

1                                   A bill to be entitled  
 2           An act relating to health care provider  
 3           accountability; amending s. 400.141, F.S.; requiring  
 4           nursing home facilities to report to the Agency for  
 5           Health Care Administration common ownerships they or  
 6           their parent companies share with certain entities;  
 7           requiring the agency to work with stakeholders to  
 8           determine how such reporting shall be conducted;  
 9           requiring the agency to submit a report of such  
 10          reported common ownerships to the Governor and  
 11          Legislature by a specified date each year; requiring  
 12          the agency to adopt rules; amending s. 400.211, F.S.;  
 13          requiring the agency to submit a report on the success  
 14          of the personal care attendant program to the Governor  
 15          and Legislature by a specified date each year;  
 16          providing requirements for the report; providing an  
 17          effective date.

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

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 21           Section 1. Paragraph (x) is added to subsection (1) of  
 22           section 400.141, Florida Statutes, to read:

23           400.141 Administration and management of nursing home  
 24           facilities.—

25           (1) Every licensed facility shall comply with all

26 applicable standards and rules of the agency and shall:  
 27 (x) Report to the agency any common ownership the facility  
 28 or its parent company shares with a staffing or management  
 29 company, a vocational or physical rehabilitation company, or any  
 30 other entity that conducts business within the nursing home  
 31 facility. For the purposes of this paragraph, "common ownership"  
 32 means an ownership interest of 5 percent or more held by the  
 33 entity in the facility or by the facility in the entity.  
 34 Facilities shall report this information electronically as an  
 35 element of the data reporting required by s. 408.061(5). The  
 36 agency shall annually, by January 15, publish on its website all  
 37 common ownerships reported to the agency in the preceding year.

38 Section 2. Subsection (2) of section 400.211, Florida  
 39 Statutes, is amended to read:

40 400.211 Persons employed as nursing assistants;  
 41 certification requirement; qualified medication aide designation  
 42 and requirements.—

43 (2) The following categories of persons who are not  
 44 certified as nursing assistants under part II of chapter 464 may  
 45 be employed by a nursing facility for a single consecutive  
 46 period of 4 months:

47 (a) Persons who are enrolled in, or have completed, a  
 48 state-approved nursing assistant program.

49 (b) Persons who have been positively verified as actively  
 50 certified and on the registry in another state with no findings

51 of abuse, neglect, or exploitation in that state.

52 (c) Persons who have preliminarily passed the state's  
53 certification exam.

54 (d) Persons who are employed as personal care attendants  
55 and who have completed the personal care attendant training  
56 program developed pursuant to s. 400.141(1)(w). As used in this  
57 paragraph, the term "personal care attendants" means persons who  
58 meet the training requirement in s. 400.141(1)(w) and provide  
59 care to and assist residents with tasks related to the  
60 activities of daily living.

61  
62 The certification requirement must be met within 4 months after  
63 initial employment as a nursing assistant in a licensed nursing  
64 facility. On January 1 of each year, the agency shall submit a  
65 report to the Governor, the President of the Senate, and the  
66 Speaker of the House of Representatives on the success of this  
67 program including, but not limited to, how many personal care  
68 attendants take and subsequently pass the certified nursing  
69 assistant exam after the 4 months of initial employment with a  
70 single nursing facility, any adverse actions related to patient  
71 care involving personal care attendants, how many new certified  
72 nursing assistants are employed and remain employed each year  
73 after being employed as personal care attendants, and the  
74 turnover rate of personal care attendants in nursing facilities.

75 Section 3. This act shall take effect July 1, 2024.