strengthen the requirements** in continuing care contracts **and enhances resident refund preference requirements.**
- Provides for **greater transparency and disclosure to residents.**
- Requires CCRCs to provide their most recent **financial audit to the Residents' Council within 30** days of the annual OIR filing.

# Legislative Update

## **House Bill 749** cont.:

- In the event of a provider insolvency, House Bill 749 a **resident, designated by the residents' council**, would be offered **to serve on the Creditors' Committee**.
- Lastly, this legislation also **clarifies and strengthens** the role of the **residents councils**.

# HB 749 - Transparency

- Requires facilities to provide a copy of their full annual statement, and most recent third-party audit to the Residents Council within 30 days of filing their annual report with OIR.



# Benefits of a Resident Council

- **Operationally:** enhances a CCRC by offering the benefits of problem solving from objective and interested residents many with prior experience in the business world
- **Ethically:** provides the opportunity for residents to make and execute meaningful decisions that improve the quality of life of the resident population
- **Legally:** Florida law provides a mechanism for a Council

## Legislative Update -

- **House Bill 309** - Hospital Observation – Notice Requirements – *Requires that hospitals provide notice of observation status on discharge. Signed into law.*
- **Senate Bill 7018** - Long Term Care Ombudsman – *establishes a “shot clock” for resolution of resident complaints. Became law May 5, 2015.*

# Legislative Update

- **House Bill 1001** - Assisted Living Reform - *addresses recs from the Governors Assisted Living Task Force. Better ALF info and more user-friendly website. Signed by the Governor.*

# Definition of Acquisition – Future CCRC Legislation?

- Future Legislation on CCRC's likely will relate to:
- Section 628.4615 (13)(a), Florida Statutes
  - “Acquisition” includes any form of change in control whereby any person or affiliated person acquires or attempts to acquire, directly or indirectly, 10 percent or more of the ownership interest or assets of a CCRC or of a controlling company.
- Examples include but are not limited to:
  - Purchase of a provider or parent company
  - Asset purchase of a facility
  - Mergers

# How Residents Can Obtain Info

- Under state public records law, most information submitted to OIR is available to you as a matter of right
- Public Records Office  
Office of Insurance Regulation  
200 E Gaines Street  
Tallahassee, Florida 32399-4206  
(850) 413-4223  
[PublicRecords@floir.com](mailto:PublicRecords@floir.com)

# REGULATION

## Regulation Resources

- [Presentation to the Governor's Continuing Care Advisory Council, Office of Insurance Regulation](#)
- [Chapter 690-193 Rule Continuing Care Contracts](#)
- [CCRC Medical Deductions](#)
- [Fair Housing Act for Residents](#)
- [Senior Living Tax Deductions Guide](#)
- [Florida Statutes](#)
- [Chapter 651 of the Florida Statutes](#)

## CCRC Disputes and Complaints

FLiCRA is not meant to replace local resident councils or associations, or to deal with local disputes between councils and management. The Florida Association of Homes and Services for the Aging (FAHSA) and the Florida Life Care Residents Association (FLiCRA) work together to ensure that residents and providers are informed about existing rights under the law that ensure communication to resolve disputes even the most minor.

The following information is provided as a best practice step-by-step process to facilitate communication.

- [CCRC Dispute Resolution Guide](#)
- [CCRC Complaint Form](#)

## Regulatory Agencies

Florida Department of Financial Services (FLDFS)  
The Florida continuing care industry is regulated under Chapter 651 of the Florida Statutes and is governed by the Florida Department of Financial Services (formerly the Florida Department of Insurance).

# LINKS & RESOURCES

[Prescription Drug Repackaging Law](#)  
[Return to Home/HMO Law](#)  
[Onsite Reports of CCRC Audits](#)

**State Government:**

[Florida House of Representatives](#)  
[Florida Senate](#)  
[Florida Legislative Information](#)  
[Florida Agency for Health Care](#)  
[General Healthcare Information](#)

**Federal Government:**

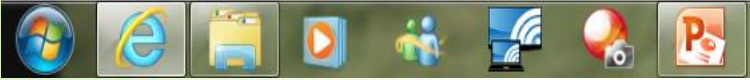
[US Department of Health and Human Services](#)  
[Social Security Administration](#)  
[Medicare and Medicaid Programs](#)  
[The U.S. Senate](#)  
[The U.S. House](#)  
[Living Wills Registry](#)

**Medical Information:**

[HealthGrades](#)  
[National Association of Health Data Organizations](#)

**Other Sites of Interest:**

[Commission on Aging with Dignity](#)  
[LeadingAge Florida](#)





### FLiCRA's 25th Anniversary Video

08/09/2015

The year 2014 marked a special occasion for FLiCRA, as twenty-five years had past since the inception of the organization. Celebrate and see how far e...

[READ MORE >](#)



### 2015 2nd Quarter Newsletter

07/16/2015

Read the latest on the 2015 Legislative session outcomes, the assisted living reform bill and thoughts from our President Pat Arends....

[READ MORE >](#)

**Region 7 Meeting**  
09/15/2015  
FLiCRA Region 7 Membership Meeting  
September 15, 2015...



**FLiCRA Annual Conference**  
11/05/2015  
Featuring CCRC Residents: Driving Business Models for Now and the Future Ke...

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# Florida Vs Federal CMS Nursing Home Guide

- The Florida [Nursing Home Guide](#) lists nursing homes by region and county. The Guide also includes facility-specific comparative information including a star ranking based upon deficiencies cited during inspections. The electronic version of the Guide is updated quarterly and posted on the Agency's web site approximately 45 days after the end of the calendar quarter (by the 15th calendar day of the second month following the end of the calendar quarter).
- The Nursing Home Guide includes a Watch List which identifies nursing homes that are operating under bankruptcy protection or met the criteria for a conditional status during the past 30 months. A conditional status indicates that a facility did not meet, or correct upon follow-up, minimum standards at the time of an inspection. Immediate action is taken if a facility poses a threat to resident health or safety. Under Florida law, nursing homes have a right to challenge state sanctions.
- [Health Care Facility and Provider Inspection Reports](#) links to copies of regular inspection and complaint inspection reports and [Florida Health Finder](#) provides basic information and maps for nursing homes and other health care facilities and providers regulated by the Agency.
- The Federal Centers for Medicare and Medicaid Services also publishes a [Nursing Home Compare](#) web site that provides additional information to compare nursing homes in Florida and the nation.

# Hospital Observation Notice – October 2015 Update (FEDERAL)

- Under legislation that passed the Senate recently and was approved earlier this year by the House of Representatives, hospitals will now be required to tell Medicare patients when they enter the hospital under “observation care” status, instead of being actually admitted to the hospital. Signed by the President recently.
- The new law doesn’t get rid of observation care. Instead it requires patients be notified 24 hours after they have received observation care.
- In addition, the new law requires that patients get an explanation why they had not been admitted and what their financial responsibilities are.