

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/HB 1001 — Assisted Living Facilities

by Health and Human Services Committee; Health Care Appropriations Subcommittee; and Rep. Ahern and others (CS/CS/SB 382 by Appropriations Committee; Health Policy Committee; and Senators Sobel, Gaetz, and Gibson)

The bill strengthens the enforcement of current regulations for assisted living facilities (ALF) by clarifying existing enforcement tools, revising the Agency for Health Care Administration's (AHCA) ability to impose administrative penalties, and requiring an additional inspection for facilities having significant violations. The bill:

- Clarifies the responsibilities of an ALF and of mental health care services providers regarding community living support plans for ALF mental health residents.
- Revises the duties of the long-term care ombudsmen when conducting complaint investigations, including conducting an exit consultation.
- Revises the licensing criteria for limited nursing services (LNS) and extended congregate care (ECC) ALF sublicenses and creates a provisional license process for newly created ALFs that wish to receive an ECC license.
- Requires an ALF that serves any mental health residents to obtain a limited mental health sublicense.
- Focuses AHCA inspections on ALFs with multiple serious violations by reducing the number of monitoring visits required for LNS and ECC specialty licensed facilities while requiring an additional full inspection for any ALF with one class I or three or more class II violations within a 60-day period.
- Clarifies the criteria under which the AHCA must revoke or deny a facility's license.
- Requires the AHCA to impose an immediate moratorium on an ALF that fails to allow access to the facility or to records.
- Allows ALF staff members to assist residents with the self-administration of additional types of procedures including, but not limited to, using a nebulizer, using a glucometer, and assisting with putting on and taking off antiembolism stockings.
- Adds certain responsible parties and AHCA personnel to the list of people who must report abuse or neglect to the Department of Children and Families' central abuse hotline.
- Requires new ALF staff members to attend a two hour employee preservice orientation course beginning October 1, 2015.
- Requires the AHCA to add certain content to its website by November 1, 2015, to help consumers select an ALF.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 38-0; House 114-0