

1 A bill to be entitled
2 An act relating to adult day care centers; amending s.
3 409.982, F.S.; authorizing adult day care centers
4 holding contracts with Medicaid managed care plans to
5 provide nonemergency transportation services for their
6 clients; providing reimbursement rates for such
7 services; creating s. 429.924, F.S.; providing
8 purpose; authorizing requests for a waiver of the
9 continuing education requirements under a specified
10 circumstance; providing continuing education
11 requirements for adult date care center operators;
12 providing the required subject areas for such
13 continuing education courses; authorizing such courses
14 to be offered in person or online; requiring operators
15 to pass certain online examinations with a specified
16 minimum score under certain circumstances; providing
17 continuing education credit hours under certain
18 circumstances; requiring continuing education course
19 providers to furnish specified rosters to the
20 Department of Elderly Affairs or its designee;
21 providing that compliance with continuing education
22 requirements is a condition precedent to the issuance,
23 continuation, reinstatement, and renewal of adult day
24 care center licenses; authorizing the department to
25 grant extensions of time for completion of

26 continuation education requirements under certain
 27 circumstances; prohibiting the department from issuing
 28 renewal licenses to adult day care centers under a
 29 specified circumstance; providing exceptions;
 30 providing an effective date.

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

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 34 Section 1. Subsection (6) is added to section 409.982,
 35 Florida Statutes, to read:

36 409.982 Long-term care managed care plan accountability.—
 37 In addition to the requirements of s. 409.967, plans and
 38 providers participating in the long-term care managed care
 39 program must comply with the requirements of this section.

40 (6) NONEMERGENCY TRANSPORTATION SERVICES.—An adult day
 41 care center holding a contract with a managed care plan may
 42 provide nonemergency transportation services for its clients to
 43 and from the center. A managed care plan contracting with an
 44 adult day care center shall reimburse for such transportation
 45 services at rates negotiated between the adult day care center
 46 and the managed care plan.

47 Section 2. Section 429.924, Florida Statutes, is created
 48 to read:

49 429.924 Continuing education requirements for operators.—
 50 (1) The purpose of this section is to establish the

51 requirements and standards for a continuing education course for
52 operators managing the day-to-day operations of licensed adult
53 day care centers in the state. An operator who cannot comply
54 with the continuing education requirements of this section due
55 to active duty in the military may submit a written request for
56 a waiver to the department.

57 (2) In addition to any existing adult day care center
58 staff training required by department rule or established under
59 this part, each operator must complete every year an 8-hour
60 continuing education course developed and offered by the Florida
61 Adult Day Services Association and approved by the department.
62 The course may also be provided by any other educational
63 provider that is approved by the department. The course must
64 include training in the following subject areas:

65 (a) One hour on compliance with the Agency for Health Care
66 Administration.

67 (b) One hour on Alzheimer's disease and related disorders.

68 (c) One hour on the state comprehensive emergency
69 management plan.

70 (d) One hour on anti-fraud, abuse, and neglect.

71 (e) One hour on nonemergency medical transportation.

72 (f) One hour on daily management.

73 (g) One hour on staff compliance with Participant Care
74 Standards, rule 59A-16.103, Florida Administrative Code.

75 (h) One hour on the Health Insurance Portability and

76 Accountability Act.

77 (3) The continuing education course described in
78 subsection (2) may be offered in person or online. Upon
79 completion of the online course, an operator must pass a
80 department-approved online examination with a minimum score of
81 80 percent. An operator attending an in-person course is exempt
82 from the examination requirement. A person who teaches an
83 approved course of instruction, or lectures at any approved
84 course, and who attends the entire course shall qualify for the
85 same number of classroom hours as a person who takes and
86 successfully completes such course. Credit is limited to the
87 number of hours actually taught or lectured unless the person
88 attends the entire course.

89 (4) Each person or entity providing a course for
90 continuing education credit must furnish, within 30 days after
91 completion of the course, in a form satisfactory to the
92 department or its designee a roster showing the adult day care
93 center license numbers and the names of the operators who have
94 successfully completed the continuing education course and who
95 request the continuing education credits.

96 (5) (a) An operator's compliance with the continuing
97 education requirements of this section is a condition precedent
98 to the issuance, continuation, reinstatement, or renewal of an
99 adult day care center license. The department may, for good
100 cause shown, grant an operator an extension of time during which

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101 the continuing education requirements must be completed, except
102 that any such extension may not exceed 1 year.

103 (b) Unless the department has granted an operator a waiver
104 or an extension under paragraph (a), the department may not
105 issue a renewal license to an adult day care center whose
106 operator fails to complete the requirements of this section
107 until the operator successfully completes the continuing
108 education course.

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