



Dedicated To Long Term Care Medicine

Memorandum

To: John H Potomski Jr DO, CMD, President  
Florida Medical Directors Association

From: Gaby Geise  
Government and Clinical Affairs Representative

Date: April 3, 2008

Subj: Florida State Legislative Update

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I am writing to update you on some recent legislative activity in your state. The following bills have been introduced or amended during the new 2008 legislative session:

**1. H 189 IDENTICAL: FL S 288 AUTHOR:** Bucher (D)

**TITLE:** Home Health Services **INTRODUCED:** 03/04/2008

**DISPOSITION:** Pending **LOCATION:** House Healthcare Council Committee

**SUMMARY:** (Memorial) Urges the Congress of the United States to increase federal financial assistance for home health services for elderly patients when it is determined that a patient is in need of such services. Urges the Congress to establish federal guideline requirements for students and schools that train certified nurse assistants and home health aides.

**STATUS:** 03/04/2008 INTRODUCED.

**2. FL H 247**

**IDENTICAL:** FL S 686

**AUTHOR:** House Healthcare Council Committee

**TITLE:** Nursing Facilities  
**INTRODUCED:** 03/04/2008  
**LAST AMEND:** 04/01/2008  
**DISPOSITION:** Pending  
**LOCATION:** House Floor

**SUMMARY:**

Relates to nursing facilities; revises the frequency of visits to nursing facilities by quality-of-care monitors from the Agency for Health Care Administration; authorizes certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants; requires that federal posting requirements for staffing standards comply with state posting requirements.

**STATUS:**

04/01/2008 From HOUSE POLICY AND BUDGET Council: Reported favorably with substitute.

**3. FL H 1045**

**IDENTICAL:** FL S 2662  
**AUTHOR:** Kelly (R)  
**TITLE:** Alzheimer's Disease Research  
**INTRODUCED:** 03/04/2008  
**DISPOSITION:** Pending  
**LOCATION:** House Healthcare Council Committee

**SUMMARY:**

Relates to federal funding for alzheimer's disease research; urges Congress to increase federal funding for Alzheimer's disease research for fiscal year 2008-2009.

**STATUS:**

03/18/2008 From HOUSE Committee on HEALTHY SENIORS: Reported favorably.

#### **4. FL H 1235**

**SIMILAR:** FL S 2428

**AUTHOR:** Poppell (R)

**TITLE:** Local Government Funding for Elderly Services

**INTRODUCED:** 03/04/2008

**DISPOSITION:** Pending

**LOCATION:** House Healthy Seniors Committee

#### **SUMMARY:**

Relates to local government funding for elderly services; creates Local Elderly Services Act; provides responsibilities of and requirements for the Department of Elderly Affairs for use of certain public revenues as local matching funds and for uses of federal reimbursements received as result of certification of local matching funds; provides for agreements between the department, local area agencies on aging, and local private entities.

#### **STATUS:**

03/13/2008 From HOUSE HEALTHCARE Council: Referred to committee.

03/13/2008 To HOUSE Committee on HEALTHY SENIORS.

#### **5. FL H 1335**

**COMPARE:** FL H 753, FL S 1668

**AUTHOR:** Schenck (R)

**TITLE:** Long-term Care Facilities

**INTRODUCED:** 03/04/2008

**DISPOSITION:** Pending

**LOCATION:** House Healthy Seniors Committee

**SUMMARY:**

Relates to long-term care facilities; creates the Long-term Care Transparency Act; requires additional information to be submitted with application for nursing home and assisted living facility licenses; provides additional grounds for action by Agency for Health Administration against licensee; requires licensees to disclose financial or ownership interests acquired by certain entities and change of ownership; relates to license revocation; relates to licensee use of liability insurance.

**STATUS:**

03/13/2008 From HOUSE HEALTHCARE Council: Referred to committee.

03/13/2008 To HOUSE Committee on HEALTHY SENIORS.

**6. FL H 1401**

**COMPARE:** FL S 2216

**LINKED:** FL H 1403

**AUTHOR:** Gibson H (R)

**TITLE:** Adult Protection and Care

**INTRODUCED:** 03/04/2008

**DISPOSITION:** Pending

**LOCATION:** House Healthcare Council Committee

**SUMMARY:**

Relates to adult protection and care; specifies certain conditions for transfer or discharge of resident in assisted living facility in resident bill of rights; provides notice requirements upon resident transfer or discharge; provides for onsite inspections; authorizes residents to challenge transfer or discharge decisions; provides for reimbursement of bed reservation payments.

**STATUS:**

03/18/2008 From HOUSE Committee on HEALTHY SENIORS: Reported favorably with amendment.

**7. FL H 1403**

**LINKED:** FL H 1401

**AUTHOR:** Gibson H (R)

**TITLE:** Assisted Living Facility Residents

**INTRODUCED:** 03/04/2008

**DISPOSITION:** Pending

**LOCATION:** House Healthy Seniors Committee

**SUMMARY:**

Relates to assisted living facility residents; provides exemption from public records requirements for names and addresses of, medical services provided to, social and economic conditions or circumstances of, evaluations of personal information, medical data, and information received verifying income eligibility of, and amounts of medical assistance payments regarding resident transferred to or from, or discharged from, assisted living facility.

**STATUS:**

03/18/2008 In HOUSE Committee on HEALTHY SENIORS: Temporarily deferred.

**8. FL H 1443**

**COMPARE:** FL S 2694

**SIMILAR:** FL S 1420

**AUTHOR:** Evers (R)

**TITLE:** Medical Malpractice

**INTRODUCED:** 03/04/2008

**DISPOSITION:** Pending

**LOCATION:** House Health Quality Committee

**SUMMARY:**

Relates to medical malpractice; requires certain licensed health care facilities to require licensed doctors of medicine and osteopathic medicine on staff or with staff privileges at facility to comply with financial responsibility requirements; requires facility to be responsible for meeting those requirements with respect to claim against such professional who fails to comply with financial responsibility provisions; provides for indemnification.

**STATUS:**

03/13/2008 From HOUSE HEALTHCARE Council: Referred to committee.

03/13/2008 To HOUSE Committee on HEALTH QUALITY.

**9. FL S 288**

**IDENTICAL:** FL H 189

**AUTHOR:** Aronberg (D)

**TITLE:** Home Health Services

**INTRODUCED:** 03/04/2008

**DISPOSITION:** Pending

**LOCATION:** Senate Health Regulation Committee

**SUMMARY:**

(Memorial) Relates to home health services; urges the Congress of the United States to increase federal financial assistance for home health services for elderly patients when it is determined that a patient is in need of such services; Urges the Congress to establish federal guideline requirements for students and schools that train certified nurse assistants and home health aides.

**STATUS:**

03/04/2008 INTRODUCED.

**10. FL S 686**

**IDENTICAL:** FL H 247

**AUTHOR:** Senate Judiciary Committee

**TITLE:** Nursing Facilities

**INTRODUCED:** 03/04/2008

**LAST AMEND:** 03/05/2008

**DISPOSITION:** Pending

**LOCATION:** House Floor

**SUMMARY:**

Relates to nursing facilities; revises the frequency of visits to nursing facilities by quality-of-care monitors from the Agency for Health Care Administration; authorizes certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants.

**STATUS:**

04/02/2008 In HOUSE. In Messages.

**11. FL S 2102**

**SIMILAR:** FL H 5005

**AUTHOR:** Senate Appropriations - Health and Human Services Committee

**TITLE:** Agency for Health Care Administration Trust Funds

**INTRODUCED:** 03/11/2008

**LAST AMEND:** 03/13/2008

**DISPOSITION:** To Governor

**LOCATION:** To Enrollment

**SUMMARY:**

Terminates the Florida Organ and Tissue Donor Education and Procurement Trust Fund and the Resident Protection Trust Fund; provides for the administration of the Administrative Trust Fund, the Grants and Donations Trust Fund, the Health Care Trust Fund, the Medical Care Trust Fund, the Public Medical Assistance Trust Fund, the Quality of Long-Term Care Facility Improvement Trust Fund, and the Refugee Assistance Trust Fund; revises the date for reversion of balances in the Tobacco Settlement Trust Fund.

**STATUS:**

04/02/2008 In HOUSE. Substituted on HOUSE floor for H 5005.

04/02/2008 In HOUSE. Read second time.

04/02/2008 In HOUSE. Read third time.

04/02/2008 In HOUSE. Passed HOUSE.

I will send you updates on these bills as I learn of them. Please let me know, either by e-mail or phone, if you would like to see the full text of any of these bills. My email is [ggeise@amda.com](mailto:ggeise@amda.com) and direct phone number is (410)992-3145.

Thank you.

Cc: Ian Cordes, NHA, Executive Director