

CHAPTER 2016-17

Committee Substitute for House Bill No. 127

An act relating to continuing care facilities; amending s. 400.235, F.S.; providing financial requirements for certain nursing homes to be designated as a Gold Seal Program facility; providing an effective date.

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

Section 1. Paragraph (b) of subsection (5) of section 400.235, Florida Statutes, is amended to read:

400.235 Nursing home quality and licensure status; Gold Seal Program.

(5) Facilities must meet the following additional criteria for recognition as a Gold Seal Program facility:

(b) Evidence financial soundness and stability according to standards adopted by the agency in administrative rule. Such standards must include, but not be limited to, criteria for the use of financial statements that are prepared in accordance with generally accepted accounting principles and that are reviewed or audited by certified public accountants.

1. A nursing home that is part of the same corporate entity as a continuing care facility licensed under chapter 651 which meets the minimum liquid reserve requirements specified in s. 651.035 ~~satisfies the financial soundness and stability requirement if such continuing care facility and~~ is accredited by a recognized accrediting organization under s. 651.028 and rules of the Office of Insurance Regulation, ~~satisfies this requirement as long as the accreditation is not provisional, or if such continuing care facility demonstrates that it meets in its entirety the financial standards adopted by the agency.~~

2. A nursing home that is part of a corporate entity operating nursing homes, assisted living facilities, or independent living facilities, or a combination thereof, satisfies the financial soundness and stability requirement if the nursing home submits a consolidated corporate financial statement to the agency and demonstrates that the corporate entity in its entirety meets the financial standards adopted by the agency.

For purposes of this paragraph, facilities operated by a federal or state agency are deemed to be financially stable for purposes of applying for the Gold Seal.

A facility assigned a conditional licensure status may not qualify for consideration for the Gold Seal Program until after it has operated for 30 months with no class I or class II deficiencies and has completed a regularly scheduled relicensure survey.

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

Approved by the Governor March 8, 2016.

Filed in Office Secretary of State March 8, 2016.