



Michael Phillips
 State Ombudsman

**MEETING MINUTES
 Legislative Workgroup
 3/14/2022
 via Teams video and audio**

WORKGROUP MEMBERS			
Sharon Lauter, Chair	Present <input checked="" type="checkbox"/>	Marshall Kapp	Present <input checked="" type="checkbox"/>
Louis Grossman, Co-Chair	Present <input checked="" type="checkbox"/>	Raymond "Sully" Sullivan	Present <input checked="" type="checkbox"/>
Irene Dion	Present <input checked="" type="checkbox"/>	Donna Nagel	Present <input checked="" type="checkbox"/>
OTHER OMBUDSMAN PROGRAM REPRESENTATIVES			
Marie Brand		State Council Chair	
Lynn Hearn		Legal Advocate (Staff Liaison)	
Michael Phillips		State Ombudsman	
Lori Berndt		North Region Ombudsman Manager	
Tina Moore		Legal Assistant	

WELCOME/ROLL CALL/APPROVAL OF MINUTES

- Called to order at 2:30 PM
- Quorum Established: Yes No
 Minutes Approved: Yes No (2/3/22)

MEETING TOPICS

1. Update regarding Florida & Federal Legislative Topics (Lynn Hearn)

Bills that passed during the legislative session:

- HB 1239 re Nursing Home Facility Staffing** – Expands positions that count toward "direct care staff" requirement and lowers minimum CNA requirement from 2.5 to 2.0 hours per resident per day. Allows residents with claims against a NH to object to a proposed change of ownership, and makes new NH owners liable for unsatisfied judgments entered against prior owner. LTCOP will send a letter to Governor DeSantis requesting a veto.
- SB 988 re Patient Visitation Rights** – Requires NHs, ALFs, and other specified facilities to establish visitation procedures and post them on their website. Allows residents to designate an essential caregiver who must be allowed to visit at least 2 hours per day and during other specified situations including end-of-life.
- HB 539 re Nursing Home Financial Reporting** – Requires NHs and their home offices to annually report their audited actual financial experience.



FLORIDA OMBUDSMAN PROGRAM

ADVOCATING FOR QUALITY LONG-TERM CARE

Michael Phillips
State Ombudsman

- **HB 469 re Home Health Aides and CNAs** – Harmonizes the duties home health aides and CNAs may perform when working in an ALF with those permitted in home settings, when delegated by a registered nurse and following specified training. Allows administration of prefilled insulin syringe, applying oxygen cannula, administering medication through nebulizers, and other tasks.
- **HB 1349 re Guardianship Data Transparency** –
 - Requires the court clerks' corporation to create a confidential database for use by court staff including guardians' registration status, statutory compliance status, and substantiated discipline history.
 - Requires court clerks' corporation to establish a publicly accessible and searchable website for certain limited professional guardianship information including the number of wards served by each guardian and the wards' counties of residence.
 - Requires OPPG to publish professional guardian registration profiles online by July 1, 2023. Requires OPPAGA to study guardianship trends in Florida and report annually beginning in October 2024.

Bills that did not pass during session:

- SB 836/HB 1403 re medication technicians
- SB 1596/HB 1237 re Nursing Home Accountability
- SB 1734/HB 1361 re Residents' Rights in Nursing Homes
- SB 414/HB 209 re Family Caregiver CNA Program
- SB 646/HB 6035 re Quality of Long-Term Care Facility Improvement Trust Fund
- SB 700/HB 413 re Delegation of Medication Administration
- SB 1032/HB 845 re Uniform Guardianship Jurisdiction
- SB 1572/HB 1507 re Dementia-related Staff Training

Proposed Rule 59A-4.1081 re Personal Care Attendants –

The next step in the rulemaking process is for AHCA to either file the rule for final adoption or file notice of any additional changes. Lynn is monitoring this but neither has happened. Lynn has been in touch with AHCA regarding the survey it conducted of nursing homes' PCA usage, and will make a formal record request to AHCA for the information received and/or compiled from this survey.



FLORIDA OMBUDSMAN PROGRAM

ADVOCATING FOR QUALITY LONG-TERM CARE

Michael Phillips
State Ombudsman

2. New Business – Sharon raised the question of whether the workgroup should develop a more systematic method of disseminating information to LTCOP volunteers during session to make sure that all councils receive the information. The workgroup agreed to bring their ideas on this for discussion at the next meeting.
3. Public Comment – None.
4. Next Meeting Date – Monday, April 18, 2022 at 2:30 ET. Lynn will send a meeting invite.
5. ADJOURNMENT
 - Motion to adjourn was made, seconded and approved.
 - Workgroup adjourned at 4:02 PM.