

House Bill No. 1993

An act creating the Task Force on the Availability and Affordability of Long-term Care; providing for membership and duties; providing for staff and expenses; requiring a report; providing for the expiration of the task force; providing an appropriation; providing an effective date.

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

Section 1. (1) There is created the Task Force on the Availability and Affordability of Long-term Care, to study issues related to the provision of long-term care to the elderly in nursing homes and alternatives to nursing homes, and to make recommendations to the Governor and the Legislature. The task force shall, at a minimum, study and make recommendations concerning the following:

(a) The availability of alternative housing and care settings for the elderly, including the use of rent-subsidized facilities, assisted living facilities, and adult family care homes.

(b) The availability of community-based care arrangements that support elderly individuals to age in place in their own homes and in alternative housing and care settings.

(c) The role of family members in caring for elderly relatives and ways in which quality family care can be encouraged.

(d) The adequacy of reimbursements for the cost of providing care to the elderly in nursing homes and in alternative housing and care settings.

(e) The availability and affordability of long-term-care insurance coverage and the potential for funding long-term care through such coverage.

(f) The role of the certificate-of-need process in the development of systems of long-term care for the elderly.

(g) The extent to which the quality of care in long-term-care facilities in this state is compromised because of market changes that affect the financial stability of the long-term-care industry.

(h) The effect of lawsuits against nursing homes and long-term care facilities on the cost of nursing home care and on the financial stability of the nursing home industry in the state.

(i) The kinds of incidents that lead to the filing of lawsuits and the extent to which frivolous lawsuits are filed.

(j) The cost of liability insurance coverage for long-term-care providers and the extent to which such costs affect the affordability of care.

(k) The availability of liability insurance coverage for long-term-care providers through Florida insurance companies.

(l) The primary causes for recent bankruptcies facing the nursing home industry.

(m) The additional costs to Medicaid, Medicare, and the family when a patient suffering from a preventable condition has to be admitted to a hospital.

(n) The ways in which other states have promoted the development of alternative and home-based care and what they have learned from these innovations.

(o) The difference between the quality of care provided by for-profit skilled nursing facilities and by not-for-profit skilled nursing facilities.

(p) An evaluation of how the quality of care in the long-term care facilities of this state compare with the quality of care in such facilities in other states.

(2) The task force shall be composed of 19 members, as follows:

(a) The Lieutenant Governor, who shall serve as chair of the task force.

(b) The Secretary of Elderly Affairs.

(c) The director of the state Medicaid program.

(d) A member of The Florida Bar, appointed by The Florida Bar.

(e) A representative of the Florida Assisted Living Association, appointed by the association.

(f) A representative of the Florida Association of Homes for the Aging, appointed by the association.

(g) A representative of the insurance industry who has experience in the insurance markets affecting long-term care, appointed by the Governor in consultation with the President of the Senate and the Speaker of the House of Representatives.

(h) A member to represent private sponsors of housing for the elderly financed through the United States Department of Housing and Urban Development, appointed by the Secretary of Elderly Affairs.

(i) An investment banker who has experience in long-term-care economics, appointed by the Governor in consultation with the President of the Senate and the Speaker of the House of Representatives.

(j) An academic gerontologist appointed by the Chancellor of the State University System.

(k) A physician whose specialty is geriatrics and who is experienced in treating people with memory-related disorders, appointed by the Florida Medical Association.

(l) A member of a Florida chapter of the American Association of Retired Persons who has experience administering a long-term care facility, appointed by the Governor in consultation with the President of the Senate and the Speaker of the House of Representatives.

(m) An individual who has experience with periodic review of nursing homes and other long-term care facilities, appointed by the Attorney General.

(n) A representative of the Florida Health Care Association, appointed by the association.

(o) A local volunteer long-term care ombudsman with at least two years of experience in assisting residents of nursing homes and assisted living facilities, appointed by the State Long-term Care Ombudsman.

(p) Two consumer representatives, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives.

(q) Two members of the Legislature, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives.

(3) The task force shall conduct research, hold public meetings, receive testimony, employ consultants, and undertake other activities determined by its members to be necessary to complete its responsibilities.

(4) The members of the task force may not delegate their attendance or voting power to designees.

(5) The task force shall be located at the University of South Florida for administrative purposes. The Florida Policy Exchange Center on Aging at the University of South Florida shall provide staff and support services to the task force. Members of the task force shall serve without compensation, but are entitled to receive reimbursement for travel and per diem as provided in section 112.061, Florida Statutes.

(6) The appointments to the task force must be completed within 30 days after the effective date of this act, and the task force must hold its initial meeting within 45 days after the effective date of this act. The task force shall submit a report containing its recommendations by January 1, 2001, to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The recommendations of the task force must include proposed legislation. The task force shall expire on March 1, 2001.

Section 2. For the 2000-2001 fiscal year, the nonrecurring sum of \$200,000 is appropriated from the General Revenue Fund to the University of South Florida for the purposes of implementing this act.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 2, 2000.

Filed in Office Secretary of State June 2, 2000.