

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 electronically to  
 5           the Agency for Health Care Administration any common  
 6           ownership the facility or its parent company share  
 7           with certain entities; defining the term "common  
 8           ownership"; requiring the agency to publish on its  
 9           website specified reports annually; amending s.  
 10          400.211, F.S.; requiring the agency to submit annually  
 11          a report on the success of the personal care attendant  
 12          program to the Governor and Legislature; providing  
 13          requirements for the report; providing an effective  
 14          date.

15  
 16   Be It Enacted by the Legislature of the State of Florida:

17  
 18           Section 1. Paragraph (x) is added to subsection (1) of  
 19           section 400.141, Florida Statutes, to read:

20           400.141 Administration and management of nursing home  
 21           facilities.—

22           (1) Every licensed facility shall comply with all  
 23           applicable standards and rules of the agency and shall:

24           (x) Report to the agency any common ownership the facility  
 25           or its parent company shares with a staffing or management

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

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

37 400.211 Persons employed as nursing assistants;  
38 certification requirement; qualified medication aide designation  
39 and requirements.—

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

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

46 (b) Persons who have been positively verified as actively  
47 certified and on the registry in another state with no findings  
48 of abuse, neglect, or exploitation in that state.

49 (c) Persons who have preliminarily passed the state's  
50 certification exam.

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

58  
59 The certification requirement must be met within 4 months after  
60 initial employment as a nursing assistant in a licensed nursing  
61 facility. On January 1 of each year, the agency shall submit a  
62 report to the Governor, the President of the Senate, and the  
63 Speaker of the House of Representatives on the success of this  
64 program, including, but not limited to, how many personal care  
65 attendants take and subsequently pass the certified nursing  
66 assistant exam after the 4 months of initial employment with a  
67 single nursing facility, any adverse actions related to patient  
68 care involving personal care attendants, how many new certified  
69 nursing assistants are employed and remain employed each year  
70 after being employed as personal care attendants, and the  
71 turnover rate of personal care attendants in nursing facilities.

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