

ENROLLED

CS/HB 1373

2020 Legislature

1
 2 An act relating to long-term care; amending s.
 3 409.979, F.S.; requiring aging resource centers to
 4 annually rescreen certain individuals with high
 5 priority scores for purposes of the statewide wait
 6 list for enrollment for home and community-based
 7 services; authorizing such centers to administer
 8 rescreening for certain individuals with low priority
 9 scores; requiring the Department of Elderly Affairs to
 10 maintain contact information for individuals with low
 11 priority scores for rescreening purposes; requiring
 12 aging resource centers to inform such individuals of
 13 community resources; amending s. 430.205, F.S.;
 14 authorizing community-care-for-the-elderly services
 15 providers to dispute certain referrals; providing that
 16 a referral decision by adult protective service
 17 prevails; providing an effective date.

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

20
 21 Section 1. Paragraphs (a) and (b) of subsection (3) of
 22 section 409.979, Florida Statutes, are amended to read:

23 409.979 Eligibility.—

24 (3) WAIT LIST, RELEASE, AND OFFER PROCESS.—The Department
 25 of Elderly Affairs shall maintain a statewide wait list for

ENROLLED

CS/HB 1373

2020 Legislature

26 enrollment for home and community-based services through the
27 long-term care managed care program.

28 (a) The Department of Elderly Affairs shall prioritize
29 individuals for potential enrollment for home and community-
30 based services through the long-term care managed care program
31 using a frailty-based screening tool that results in a priority
32 score. The priority score is used to set an order for releasing
33 individuals from the wait list for potential enrollment in the
34 long-term care managed care program. If capacity is limited for
35 individuals with identical priority scores, the individual with
36 the oldest date of placement on the wait list shall receive
37 priority for release.

38 1. Pursuant to s. 430.2053, aging resource center
39 personnel certified by the Department of Elderly Affairs shall
40 perform the screening for each individual requesting enrollment
41 for home and community-based services through the long-term care
42 managed care program. The Department of Elderly Affairs shall
43 request that the individual or the individual's authorized
44 representative provide alternate contact names and contact
45 information.

46 2. The individual requesting the long-term care services,
47 or the individual's authorized representative, must participate
48 in an initial screening or rescreening for placement on the wait
49 list. The screening or rescreening must be completed in its
50 entirety before placement on the wait list.

ENROLLED

CS/HB 1373

2020 Legislature

51 3. Pursuant to s. 430.2053, aging resource center
 52 personnel shall administer rescreening annually or upon
 53 notification of a significant change in an individual's
 54 circumstances for an individual with a high priority score.
 55 Aging resource center personnel may administer rescreening
 56 annually or upon notification of a significant change in an
 57 individual's circumstances for an individual with a low priority
 58 score.

59 4. The Department of Elderly Affairs shall adopt by rule a
 60 screening tool that generates the priority score, and shall make
 61 publicly available on its website the specific methodology used
 62 to calculate an individual's priority score.

63 (b) Upon completion of the screening or rescreening
 64 process, the Department of Elderly Affairs shall notify the
 65 individual or the individual's authorized representative that
 66 the individual has been placed on the wait list, unless the
 67 individual has a low priority score. The Department of Elderly
 68 Affairs must maintain contact information for each individual
 69 with a low priority score for purposes of any future
 70 rescreening. Aging resource center personnel shall inform
 71 individuals with low priority scores of community resources
 72 available to assist them and inform them that they may contact
 73 the aging resource center for a new assessment at any time if
 74 they experience a change in circumstances.

75 Section 2. Paragraph (a) of subsection (5) of section

ENROLLED

CS/HB 1373

2020 Legislature

76 | 430.205, Florida Statutes, is amended to read:

77 | 430.205 Community care service system.—

78 | (5) Any person who has been classified as a functionally
79 | impaired elderly person is eligible to receive community-care-
80 | for-the-elderly core services.

81 | (a) Those elderly persons who are determined by protective
82 | investigations to be vulnerable adults in need of services,
83 | pursuant to s. 415.104(3)(b), or to be victims of abuse,
84 | neglect, or exploitation who are in need of immediate services
85 | to prevent further harm and are referred by the adult protective
86 | services program, shall be given primary consideration for
87 | receiving community-care-for-the-elderly services. As used in
88 | this paragraph, "primary consideration" means that an assessment
89 | and services must commence within 72 hours after referral to the
90 | department or as established in accordance with department
91 | contracts by local protocols developed between department
92 | service providers and the adult protective services program.
93 | Regardless, a community-care-for-the-elderly services provider
94 | may dispute a referral under this paragraph by requesting that
95 | adult protective services negotiate the referral placement of,
96 | and the services to be provided to, a vulnerable adult or victim
97 | of abuse, neglect, or exploitation. If an agreement cannot be
98 | reached with adult protective services for modification of the
99 | referral decision, the determination by adult protective
100 | services shall prevail.

ENROLLED

CS/HB 1373

2020 Legislature

101 | Section 3. This act shall take effect July 1, 2020. |