

THE FLORIDA SENATE
2026 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/SB 1404, 1st Eng. — Memory Care

by Fiscal Policy Committee; Health Policy Committee; and Senator Burton

The bill amends, creates, and repeals several sections of the Florida Statutes to create a new assisted living facility (ALF or facility) specialty license type for “memory care services.”

The bill defines the terms “memory care resident” and “memory care services” and, on a specified timeline after the Agency for Health Care Administration (AHCA) adopts rules for memory care services licenses, requires that an ALF must obtain a memory care services license in order to be authorized to provide memory care services, serve memory care residents, or advertise or hold itself out to provide such services or serve such residents. However, the bill specifies that an ALF is not required to obtain a memory care services license if the facility solely provides optional supportive services for residents with Alzheimer’s disease or a related dementia which are available to all residents of the facility, so long as the facility complies with rules the AHCA must adopt regarding advertising.

The bill requires the AHCA to adopt rules by June 1, 2027, establishing minimum standards for memory care services licenses and providing criteria for what such standards must address. Additionally, the bill provides criteria for how a memory care resident may choose to stay at an ALF should the ALF not be able to obtain a memory care services license, as long as the resident’s continued residency is still appropriate for the type of ALF at which the resident resides.

Lastly, effective upon the AHCA’s adoption of rules for memory care services licenses, the bill repeals ss. 429.177 and 429.178, F.S.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 111-0