

## **2016 Florida Legislative Session**

### **Florida Life Care Residents Association**

#### **Bills of Importance**

The Florida Legislature meets early this year compared to normal years. The regular session convenes in Tallahassee on January 12, 2016. The session is set to adjourn March 11<sup>th</sup>.

Bills continue to be filed in both the House and Senate and bills can be filed until Noon on January 12<sup>th</sup>. As of early January, FLiCRA is monitoring fifty nine different bills. These bills relate to a variety of subjects including but not limited to: prescription drugs; Medicaid reimbursement; managed care; hospital staffing ratios and powers of attorney.

During the 2015 regular legislation session, a comprehensive law was passed on continuing care retirement communities. Only one bill specifically dealing with CCRC's is being debated by the 2016 legislature.

#### **Sampling of Bills of FLiCRA Interest**

##### House Bill 127/Senate Bill 542 – Gold Seal Nursing Homes

FLiCRA supports these bills. The bills propose to modify the financial soundness requirements for nursing homes to apply for and qualify for the Gold Seal Designation. The bills would permit a nursing home that is part of a CCRC to submit information to the Agency for Health Care Administration that demonstrates it meets ACHA financial standards. The bills also allow a nursing home that is part of a corporate entity that operates nursing homes, assisted living facilities, or independent living facilities to satisfy financial requirements by submitting a corporate financial statement and demonstrating to ACHA that the corporate entity meets financial standards established by the Agency.

##### House Bill 763/No Senate Companion Bill – Alzheimer's Disease

This bill would address the Baker Act, which relates to examination for mental illness. It would create a different process for medical providers in terms of Baker Act proceedings, if the patient exhibits signs of Alzheimer's disease or a dementia-related disorder.

##### House Bill 325/Senate Bill 572 - Baker Act Examinations

The Baker Act relates to examinations for mental illness. These bills would authorize a Physician Assistant (PA) or Advanced Registered Nurse Practitioner (ARNP) to initiate an involuntary examination under the Baker Act by executing a certificate stating that a person he or she examined within the preceding 48 hours appears to meet the criteria for an involuntary examination for mental illness.

Under current law, only a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist or clinical social worker may initiate an involuntary examination.

##### House Bill 957/Senate Bill 664 – End of Life Care

These bills would create an additional process beyond "Do Not Resuscitate Orders". The new and additional process that could be used would be called the Physician Order for Life Sustaining Treatment (POLST). This new process if passed into law would allow health care personnel to withhold or withdraw cardiopulmonary resuscitation if presented with either a "DNRO" or a "POLST".