

HOUSE MESSAGE SUMMARY

BILL: SB 1280 [S1280.HMS]
SPONSOR: Senator Cowin
SUBJECT: Nursing Homes and Related Health Care Facilities
PREPARED BY: Senate Committee on Children and Families
DATE: May 4, 2000

I. Amendments Contained in Message

House Amendment - 675675 (body with title)

II. Summary of Amendments Contained in Message

House Amendment 1 includes provisions of HB 2431 (PCB 06) by the House Committee on Elder Affairs and Long Term Care that was developed to assist in the implementation of HB 1971 that passed the 1999 Legislature and contains provisions of SB 178 that relates to water utility rate proceedings.

This amendment clarifies language related to the transfer and discharge of residents from nursing homes with which nursing homes have experienced implementation problems. An Agency for Health Care Administration (AHCA) form is required when a nursing home initiates a resident transfer or discharge from the facility. The amendment allows a written physician order to be attached to the form in place of a signature. Also, this amendment requires that the form be sent to the Ombudsman within 5 days. There have been problems in the past with Ombudsman offices receiving these forms in a timely manner.

The amendment revises the types of data that must be published in the Consumer Information materials prepared by AHCA. Allows the agency to provide links to other web sites that provide consumer information. Clarifies the nursing home information that will be provided in the guide includes length of ownership, chain affiliation, and methods of payment accepted. Deletes a requirement that the guide include the federal Quality Indicators. This federal form is not a useful tool to help consumers and their families discern a facility's clinical outcomes, as expected.

The amendment replaces broad regulatory information language with specific information that will be included in the guide. Requires the agency to provide the last 45 months of regulatory data instead of 3 years. This more accurately reflects the last three "survey cycles" (survey cycles are a 15 month maximum). Provides authority to report results of the consumer satisfaction surveys and deficiency information in numeric and symbolic formats. For example, the agency may elect to use a display of one to five stars to represent the customer satisfaction survey results.

Allows the agency to use federal deficiency data regardless of how the federal system is named or identified. It is anticipated that the Health Care Financing Administration may change their "OSCAR" computer system in the future. Allows additional information to be provided in the Consumer Guide as the agency is able to accumulate and publish such information. Provides rule

authority to the agency to implement the Consumer Guide. Provisions are clarified relating to the consumer satisfaction surveys the agency is required to obtain.

Criteria are revised for nursing homes that are recommended for the Gold Seal Award by replacing the use of the federal Quality Indicators with a quality of care measurement system that will be determined by the Panel for Excellence in Long Term Care. The federal Quality Indicators form does not serve as an appropriate tool to provide information about clinical outcomes, as expected. Provides additional rule authority to the agency to implement the Gold Seal program. The bill revises the criteria used to nominate nursing homes for the Gold Seal award.

A definition of "nursing home bed" is created which should give nursing homes flexibility to use a resident room for other uses as long as it can be made ready for occupancy in 48 hours.

The Board of Pharmacy and AHCA are directed to study the use of automated medication dispensing machines in nursing facilities. A report summarizing the results shall be submitted by the board and the agency to the Speaker of the House and the President of the Senate by January 1, 2000.

The amendment includes provisions for notices to customers before local government water or sewer utility increases any rate, charge, or fee for water or sewer utility services. This notice is in addition to any notice and public meeting requirements for ordinance adoption as provided by general law. The amendment allows the Public Counsel to provide legal representation for the people of the state in water and wastewater utility rate proceedings before counties.

This portion of the amendment appears to violate Rule 7.1 which provides that no proposition on a subject different from that under consideration shall be admitted under color of amendment. This is an act relating to nursing homes and related health care facilities; the subject of this portion of the amendment is water utility rate proceedings.