

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/HB 1179 — Home Health Care

by Health and Human Services Committee; Health Innovation Subcommittee; and Rep. Stone (CS/CS/SB 976 by Judiciary Committee; Health Policy Committee; and Senator Bean)

The bill amends provisions of law relating to home health care.

The bill exempts a home health agency that is not Medicare or Medicaid certified and does not provide skilled care from the requirement to obtain and maintain accreditation from an accreditation organization recognized by the Agency for Health Care Administration (AHCA).

The bill also amends the requirements placed on a nurse registry to clarify that caregivers referred by a registry are independent contractors and not employees of the registry and that it is not the obligation of the nurse registry to monitor, supervise, manage, or train the referred caregiver. The bill requires that a nurse registry advise the patient, patient's family, or other person acting on behalf of the patient of the above details of the relationship between the registry and the referred caregiver.

A nurse registry is required to ensure that each caregiver has presented credentials demonstrating that he or she is adequately trained. In the event of a violation of law by a referred caregiver that comes to the attention of the nurse registry, the nurse registry is required to recommend that the patient terminate the referred caregiver's contract; provide a reason for the recommendation; cease referring the caregiver; and, if practice violations are involved, notify the relevant licensing board. The bill also clarifies that a nurse registry is required to maintain records filed with the registry in accordance with the AHCA's rules, but the registry is not obligated to review or act upon such records except as detailed in the requirements placed on the registry in the event of a violation by the referred caregiver.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 31-2; House 109-6