

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Council for Healthy Communities offered the following:

Amendment (with title amendment)

On page 63, between lines 20 and 21 of the bill

insert: Section 23. Section 400.148, Florida Statutes, is created to read:

400.148 Medicaid "Up-or-Out" Quality of Care Contract Management Program.--

(1) The Legislature finds that the federal Medicare program has implemented successful models of managing the medical and supportive-care needs of long-term nursing home residents. These programs have maintained the highest practicable level of good health and have the potential to reduce the incidence of preventable illnesses among long-stay residents of nursing homes, thereby increasing the quality of care for residents and reducing the number of lawsuits against nursing homes. Such models are operated at no cost to the state.

(2) The Agency for Health Care Administration shall develop a pilot project in selected counties to demonstrate

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1 the effect of assigning skilled and trained medical personnel
2 to ensure the quality of care, safety, and continuity of care
3 for long-stay Medicaid recipients in the highest-scoring
4 nursing homes in the Florida Nursing Home Guide on the date
5 the project is implemented. The agency is authorized to begin
6 the pilot project in the highest scoring homes in counties
7 where Evercare services are immediately available. On January
8 1 of each year of the pilot project the Agency shall submit to
9 the Appropriations and substantive committees of the
10 Legislature and the Governor an assessment of the program and
11 a proposal for expansion of the program to additional
12 facilities. The staff of the pilot project shall assist
13 regulatory staff in imposing regulatory sanctions, including
14 revocation of licensure, pursuant to s. 400.121 against
15 nursing homes that have quality-of-care violations.

16 (3) The pilot project must ensure:

17 (a) Oversight and coordination of all aspects of a
18 resident's medical care and stay in a nursing home;

19 (b) Facilitation of close communication between the
20 resident, the resident's guardian or legal representative, the
21 resident's attending physician, the resident's family, and
22 staff of the nursing facility;

23 (c) Frequent onsite visits to the resident;

24 (d) Early detection of medical or quality problems
25 that have the potential to lead to adverse outcomes and
26 unnecessary hospitalization;

27 (e) Close communication with regulatory staff;

28 (f) Immediate investigation of resident
29 quality-of-care complaints and communication and cooperation
30 with the appropriate entity to address those complaints,
31 including the ombudsman, state agencies, agencies responsible

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1 for Medicaid program integrity, and local law enforcement
2 agencies;
3 (g) Assistance to the resident or the resident's
4 representative to relocate the resident if quality-of-care
5 issues are not otherwise addressed; and
6 (h) Use of Medicare and other third-party funds to
7 support activities of the program.
8 (4) The agency shall coordinate the pilot project
9 activities with providers approved by Medicare to operate
10 Evercare demonstration projects.

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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 4, line 27 after "action;"

insert:

creating s. 400.148, F.S., relating to quality
of care pilot projects;