

CHAMBER ACTION

1 The Health Care General Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to nursing home facilities; creating s.  
7 400.0627, F.S.; providing legislative intent; requiring  
8 the Agency for Health Care Administration to implement a  
9 pilot program to increase the emergency electrical power  
10 capacity of nursing home facilities; providing criteria  
11 for participation in the program; providing conditions for  
12 reimbursement of participating facilities; permitting  
13 inspections of certain facilities by the agency; requiring  
14 facilities to comply with current codes and standards when  
15 modifying emergency electrical power systems; authorizing  
16 the agency to adopt rules; providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Section 400.0627, Florida Statutes, is created  
21 to read:

22 400.0627 Emergency electrical power system capacity.--

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23        (1) It is the intent of the Legislature that each nursing  
24 home facility in this state be encouraged to have an emergency  
25 electrical power system capacity that is sufficient to remain  
26 fully operational during and after an emergency in order to  
27 maintain the safety and health of the residents of the nursing  
28 home facility and, if necessary, to provide care to residents  
29 evacuated from other nursing home facilities.

30        (2) By July 1, 2006, the Agency for Health Care  
31 Administration shall commence implementation of a 2-year pilot  
32 program to provide the capability for increasing the capacity of  
33 emergency electrical power systems of nursing home facilities.  
34 To participate in the pilot program a nursing home facility  
35 must:

36        (a) Be located in Broward County, Collier County, Dade  
37 County, Monroe County, or Palm Beach County;

38        (b) Not be located within a hurricane evacuation zone;

39        (c) Not have been cited for a class I deficiency within  
40 the 30 months preceding the commencement date of implementation  
41 of the pilot program;

42        (d) Be capable of accepting and agree to accept at least  
43 30 residents who are transferred from other nursing home  
44 facilities pursuant to applicable life safety and firesafety  
45 laws as determined by the agency. During any such evacuation,  
46 the facility from which the residents are transferred shall  
47 provide the receiving facility with the staff required to care  
48 for the transferred residents; and

49        (e) Have a contract with a company that is able to supply  
50 an electrical generator when needed.

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51       (3) (a) A nursing home facility must notify the agency if  
52 it seeks to participate in the pilot program. If a facility  
53 providing such a notice meets the criteria in subsection (2) and  
54 funds are available as specified in paragraph (b), the agency  
55 shall reimburse the facility for one-half the cost up to \$15,000  
56 of the contract described in paragraph (2) (e) to secure an  
57 electrical generator within the 2-year duration of the pilot  
58 program. The agency shall also reimburse the facility for the  
59 cost incurred to install a permanent, predesigned electrical  
60 service entry that will allow a quick connection to a temporary  
61 electrical generator. The connection must be installed inside a  
62 permanent metal enclosure that is rated as suitable for the  
63 purpose of providing such an entry, may be located on the  
64 exterior of the building, and must be adequate to allow the  
65 operation of the facility under normal conditions. Before any  
66 such reimbursement, the facility must provide the agency with  
67 documentation that the installation is complete and the  
68 electrical work associated with the installation was performed  
69 by a certified electrical contractor.

70       (b) Reimbursement to a facility under paragraph (a) is  
71 available to the extent that funds are appropriated for each of  
72 the 2 years of the pilot program. Funds shall be provided to  
73 eligible facilities on a first-come, first-served basis.

74       (4) A nursing home facility that participates and is  
75 reimbursed for an installation under the pilot program shall  
76 ensure the proper safekeeping and maintenance of the  
77 installation and allow the agency access as needed to inspect  
78 the installation.

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79 | (5) This section does not require a nursing home facility  
80 | to participate in the pilot program or to modify the capacity of  
81 | its existing emergency electrical power system. However, if the  
82 | existing emergency electrical power system of a nursing home  
83 | facility is modified as part of an installation for which  
84 | reimbursement is provided under subsection (3), such system must  
85 | comply with all current codes and standards.

86 | (6) The agency may adopt rules pursuant to ss. 120.536 and  
87 | 120.54 to implement the provisions of this section.

88 | Section 2. This act shall take effect upon becoming a law.