

<b>Tab 2</b>	<b>SB 184</b> by <b>Book</b> ; Aging Programs
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<b>Tab 3</b>	<b>SB 318</b> by <b>Montford</b> ; (Compare to H 00601) Child Abuse, Abandonment, and Neglect
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<b>Tab 4</b>	<b>SB 374</b> by <b>Harrell</b> ; Children and Youth Cabinet
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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**CHILDREN, FAMILIES, AND ELDER AFFAIRS**

**Senator Book, Chair**  
**Senator Mayfield, Vice Chair**

**MEETING DATE:** Monday, February 11, 2019

**TIME:** 4:30—6:00 p.m.

**PLACE:** 301 Senate Building

**MEMBERS:** Senator Book, Chair; Senator Mayfield, Vice Chair; Senators Bean, Harrell, Rader, Torres, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Update on Sober Homes		Discussed
2	<b>SB 184</b> Book	Aging Programs; Transferring the powers, duties, and functions of the Department of Elderly Affairs relating to hospices, assisted living facilities, adult family-care homes, and adult day care centers to the Agency for Health Care Administration; establishing that the agency is the lead agency responsible for the regulation of hospices, assisted living facilities, adult day care centers, and adult family-care homes, etc.  CF 02/11/2019 Favorable AHS AP	Favorable Yeas 6 Nays 0
3	<b>SB 318</b> Montford (Compare H 601)	Child Abuse, Abandonment, and Neglect; Specifying that instructional personnel, school administrators, and educational support employees who follow certain policies when reporting or providing information related to child abuse, abandonment, or neglect are reporters; providing that any information that would identify a reporter in cases of child abuse, abandonment, or neglect may be released only under certain circumstances, etc.  CF 02/11/2019 Temporarily Postponed ED RC	Temporarily Postponed
4	<b>SB 374</b> Harrell	Children and Youth Cabinet; Expanding the membership of the Children and Youth Cabinet within the Executive Office of the Governor to include a representative from the Florida Dental Association appointed by the Governor, etc.  CF 02/11/2019 Favorable HP RC	Favorable Yeas 6 Nays 0

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

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BILL: SB 184

INTRODUCER: Senator Book

SUBJECT: Aging Programs

DATE: February 8, 2019

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hendon	Hendon	CF	<b>Favorable</b>
2.			AHS	
3.			AP	

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**I. Summary:**

SB 184 moves rule making authority for certain programs from the Department of Elder Affairs to the Agency for Health Care Administration. These programs include hospice care, assisted living facilities, adult family care homes, and adult day care programs. Currently both agencies develop rules, while licensing and inspection is solely performed by the Agency for Health Care Administration. The bill makes no substantive changes to the requirements of these programs.

The bill has no fiscal impact and has an effective date of July 1, 2019.

**II. Present Situation:**

When the Department of Health and Rehabilitative Services was transformed into the Department of Children and Families, many duties and programs were moved to the newly created Agency for Health Care Administration and the Department of Elder Affairs. For hospice care, assisted living facilities, adult family care homes, and adult day care programs, duties for rule making were split between the Agency for Health Care Administration and the Department of Elder Affairs. Over time this has created operational challenges due to the regulating agency (the Agency for Health Care Administration) enforcing rules that it did not write. Both agencies have proposed changes to this arrangement to the Legislature to place all rule writing authority with the Agency for Health Care Administration.

**Hospice Care**

Hospice care is provided to terminally ill patients. Providers of hospice care are regulated by federal and state law and are licensed by the Agency for Health Care Administration. The Department of Elder Affairs is responsible for certain rule making. Each hospice must provide a continuum of hospice services which afford the patient and the family of the patient a range of service delivery which are tailored to the specific needs and preferences of the patient and family

at any point in time throughout the length of care for the terminally ill patient and during the bereavement period. These services must be available 24 hours a day, 7 days a week, and must include: nursing services, social work services, pastoral or counseling services, dietary counseling, and bereavement counseling services.<sup>1</sup> Physician services may be provided by the hospice directly or through contract. A hospice may also use contracted staff if necessary to supplement hospice employees in order to meet the needs of patients during periods of peak patient loads or under extraordinary circumstances. Each hospice must also provide or arrange for such additional services as are needed to meet all the palliative and support needs of the patient and family. These services may include, but are not limited to, physical therapy, occupational therapy, speech therapy, massage therapy, home health aide services, infusion therapy, provision of medical supplies and durable medical equipment, day care, homemaker and chore services, and funeral services. There are 47 licensed hospice providers with a total of 1,000 beds in Florida.<sup>2</sup>

### **Assisted Living Facilities (ALF)**

An ALF is a residential establishment, or part of a residential establishment, that provides housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.<sup>3</sup> A personal service is direct physical assistance with, or supervision of, the activities of daily living and the self-administration of medication.<sup>4</sup> Activities of daily living include ambulation, bathing, dressing, eating, grooming, toileting, and other similar tasks.<sup>5</sup> ALFs are licensed by the Agency for Health Care Administration. Both the agency and the Department of Elder Affairs have rule making duties.

An ALF is required to provide care and services appropriate to the needs of the residents accepted for admission to the facility.<sup>6</sup> The owner or facility administrator determines whether an individual is appropriate for admission to the facility based on a number of criteria.<sup>7</sup> If, as determined by the facility administrator or health care provider, a resident no longer meets the criteria for continued residency or the facility is unable to meet the resident's needs, the resident must be discharged in accordance with the Resident Bill of Rights.<sup>8</sup> There are 3,084 licensed ALFs in Florida having a total of 105,090 beds.<sup>9</sup>

### **Adult Family Care Homes**

Adult family care homes are residential homes designed to provide personal care services to individuals requiring assistance. The provider must live in the home and offer personal services

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<sup>1</sup> See part 4 of Chapter 400, F.S.

<sup>2</sup> Agency for Health Care Administration, Florida Health Finder, see <http://www.floridahealthfinder.gov/index.html>, last visited February 7, 2019.

<sup>3</sup> Section 429.02(5), F.S.

<sup>4</sup> Section 429.02(16), F.S.

<sup>5</sup> Section 429.02(1), F.S.

<sup>6</sup> For specific minimum standards see Fla. Admin. Code R 58A-5.0182.

<sup>7</sup> Section 429.26, F.S., and Fla. Admin. Code R 58A-5.0181.

<sup>8</sup> Section 429.28, F.S.

<sup>9</sup> Agency for Health Care Administration, Florida Health Finder, see <http://www.floridahealthfinder.gov/index.html>, last visited February 7, 2019.

for up to five residents.<sup>10</sup> Adult family care homes are licensed by the Agency for Health Care Administration. Both the agency and the Department of Elder Affairs have rule making duties. There are 336 licensed adult family care homes with 1,534 beds.<sup>11</sup>

### **Adult Day Care Centers**

Adult day care centers provide therapeutic programs of social and health services as well as activities for adults in a non-institutional setting.<sup>12</sup> Participants may use a variety of services offered during any part of a day, but less than a 24-hour period. Adult day care centers are licensed by the Agency for Health Care Administration. Both the agency and the Department of Elder Affairs have rule making duties. There are 326 licensed adult day care centers with 17,636 beds.<sup>13</sup>

## **III. Effect of Proposed Changes:**

**Section 1** transfers all powers, duties, budget and personnel supporting certain regulatory functions from the Department of Elder Affairs to the Agency for Health Care Administration. Resources include those needed for specified rule making for hospice care, assisted living facilities, adult family-care homes, and adult day care centers are moved under the bill.

**Section 2** amends s. 20.41, F.S., relating to the Department of Elder Affairs, to require the agency to provide any needed information on hospice care, assisted living facilities, adult day care centers and adult family-care homes to the Agency for Health Care Administration.

**Section 3** amends s. 20.42, F.S., relating to the Agency for Health Care Administration, to assign the agency with the lead responsibility for regulation of hospice care, assisted living facilities, adult day care centers and adult family-care homes.

**Section 4** amends s. 400.605, F.S., relating to hospice regulation, to remove the requirements for the Department of Elder Affairs to consult with the Agency for Health Care Administration.

**Section 5** amends s. 400.60501, F.S., relating to hospice annual reports, to transfer the responsibility to collect and produce such reports from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 6** amends s. 400.6095, F.S., relating to hospice admissions, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

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<sup>10</sup> See part 2 of Chapter 429, F.S.

<sup>11</sup> Agency for Health Care Administration, Florida Health Finder, see <http://www.floridahealthfinder.gov/index.html>, last visited February 7, 2019.

<sup>12</sup> See part 3 of Chapter 429, F.S.

<sup>13</sup> Agency for Health Care Administration, Florida Health Finder, see <http://www.floridahealthfinder.gov/index.html>, last visited February 7, 2019.

**Section 7** amends s. 400.610, F.S., relating to hospice administration, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 8** amends s. 429.02, F.S., relating to definitions used in chapter 429 on assisted living facilities to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 9** amends s. 429.17, F.S., relating to assisted living facility licenses, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 10** amends s. 429.23, F.S., relating to assisted living facility risk management, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 11** amends s. 429.24, F.S., relating to assisted living facility contracts, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 12** amends s. 429.255, F.S., relating to assisted living facility personnel and emergency care, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 13** amends s. 429.256, F.S., relating to assistance with self-administration of medication in an assisted living facility, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 14** amends s. 429.27, F.S., relating to personal property of residents in assisted living facilities, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 15** amends s. 429.275, F.S., relating to financial records of an assisted living facility, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 16** amends s. 429.31, F.S., relating to the closing of an assisted living facility, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 17** amends s. 429.34, F.S., relating to the right to enter and inspect an assisted living facility to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 18** amends s. 429.41, F.S., relating to assisted living facility licensing standards, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency

for Health Care Administration. The bill deletes outdated language requiring the department to submit a copy of its rules to the Legislature.

**Section 19** amends s. 429.42, F.S., relating to assisted living facility pharmacy and dietary services, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 20** amends s. 429.52, F.S., relating to assisted living facility staff training, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 21** amends s. 429.54, F.S., relating to the collection of data on assisted living facility costs, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 22** amends s. 429.63, F.S., providing legislative intent on adult family care home licensure, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 23** amends s. 429.67, F.S., relating to licensure of adult family care homes, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 24** amends s. 429.71, F.S., relating to licensure deficiencies in adult family care homes, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 25** amends s. 429.73, F.S., relating to licensure standards for adult family care homes, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 26** amends s. 429.75, F.S., relating to training and education programs for adult family care homes providers, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 27** amends s. 429.81, F.S., relating to resident agreements in adult family care homes, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 28** amends s. 429.929, F.S., relating to standards for adult day care centers, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 29** amends s. 765.110, F.S., relating to health care advance directives, to conform to the transfer of responsibilities from the Department of Elder Affairs to the Agency for Health Care Administration.

**Section 30** provides an effective date of July 1, 2019.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no fiscal impact to the state. The bill requires the transfer of all budget, salary rate, and personnel used in the development of rules for specified aging programs from the Department of Elder Affairs to the Agency for Health Care Administration.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.



**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 20.41, 20.42, 400.605, 400.60501, 400.6095, 400.610, 429.02, 429.17, 429.23, 429.24, 429.255, 429.256, 429.27, 429.275, 429.31, 429.34, 429.41, 429.42, 429.52, 429.54, 429.63, 429.67, 429.71, 429.73, 429.75, 429.81, 429.929, and 765.110.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Book

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A bill to be entitled

An act relating to aging programs; transferring the powers, duties, and functions of the Department of Elderly Affairs relating to hospices, assisted living facilities, adult family-care homes, and adult day care centers to the Agency for Health Care Administration; amending s. 20.41, F.S.; requiring the department to provide certain documents and information to the agency upon request; amending s. 20.42, F.S.; establishing that the agency is the lead agency responsible for the regulation of hospices, assisted living facilities, adult day care centers, and adult family-care homes; amending ss. 400.605, 400.60501, 400.6095, 400.610, 429.02, 429.17, 429.23, 429.24, 429.255, 429.256, 429.27, 429.275, 429.31, 429.34, 429.41, 429.42, 429.52, 429.54, 429.63, 429.67, 429.71, 429.73, 429.75, 429.81, 429.929, and 765.110, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. All powers, duties, functions, records, personnel, property, salary rate, budget authority, and administrative authority of the Department of Elderly Affairs relating to hospices, assisted living facilities, adult family-care homes, and adult day care centers, and the administrative rules in chapters 58A-2, 58A-5, 58A-6, and 58A-14, Florida Administrative Code, are transferred by a type two transfer, as

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defined in s. 20.06(2), Florida Statutes, to the Agency for Health Care Administration.

Section 2. Subsection (9) is added to section 20.41, Florida Statutes, to read:

20.41 Department of Elderly Affairs.—There is created a Department of Elderly Affairs.

(9) Upon request, the department shall provide the Agency for Health Care Administration with any documents and information needed for the agency's regulation of hospices, assisted living facilities, adult family-care homes, and adult day care centers.

Section 3. Subsection (3) of section 20.42, Florida Statutes, is amended to read:

20.42 Agency for Health Care Administration.—

(3) The department shall be the chief health policy and planning entity for the state. The department is responsible for health facility licensure, inspection, and regulatory enforcement; investigation of consumer complaints related to health care facilities and managed care plans; the implementation of the certificate of need program; the operation of the Florida Center for Health Information and Transparency; the administration of the Medicaid program; the administration of the contracts with the Florida Healthy Kids Corporation; the certification of health maintenance organizations and prepaid health clinics as set forth in part III of chapter 641; and any other duties prescribed by statute or agreement. The department is the lead agency responsible for the regulation of hospices, assisted living facilities, adult day care centers, and adult family-care homes.

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Section 4. Subsection (1) of section 400.605, Florida Statutes, is amended to read:

400.605 Administration; forms; fees; rules; inspections; fines.—

(1) The agency, ~~in consultation with the department, may adopt rules to administer the requirements of part II of chapter 408. The department, in consultation with the agency,~~ shall by rule establish minimum standards and procedures for a hospice pursuant to this part. The rules must include:

(a) The qualifications of professional and ancillary personnel to ensure the provision of appropriate and adequate hospice care.

(b) Standards and procedures for the administrative management of a hospice.

(c) Standards for hospice services that ensure the provision of quality patient care.

(d) Components of a patient plan of care.

(e) Procedures relating to the implementation of advanced directives and do-not-resuscitate orders.

(f) Procedures for maintaining and ensuring confidentiality of patient records.

(g) Standards for hospice care provided in freestanding inpatient facilities that are not otherwise licensed medical facilities and in residential care facilities such as nursing homes, assisted living facilities, adult family-care homes, and hospice residential units and facilities.

(h) Components of a comprehensive emergency management plan, developed in consultation with the Department of Health, ~~the Department of Elderly Affairs,~~ and the Division of Emergency

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Management.

(i) Standards and procedures relating to the establishment and activities of a quality assurance and utilization review committee.

(j) Components and procedures relating to the collection of patient demographic data and other information on the provision of hospice care in this state.

Section 5. Section 400.60501, Florida Statutes, is amended to read:

400.60501 Outcome measures; adoption of federal quality measures; public reporting; annual report.—

(1) No later than December 31, 2019, ~~the department, in conjunction with the agency,~~ shall adopt the national hospice outcome measures and survey data in 42 C.F.R. part 418 to determine the quality and effectiveness of hospice care for hospices licensed in the state.

(2) ~~The department, in conjunction with~~ The agency, shall:

(a) Make available to the public the national hospice outcome measures and survey data in a format that is comprehensible by a layperson and that allows a consumer to compare such measures of one or more hospices.

(b) Develop an annual report that analyzes and evaluates the information collected under this act and any other data collection or reporting provisions of law.

Section 6. Subsection (8) of section 400.6095, Florida Statutes, is amended to read:

400.6095 Patient admission; assessment; plan of care; discharge; death.—

(8) The hospice care team may withhold or withdraw

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cardiopulmonary resuscitation if presented with an order not to resuscitate executed pursuant to s. 401.45. The agency ~~department~~ shall adopt rules providing for the implementation of such orders. Hospice staff shall not be subject to criminal prosecution or civil liability, nor be considered to have engaged in negligent or unprofessional conduct, for withholding or withdrawing cardiopulmonary resuscitation pursuant to such an order and applicable rules. The absence of an order to resuscitate executed pursuant to s. 401.45 does not preclude a physician from withholding or withdrawing cardiopulmonary resuscitation as otherwise permitted by law.

Section 7. Paragraph (b) of subsection (1) of section 400.610, Florida Statutes, is amended to read:

400.610 Administration and management of a hospice.—

(1) A hospice shall have a clearly defined organized governing body, consisting of a minimum of seven persons who are representative of the general population of the community served. The governing body shall have autonomous authority and responsibility for the operation of the hospice and shall meet at least quarterly. The governing body shall:

(b)1. Prepare and maintain a comprehensive emergency management plan that provides for continuing hospice services in the event of an emergency that is consistent with local special needs plans. The plan shall include provisions for ensuring continuing care to hospice patients who go to special needs shelters. The plan shall include the means by which the hospice provider will continue to provide staff to provide the same type and quantity of services to their patients who evacuate to special needs shelters which were being provided to those

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patients prior to evacuation. The plan is subject to review and approval by the county health department, except as provided in subparagraph 2. During its review, the county health department shall contact state and local health and medical stakeholders when necessary. The county health department shall complete its review to ensure that the plan complies with criteria in rules of the agency ~~Department of Elderly Affairs~~ within 90 days after receipt of the plan and shall either approve the plan or advise the hospice of necessary revisions. Hospice providers may establish links to local emergency operations centers to determine a mechanism by which to approach specific areas within a disaster area in order for the provider to reach its clients. A hospice shall demonstrate a good faith effort to comply with the requirements of this paragraph by documenting attempts of staff to follow procedures as outlined in the hospice's comprehensive emergency management plan and to provide continuing care for those hospice clients who have been identified as needing alternative caregiver services in the event of an emergency.

2. For any hospice that operates in more than one county, the Department of Health during its review shall contact state and local health and medical stakeholders when necessary. The Department of Health shall complete its review to ensure that the plan complies with criteria in rules of the agency ~~Department of Elderly Affairs~~ within 90 days after receipt of the plan and shall approve the plan or advise the hospice of necessary revisions. The Department of Health shall make every effort to avoid imposing differing requirements on a hospice that operates in more than one county as a result of differing

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or conflicting comprehensive plan requirements of the counties in which the hospice operates.

Section 8. Subsections (13) and (17) of section 429.02, Florida Statutes, are amended to read:

429.02 Definitions.—When used in this part, the term:

(13) "Limited nursing services" means acts that may be performed by a person licensed under part I of chapter 464. Limited nursing services shall be for persons who meet the admission criteria established by the agency department for assisted living facilities but are ~~and shall not be~~ complex enough to require 24-hour nursing supervision and may include such services as the application and care of routine dressings, and care of casts, braces, and splints.

(17) "Personal services" means direct physical assistance with or supervision of the activities of daily living, the self-administration of medication, or other similar services that ~~which the agency department~~ may define by rule. The term may not be construed to mean the provision of medical, nursing, dental, or mental health services.

Section 9. Subsection (6) of section 429.17, Florida Statutes, is amended to read:

429.17 Expiration of license; renewal; conditional license.—

(6) The agency department may by rule establish renewal procedures, identify forms, and specify documentation necessary to administer this section and. ~~The agency, in consultation with the department,~~ may adopt rules to administer ~~the requirements~~ of part II of chapter 408.

Section 10. Subsection (10) of section 429.23, Florida

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Statutes, is amended to read:

429.23 Internal risk management and quality assurance program; adverse incidents and reporting requirements.—

(10) The agency ~~Department of Elderly Affairs~~ may adopt rules necessary to administer this section.

Section 11. Subsection (8) of section 429.24, Florida Statutes, is amended to read:

429.24 Contracts.—

(8) The agency department may by rule clarify terms, establish procedures, clarify refund policies and contract provisions, and specify documentation as necessary to administer this section.

Section 12. Subsections (4) and (5) of section 429.255, Florida Statutes, are amended to read:

429.255 Use of personnel; emergency care.—

(4) Facility staff may withhold or withdraw cardiopulmonary resuscitation or the use of an automated external defibrillator if presented with an order not to resuscitate executed pursuant to s. 401.45. The agency department shall adopt rules providing for the implementation of such orders. Facility staff and facilities may ~~shall~~ not be subject to criminal prosecution or civil liability, nor be considered to have engaged in negligent or unprofessional conduct, for withholding or withdrawing cardiopulmonary resuscitation or use of an automated external defibrillator pursuant to such an order and rules adopted by the agency department. The absence of an order to resuscitate executed pursuant to s. 401.45 does not preclude a physician from withholding or withdrawing cardiopulmonary resuscitation or use of an automated external defibrillator as otherwise

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permitted by law.

(5) The ~~agency Department of Elderly Affairs~~ may adopt rules to implement the provisions of this section relating to use of an automated external defibrillator.

Section 13. Subsection (6) of section 429.256, Florida Statutes, is amended to read:

429.256 Assistance with self-administration of medication.—

(6) The ~~agency department~~ may by rule establish facility procedures and interpret terms as necessary to implement this section.

Section 14. Subsection (8) of section 429.27, Florida Statutes, is amended to read:

429.27 Property and personal affairs of residents.—

(8) The ~~agency department~~ may by rule clarify terms and specify procedures and documentation necessary to administer the provisions of this section relating to the proper management of residents' funds and personal property and the execution of surety bonds.

Section 15. Subsection (4) of section 429.275, Florida Statutes, is amended to read:

429.275 Business practice; personnel records; liability insurance.—The assisted living facility shall be administered on a sound financial basis that is consistent with good business practices.

(4) The ~~agency department~~ may by rule clarify terms, establish requirements for financial records, accounting procedures, personnel procedures, insurance coverage, and reporting procedures, and specify documentation as necessary to implement ~~the requirements of~~ this section.

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Section 16. Subsection (2) of section 429.31, Florida Statutes, is amended to read:

429.31 Closing of facility; notice; penalty.—

(2) Immediately upon the notice by the agency of the voluntary or involuntary termination of such operation, the agency shall monitor the transfer of residents to other facilities and ensure that residents' rights are being protected. The ~~agency department~~, in consultation with the Department of Children and Families, shall specify procedures for ensuring that all residents who receive services are appropriately relocated.

Section 17. Subsection (1) of section 429.34, Florida Statutes, is amended to read:

429.34 Right of entry and inspection.—

(1) In addition to the requirements of s. 408.811, a duly designated officer or employee of the ~~agency department~~, of the Department of Children and Families, of the Medicaid Fraud Control Unit of the Office of the Attorney General, or of the state or local fire marshal, or a representative of the State Long-Term Care Ombudsman Program or a member of the state or local long-term care ombudsman council has the right to enter unannounced upon and into the premises of any facility licensed under this part in order to determine the state of compliance with this part, part II of chapter 408, and applicable rules. Data collected by the State Long-Term Care Ombudsman Program, local long-term care ombudsman councils, or the state or local advocacy councils may be used by the agency in investigations involving violations of regulatory standards. A person specified in this section who knows or has reasonable cause to suspect

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that a vulnerable adult has been or is being abused, neglected, or exploited shall immediately report such knowledge or suspicion to the central abuse hotline pursuant to chapter 415.

Section 18. Section 429.41, Florida Statutes, is amended to read:

429.41 Rules establishing standards.—

(1) It is the intent of the Legislature that rules published and enforced pursuant to this section shall include criteria by which a reasonable and consistent quality of resident care and quality of life may be ensured and the results of such resident care may be demonstrated. Such rules shall also ensure a safe and sanitary environment that is residential and noninstitutional in design or nature. It is further intended that reasonable efforts be made to accommodate the needs and preferences of residents to enhance the quality of life in a facility. Uniform firesafety standards for assisted living facilities shall be established by the State Fire Marshal pursuant to s. 633.206. The agency, ~~in consultation with the department,~~ may adopt rules to administer ~~the requirements of~~ part II of chapter 408. In order to provide safe and sanitary facilities and the highest quality of resident care accommodating the needs and preferences of residents, the agency ~~department,~~ in consultation with the ~~agency,~~ the Department of Children and Families, and the Department of Health, shall adopt rules, policies, and procedures to administer this part, which must include reasonable and fair minimum standards in relation to:

(a) The requirements for and maintenance of facilities, not in conflict with chapter 553, relating to plumbing, heating,

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cooling, lighting, ventilation, living space, and other housing conditions, which will ensure the health, safety, and comfort of residents suitable to the size of the structure.

1. Firesafety evacuation capability determination.—An evacuation capability evaluation for initial licensure shall be conducted within 6 months after the date of licensure.

2. Firesafety requirements.—

a. The National Fire Protection Association, Life Safety Code, NFPA 101 and 101A, current editions, shall be used in determining the uniform firesafety code adopted by the State Fire Marshal for assisted living facilities, pursuant to s. 633.206.

b. A local government or a utility may charge fees only in an amount not to exceed the actual expenses incurred by the local government or the utility relating to the installation and maintenance of an automatic fire sprinkler system in a licensed assisted living facility structure.

c. All licensed facilities must have an annual fire inspection conducted by the local fire marshal or authority having jurisdiction.

d. An assisted living facility that is issued a building permit or certificate of occupancy before July 1, 2016, may at its option and after notifying the authority having jurisdiction, remain under the provisions of the 1994 and 1995 editions of the National Fire Protection Association, Life Safety Code, NFPA 101, and NFPA 101A. The facility opting to remain under such provisions may make repairs, modernizations, renovations, or additions to, or rehabilitate, the facility in compliance with NFPA 101, 1994 edition, and may utilize the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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alternative approaches to life safety in compliance with NFPA 101A, 1995 edition. However, a facility for which a building permit or certificate of occupancy is issued before July 1, 2016, that undergoes Level III building alteration or rehabilitation, as defined in the Florida Building Code, or seeks to utilize features not authorized under the 1994 or 1995 editions of the Life Safety Code must thereafter comply with all aspects of the uniform firesafety standards established under s. 633.206, and the Florida Fire Prevention Code, in effect for assisted living facilities as adopted by the State Fire Marshal.

3. Resident elopement requirements.—Facilities are required to conduct a minimum of two resident elopement prevention and response drills per year. All administrators and direct care staff must participate in the drills, which shall include a review of procedures to address resident elopement. Facilities must document the implementation of the drills and ensure that the drills are conducted in a manner consistent with the facility's resident elopement policies and procedures.

(b) The preparation and annual update of a comprehensive emergency management plan. Such standards must be included in the rules adopted by the agency department after consultation with the Division of Emergency Management. At a minimum, the rules must provide for plan components that address emergency evacuation transportation; adequate sheltering arrangements; postdisaster activities, including provision of emergency power, food, and water; postdisaster transportation; supplies; staffing; emergency equipment; individual identification of residents and transfer of records; communication with families; and responses to family inquiries. The comprehensive emergency

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management plan is subject to review and approval by the local emergency management agency. During its review, the local emergency management agency shall ensure that the following agencies, at a minimum, are given the opportunity to review the plan: ~~the Department of Elderly Affairs,~~ the Department of Health, the Agency for Health Care Administration, and the Division of Emergency Management. Also, appropriate volunteer organizations must be given the opportunity to review the plan. The local emergency management agency shall complete its review within 60 days and either approve the plan or advise the facility of necessary revisions.

(c) The number, training, and qualifications of all personnel having responsibility for the care of residents. The rules must require adequate staff to provide for the safety of all residents. Facilities licensed for 17 or more residents are required to maintain an alert staff for 24 hours per day.

(d) All sanitary conditions within the facility and its surroundings which will ensure the health and comfort of residents. The rules must clearly delineate the responsibilities of the agency's licensure and survey staff, the county health departments, and the local authority having jurisdiction over firesafety and ensure that inspections are not duplicative. The agency may collect fees for food service inspections conducted by the county health departments and transfer such fees to the Department of Health.

(e) License application and license renewal, transfer of ownership, proper management of resident funds and personal property, surety bonds, resident contracts, refund policies, financial ability to operate, and facility and staff records.



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(f) Inspections, complaint investigations, moratoriums, classification of deficiencies, levying and enforcement of penalties, and use of income from fees and fines.

(g) The enforcement of the resident bill of rights specified in s. 429.28.

(h) The care and maintenance of residents, which must include, but is not limited to:

1. The supervision of residents;
2. The provision of personal services;
3. The provision of, or arrangement for, social and leisure activities;
4. The arrangement for appointments and transportation to appropriate medical, dental, nursing, or mental health services, as needed by residents;
5. The management of medication;
6. The nutritional needs of residents;
7. Resident records; and
8. Internal risk management and quality assurance.

(i) Facilities holding a limited nursing, extended congregate care, or limited mental health license.

(j) The establishment of specific criteria to define appropriateness of resident admission and continued residency in a facility holding a standard, limited nursing, extended congregate care, and limited mental health license.

(k) The use of physical or chemical restraints. The use of physical restraints is limited to half-bed rails as prescribed and documented by the resident's physician with the consent of the resident or, if applicable, the resident's representative or designee or the resident's surrogate, guardian, or attorney in

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fact. The use of chemical restraints is limited to prescribed dosages of medications authorized by the resident's physician and must be consistent with the resident's diagnosis. Residents who are receiving medications that can serve as chemical restraints must be evaluated by their physician at least annually to assess:

1. The continued need for the medication.
2. The level of the medication in the resident's blood.
3. The need for adjustments in the prescription.

(1) The establishment of specific policies and procedures on resident elopement. Facilities shall conduct a minimum of two resident elopement drills each year. All administrators and direct care staff shall participate in the drills. Facilities shall document the drills.

(2) In adopting any rules pursuant to this part, the ~~department, in conjunction with the agency,~~ shall make distinct standards for facilities based upon facility size; the types of care provided; the physical and mental capabilities and needs of residents; the type, frequency, and amount of services and care offered; and the staffing characteristics of the facility. Rules developed pursuant to this section may not restrict the use of shared staffing and shared programming in facilities that are part of retirement communities that provide multiple levels of care and otherwise meet the requirements of law and rule. If a continuing care facility licensed under chapter 651 or a retirement community offering multiple levels of care licenses a building or part of a building designated for independent living for assisted living, staffing requirements established in rule apply only to residents who receive personal, limited nursing,

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or extended congregate care services under this part. Such facilities shall retain a log listing the names and unit number for residents receiving these services. The log must be available to surveyors upon request. Except for uniform firesafety standards, the ~~agency department~~ shall adopt by rule separate and distinct standards for facilities with 16 or fewer beds and for facilities with 17 or more beds. The standards for facilities with 16 or fewer beds must be appropriate for a noninstitutional residential environment; however, the structure may not be more than two stories in height and all persons who cannot exit the facility unassisted in an emergency must reside on the first floor. The ~~department, in conjunction with the agency,~~ may make other distinctions among types of facilities as necessary to enforce this part. Where appropriate, the agency shall offer alternate solutions for complying with established standards, based on distinctions made by the ~~department and the~~ agency relative to the physical characteristics of facilities and the types of care offered.

(3) ~~The department shall submit a copy of proposed rules to the Speaker of the House of Representatives, the President of the Senate, and appropriate committees of substance for review and comment prior to the promulgation thereof.~~ Rules adopted ~~promulgated~~ by the agency department shall encourage the development of homelike facilities that which promote the dignity, individuality, personal strengths, and decisionmaking ability of residents.

(4) The agency, ~~in consultation with the department,~~ may waive rules adopted under ~~promulgated pursuant to~~ this part in ~~order~~ to demonstrate and evaluate innovative or cost-effective

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congregate care alternatives that ~~which~~ enable individuals to age in place. Such waivers may be granted only in instances where there is reasonable assurance that the health, safety, or welfare of residents will not be endangered. To apply for a waiver, the licensee shall submit to the agency a written description of the concept to be demonstrated, including goals, objectives, and anticipated benefits; the number and types of residents who will be affected, if applicable; a brief description of how the demonstration will be evaluated; and any other information deemed appropriate by the agency. Any facility granted a waiver shall submit a report of findings to the agency ~~and the department~~ within 12 months. At such time, the agency may renew or revoke the waiver or pursue any regulatory or statutory changes necessary to allow other facilities to adopt the same practices. The agency department may by rule clarify terms and establish waiver application procedures, criteria for reviewing waiver proposals, and procedures for reporting findings, as necessary to implement this subsection.

(5) The agency may use an abbreviated biennial standard licensure inspection that consists of a review of key quality-of-care standards in lieu of a full inspection in a facility that has a good record of past performance. However, a full inspection must be conducted in a facility that has a history of class I or class II violations, uncorrected class III violations, confirmed ombudsman council complaints, or confirmed licensure complaints, ~~within the previous licensure period~~ immediately preceding the inspection or if a potentially serious problem is identified during the abbreviated inspection. The ~~agency, in consultation with the department,~~ shall develop the

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key quality-of-care standards with input from the State Long-Term Care Ombudsman Council and representatives of provider groups for incorporation into its rules.

Section 19. Subsection (4) of section 429.42, Florida Statutes, is amended to read:

429.42 Pharmacy and dietary services.—

(4) The agency ~~department~~ may by rule establish procedures and specify documentation as necessary to implement this section.

Section 20. Subsections (2), (3), (4), and (6) through (12) of section 429.52, Florida Statutes, are amended to read:

429.52 Staff training and educational programs; core educational requirement.—

(2) Administrators and other assisted living facility staff must meet minimum training and education requirements established by the agency ~~Department of Elderly Affairs~~ by rule. This training and education is intended to assist facilities to appropriately respond to the needs of residents, to maintain resident care and facility standards, and to meet licensure requirements.

(3) The agency, in conjunction with providers, ~~department~~ shall develop ~~establish~~ a competency test and a minimum required score to indicate successful completion of the training and educational requirements. ~~The competency test must be developed by the department in conjunction with the agency and providers.~~ The required training and education must cover at least the following topics:

(a) State law and rules relating to assisted living facilities.

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(b) Resident rights and identifying and reporting abuse, neglect, and exploitation.

(c) Special needs of elderly persons, persons with mental illness, and persons with developmental disabilities and how to meet those needs.

(d) Nutrition and food service, including acceptable sanitation practices for preparing, storing, and serving food.

(e) Medication management, recordkeeping, and proper techniques for assisting residents with self-administered medication.

(f) Firesafety requirements, including fire evacuation drill procedures and other emergency procedures.

(g) Care of persons with Alzheimer's disease and related disorders.

(4) A new facility administrator must complete the required training and education, including the competency test, within 90 days after date of employment as an administrator. Failure to do so is a violation of this part and subjects the violator to an administrative fine as prescribed in s. 429.19. Administrators licensed in accordance with part II of chapter 468 are exempt from this requirement. Other licensed professionals may be exempted, as determined by the agency ~~department~~ by rule.

(6) Staff involved with the management of medications and assisting with the self-administration of medications under s. 429.256 must complete a minimum of 6 additional hours of training provided by a registered nurse, a licensed pharmacist, or agency ~~department~~ staff. The agency ~~department~~ shall establish by rule the minimum requirements of this additional training.

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581 (7) Other facility staff shall participate in training  
 582 relevant to their job duties as specified by rule of the agency  
 583 ~~department~~.

584 (8) If the ~~department or the~~ agency determines that there  
 585 are problems in a facility ~~which that~~ could be reduced through  
 586 specific staff training or education beyond that already  
 587 required under this section, the ~~department or the~~ agency may  
 588 require, and provide, or cause to be provided, the training or  
 589 education of any personal care staff in the facility.

590 (9) The agency ~~department~~ shall adopt rules related to  
 591 these training requirements, the competency test, necessary  
 592 procedures, and competency test fees and shall adopt or contract  
 593 with another entity to develop a curriculum, which shall be used  
 594 as the minimum core training requirements. The agency ~~department~~  
 595 shall consult with representatives of stakeholder associations  
 596 and agencies in the development of the curriculum.

597 (10) The training required by this section other than the  
 598 preservice orientation must be conducted by persons registered  
 599 with the agency ~~department~~ as having the requisite experience  
 600 and credentials to conduct the training. A person seeking to  
 601 register as a trainer must provide the agency ~~department~~ with  
 602 proof of completion of the minimum core training education  
 603 requirements, successful passage of the competency test  
 604 established under this section, and proof of compliance with the  
 605 continuing education requirement in subsection (5).

606 (11) A person seeking to register as a trainer must also:

607 (a) Provide proof of completion of a 4-year degree from an  
 608 accredited college or university and must have worked in a  
 609 management position in an assisted living facility for 3 years

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610 after being core certified;

611 (b) Have worked in a management position in an assisted  
 612 living facility for 5 years after being core certified and have  
 613 1 year of teaching experience as an educator or staff trainer  
 614 for persons who work in assisted living facilities or other  
 615 long-term care settings;

616 (c) Have been previously employed as a core trainer for the  
 617 agency or department; or

618 (d) Meet other qualification criteria as defined in rule,  
 619 which the agency ~~department~~ is authorized to adopt.

620 (12) The agency ~~department~~ shall adopt rules to establish  
 621 trainer registration requirements.

622 Section 21. Section 429.54, Florida Statutes, is amended to  
 623 read:

624 429.54 Collection of information; local subsidy.—

625 (1) To enable the agency ~~department~~ to collect the  
 626 information requested by the Legislature regarding the actual  
 627 cost of providing room, board, and personal care in facilities,  
 628 the agency ~~department~~ is authorized to conduct field visits and  
 629 audits of facilities as ~~may be~~ necessary. The owners of randomly  
 630 sampled facilities shall submit such reports, audits, and  
 631 accountings of cost as the agency ~~department~~ may require by  
 632 rule; provided that such reports, audits, and accountings shall  
 633 be the minimum necessary to implement ~~the provisions of~~ this  
 634 section. Any facility selected to participate in the study shall  
 635 cooperate with the agency ~~department~~ by providing cost of  
 636 operation information to interviewers.

637 (2) Local governments or organizations may contribute to  
 638 the cost of care of local facility residents by further

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639 subsidizing the rate of state-authorized payment to such  
 640 facilities. Implementation of local subsidy requires agency  
 641 ~~shall require departmental approval and may~~ shall not result in  
 642 reductions in the state supplement.

643 Section 22. Subsections (4) and (5) of section 429.63,  
 644 Florida Statutes, are amended to read:

645 429.63 Legislative intent; purpose.—

646 (4) The Legislature further finds and declares that  
 647 licensure under this part is a public trust and a privilege, and  
 648 not an entitlement. This principle must guide the finder of fact  
 649 or trier of law at any administrative proceeding or circuit  
 650 court action initiated by the agency department to enforce this  
 651 part.

652 (5) Rules of the agency department relating to adult  
 653 family-care homes shall be as minimal and flexible as possible  
 654 to ensure the protection of residents while minimizing the  
 655 obstacles that could inhibit the establishment of adult family-  
 656 care homes.

657 Section 23. Subsections (9), (10), and (11) of section  
 658 429.67, Florida Statutes, are amended to read:

659 429.67 Licensure.—

660 (9) In addition to the license categories available in s.  
 661 408.808, the agency may issue a conditional license to a  
 662 provider for the purpose of bringing the adult family-care home  
 663 into compliance with licensure requirements. A conditional  
 664 license must be limited to a specific period, not exceeding 6  
 665 months. The agency department shall, by rule, establish criteria  
 666 for issuing conditional licenses.

667 (10) The agency department may adopt rules to establish

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668 procedures, identify forms, specify documentation, and clarify  
 669 terms, as necessary, to administer this section.

670 ~~(11) The agency may adopt rules to administer the~~  
 671 ~~requirements of part II of chapter 408.~~

672 Section 24. Subsection (6) of section 429.71, Florida  
 673 Statutes, is amended to read:

674 429.71 Classification of deficiencies; administrative  
 675 fines.—

676 (6) The agency shall establish ~~department shall set forth,~~  
 677 by rule, ~~notice requirements and procedures for correction of~~  
 678 deficiencies.

679 Section 25. Section 429.73, Florida Statutes, is amended to  
 680 read:

681 429.73 Rules and standards relating to adult family-care  
 682 homes.—

683 (1) The agency, ~~in consultation with the department, may~~  
 684 ~~adopt rules to administer the requirements of part II of chapter~~  
 685 ~~408. The department,~~ in consultation with the Department of  
 686 Health ~~and, the Department of Children and Families, and the~~  
 687 ~~agency shall, by rule,~~ establish by rule minimum standards to  
 688 ensure the health, safety, and well-being of each resident in  
 689 the adult family-care home pursuant to this part. The rules must  
 690 address:

691 (a) Requirements for the physical site of the facility and  
 692 facility maintenance.

693 (b) Services that must be provided to all residents of an  
 694 adult family-care home and standards for such services, which  
 695 must include, but need not be limited to:

696 1. Room and board.

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- 697 2. Assistance necessary to perform the activities of daily  
698 living.
- 699 3. Assistance necessary to administer medication.
- 700 4. Supervision of residents.
- 701 5. Health monitoring.
- 702 6. Social and leisure activities.
- 703 (c) Standards and procedures for license application and  
704 annual license renewal, advertising, proper management of each  
705 resident's funds and personal property and personal affairs,  
706 financial ability to operate, medication management,  
707 inspections, complaint investigations, and facility, staff, and  
708 resident records.
- 709 (d) Qualifications, training, standards, and  
710 responsibilities for providers and staff.
- 711 (e) Compliance with chapter 419, relating to community  
712 residential homes.
- 713 (f) Criteria and procedures for determining the  
714 appropriateness of a resident's placement and continued  
715 residency in an adult family-care home. A resident who requires  
716 24-hour nursing supervision may not be retained in an adult  
717 family-care home unless such resident is an enrolled hospice  
718 patient and the resident's continued residency is mutually  
719 agreeable to the resident and the provider.
- 720 (g) Procedures for providing notice and assuring the least  
721 possible disruption of residents' lives when residents are  
722 relocated, an adult family-care home is closed, or the ownership  
723 of an adult family-care home is transferred.
- 724 (h) Procedures to protect the residents' rights as provided  
725 in s. 429.85.

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- 726 (i) Procedures to promote the growth of adult family-care  
727 homes as a component of a long-term care system.
- 728 (j) Procedures to promote the goal of aging in place for  
729 residents of adult family-care homes.
- 730 (2) The agency ~~department~~ shall ~~by rule~~ provide by rule  
731 minimum standards and procedures for emergencies. Pursuant to s.  
732 633.206, the State Fire Marshal, in consultation with the  
733 ~~department and the~~ agency, shall adopt uniform firesafety  
734 standards for adult family-care homes.
- 735 (3) The agency ~~department~~ shall adopt rules providing for  
736 the implementation of orders not to resuscitate. The provider  
737 may withhold or withdraw cardiopulmonary resuscitation if  
738 presented with an order not to resuscitate executed pursuant to  
739 s. 401.45. The provider shall not be subject to criminal  
740 prosecution or civil liability, nor be considered to have  
741 engaged in negligent or unprofessional conduct, for withholding  
742 or withdrawing cardiopulmonary resuscitation pursuant to such an  
743 order and applicable rules.
- 744 Section 26. Subsections (3), (4), and (5) of section  
745 429.75, Florida Statutes, are amended to read:
- 746 429.75 Training and education programs.—
- 747 (3) Providers must complete the training and education  
748 program within a reasonable time determined by the agency  
749 ~~department~~. Failure to complete the training and education  
750 program within the time set by the agency ~~department~~ is a  
751 violation of this part and subjects the provider to revocation  
752 of the license.
- 753 (4) If the Department of Children and Families or the  
754 ~~agency, or the department~~ determines that there are problems in

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an adult family-care home which could be reduced through specific training or education beyond that required under this section, the agency may require the provider or staff to complete such training or education.

(5) The ~~agency department~~ may adopt rules as necessary to administer this section.

Section 27. Subsection (2) of section 429.81, Florida Statutes, is amended to read:

429.81 Residency agreements.—

(2) Each residency agreement must specify the personal care and accommodations to be provided by the adult family-care home, the rates or charges, a requirement of at least 30 days' notice before a rate increase, and any other provisions required by rule of the agency department.

Section 28. Section 429.929, Florida Statutes, is amended to read:

429.929 Rules establishing standards.—

(1) The agency, ~~in consultation with the department, may adopt rules to administer the requirements of part II of chapter 408. The Department of Elderly Affairs, in conjunction with the agency,~~ shall adopt rules to implement ~~the provisions of this part.~~ The rules must include reasonable and fair standards. Any conflict between these standards and those that may be set forth in local, county, or municipal ordinances shall be resolved in favor of those having statewide effect. Such standards must relate to:

(a) The maintenance of adult day care centers with respect to plumbing, heating, lighting, ventilation, and other building conditions, including adequate meeting space, to ensure the

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health, safety, and comfort of participants and protection from fire hazard. Such standards may not conflict with chapter 553 and must be based upon the size of the structure and the number of participants.

(b) The number and qualifications of all personnel employed by adult day care centers who have responsibilities for the care of participants.

(c) All sanitary conditions within adult day care centers and their surroundings, including water supply, sewage disposal, food handling, and general hygiene, and maintenance of sanitary conditions, to ensure the health and comfort of participants.

(d) Basic services provided by adult day care centers.

(e) Supportive and optional services provided by adult day care centers.

(f) Data and information relative to participants and programs of adult day care centers, including, but not limited to, the physical and mental capabilities and needs of the participants, the availability, frequency, and intensity of basic services and of supportive and optional services provided, the frequency of participation, the distances traveled by participants, the hours of operation, the number of referrals to other centers or elsewhere, and the incidence of illness.

(g) Components of a comprehensive emergency management plan, developed in consultation with the Department of Health, ~~the Agency for Health Care Administration,~~ and the Division of Emergency Management.

(2) Pursuant to this part, s. 408.811, and applicable rules, the agency may conduct an abbreviated biennial inspection of key quality-of-care standards, in lieu of a full inspection,

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813 of a center that has a record of good performance. However, the  
814 agency must conduct a full inspection of a center that has had  
815 one or more confirmed complaints within the licensure period  
816 immediately preceding the inspection or which has a serious  
817 problem identified during the abbreviated inspection. The agency  
818 shall develop the key quality-of-care standards, taking into  
819 consideration the comments and recommendations of ~~the Department~~  
820 ~~of Elderly Affairs and of~~ provider groups. These standards shall  
821 be included in rules adopted by the agency ~~Department of Elderly~~  
822 ~~Affairs.~~

823 Section 29. Subsection (4) of section 765.110, Florida  
824 Statutes, is amended to read:

825 765.110 Health care facilities and providers; discipline.-

826 (4) ~~The Department of Elderly Affairs for hospices and, in~~  
827 ~~consultation with the Department of Elderly Affairs, the~~  
828 Department of Health, in consultation with the Department of  
829 Elderly Affairs, for health care providers; the Agency for  
830 Health Care Administration for hospitals, hospices, nursing  
831 homes, home health agencies, and health maintenance  
832 organizations; and the Department of Children and Families for  
833 facilities subject to part I of chapter 394 shall adopt rules to  
834 implement this ~~the provisions of the~~ section.

835 Section 30. This act shall take effect July 1, 2019.



**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

2/11/19

*Meeting Date*

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

184

*Bill Number (if applicable)*

Topic Aging Programs

*Amendment Barcode (if applicable)*

Name Susan Anderson

Job Title VP of Public Policy

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Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against  
(The Chair will read this information into the record.)

Representing Florida Senior Living Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/14/14)

**COMMITTEE:** Children, Families, and Elder Affairs  
**ITEM:** SB 184  
**FINAL ACTION:** Favorable  
**MEETING DATE:** Monday, February 11, 2019  
**TIME:** 4:30—6:00 p.m.  
**PLACE:** 301 Senate Building

[illegible]

CODES: FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed  
VA=Vote After Roll Call  
VC=Vote Change After Roll Call

WD=Withdrawn  
OO=Out of Order  
AV=Abstain from Voting

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

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BILL: SB 318

INTRODUCER: Senator Montford

SUBJECT: Child Abuse, Abandonment, and Neglect

DATE: February 8, 2019

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Preston	Hendon	CF	<b>Pre-meeting</b>
2. _____	_____	ED	_____
3. _____	_____	RC	_____

---

**I. Summary:**

SB 318 amends the laws relating to child abuse, neglect and abandonment reporting and confidentiality of records. Specifically the bill:

- Emphasizes that any instructional personnel as defined in s. 1012.01(2), F.S., school administrator as defined in s. 1012.01(3)(c), F.S., and educational support employee as defined in s.1012(6)(a), F.S., who has complied with school or district policy in reporting or providing information, is considered a reporter for purposes of confidentiality.
- Requires that any information that would identify a reporter of child abuse, abandonment or neglect remain confidential.

The bill has no impact on state or local government and has an effective date of July 1, 2019.

**II. Present Situation:**

**Mandatory Reporting of Child Abuse, Abandonment and Neglect**

Current law requires that any individual who knows, or who has reasonable cause to suspect, that a child is being abused, abandoned or neglected by a caregiver to report that knowledge to the department's central abuse hotline. Any known or suspected child abuse by a non-caregiver and sexual abuse of a child is also required to be reported. Reporters in a number of occupational categories are required to provide their names to the hotline, including a:

- Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons;
- Health or mental health professional other than one listed above;
- Practitioner who relies solely on spiritual means for healing;
- School teacher or other school official or personnel;
- Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker;

- Law enforcement officer; or
- Judge.

### **Confidentiality of Records**

Section 39.202, F.S., currently provides that the names of reporters of known or suspected child abuse, abandonment or neglect to the central abuse hotline shall be entered into the record of the report, but shall be held confidential and exempt from disclosure. There are currently no provisions for protecting the identifying information of any individual who has made a report to the central abuse hotline.

### **III. Effect of Proposed Changes:**

**Section 1** amends s. 39.201, F.S., to emphasize that any instructional personnel as defined in s. 1012.01(2), F.S., school administrator as defined in s. 1012.01(3)(c), F.S., and educational support employee as defined in s.1012(6)(a), F.S., who has complied with school or district policy in reporting or providing information, is considered a reporter for purposes of confidentiality.

**Section 2** amends s. 39.202, F.S., to require that any information that would identify a reporter of child abuse, abandonment or neglect remain confidential.

**Section 3** provides and effective date of July 1, 2019.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

The bill appears to have a public records issue that may need to be addressed.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

No analysis from the Department of Children and Families, the Department of Education or the School Board Association was received to provide additional information on the impact of the bill.

**VIII. Statutes Affected:**

The bill amends ss. 39.201 and 39.202 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Montford

3-00582-19

2019318\_\_

A bill to be entitled

An act relating to child abuse, abandonment, and neglect; amending s. 39.201, F.S.; specifying that instructional personnel, school administrators, and educational support employees who follow certain policies when reporting or providing information related to child abuse, abandonment, or neglect are reporters; amending s. 39.202, F.S.; providing that any information that would identify a reporter in cases of child abuse, abandonment, or neglect may be released only under certain circumstances; providing that any information contained in reports or records relating to child abuse, abandonment, or neglect which would identify specified persons may be released only to specified individuals and entities; providing an effective date.

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

Section 1. Present paragraphs (e) through (h) of subsection (1) of section 39.201, Florida Statutes, are redesignated as paragraphs (f) through (i), respectively, and a new paragraph (e) is added to that subsection, to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.—

(1)

(e) Any instructional personnel as defined in s. 1012.01(2), school administrator as defined in s. 1012.01(3)(c), or educational support employee as defined in s. 1012.01(6)(a)

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

3-00582-19

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who has followed a school-level or districtwide policy in reporting or providing information related to child abuse, abandonment, or neglect is a reporter for the purposes of s. 39.202.

Section 2. Subsections (2) and (5) of section 39.202, Florida Statutes, are amended to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect.—

(2) Except as provided in subsection (4), access to such records, excluding the name of the reporter and any information that would identify the reporter, which shall be released only as provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(a) Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, the Office of Early Learning, or county agencies responsible for carrying out:

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;
3. Early intervention and prevention services;
4. Healthy Start services;

5. Licensure or approval of adoptive homes, foster homes, child care facilities, facilities licensed under chapter 393, family day care homes, providers who receive school readiness funding under part VI of chapter 1002, or other homes used to provide for the care and welfare of children;

6. Employment screening for caregivers in residential group homes; or

7. Services for victims of domestic violence when provided

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3-00582-19

2019318\_\_

by certified domestic violence centers working at the department's request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

(b) Criminal justice agencies of appropriate jurisdiction.

(c) The state attorney of the judicial circuit in which the child resides or in which the alleged abuse or neglect occurred.

(d) The parent or legal custodian of any child who is alleged to have been abused, abandoned, or neglected, and the child, and their attorneys, including any attorney representing a child in civil or criminal proceedings. This access shall be made available no later than 60 days after the department receives the initial report of abuse, neglect, or abandonment. However, any information otherwise made confidential or exempt by law may ~~shall~~ not be released pursuant to this paragraph.

(e) Any person alleged in the report as having caused the abuse, abandonment, or neglect of a child. This access must ~~shall~~ be made available no later than 60 days after the department receives the initial report of abuse, abandonment, or neglect and, when the alleged perpetrator is not a parent, must ~~shall~~ be limited to information involving the protective investigation only and may not ~~shall not~~ include any information relating to subsequent dependency proceedings. However, any information otherwise made confidential or exempt by law may not ~~shall not~~ be released pursuant to this paragraph.

(f) A court upon its finding that access to such records may be necessary for the determination of an issue before the

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3-00582-19

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court; however, such access must ~~shall~~ be limited to inspection in camera, unless the court determines that public disclosure of the information contained therein is necessary for the resolution of an issue then pending before it.

(g) A grand jury, by subpoena, upon its determination that access to such records is necessary in the conduct of its official business.

(h) Any appropriate official of the department or the Agency for Persons with Disabilities who is responsible for:

1. Administration or supervision of the department's program for the prevention, investigation, or treatment of child abuse, abandonment, or neglect, or abuse, neglect, or exploitation of a vulnerable adult, when carrying out his or her official function;

2. Taking appropriate administrative action concerning an employee of the department or the agency who is alleged to have perpetrated child abuse, abandonment, or neglect, or abuse, neglect, or exploitation of a vulnerable adult; or

3. Employing and continuing employment of personnel of the department or the agency.

(i) Any person authorized by the department who is engaged in the use of such records or information for bona fide research, statistical, or audit purposes. Such individual or entity shall enter into a privacy and security agreement with the department and shall comply with all laws and rules governing the use of such records and information for research and statistical purposes. Information identifying the subjects of such records or information shall be treated as confidential by the researcher and may ~~shall~~ not be released in any form.

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117 (j) The Division of Administrative Hearings for purposes of  
118 any administrative challenge.

119 (k) Any appropriate official of a Florida advocacy council  
120 investigating a report of known or suspected child abuse,  
121 abandonment, or neglect; the Auditor General or the Office of  
122 Program Policy Analysis and Government Accountability for the  
123 purpose of conducting audits or examinations pursuant to law; or  
124 the guardian ad litem for the child.

125 (l) Employees or agents of an agency of another state which  
126 ~~that~~ has comparable jurisdiction to the jurisdiction described  
127 in paragraph (a).

128 (m) The Public Employees Relations Commission for the sole  
129 purpose of obtaining evidence for appeals filed pursuant to s.  
130 447.207. Records may be released only after deletion of all  
131 information that ~~which~~ specifically identifies persons other  
132 than the employee.

133 (n) Employees or agents of the Department of Revenue  
134 responsible for child support enforcement activities.

135 (o) Any person in the event of the death of a child  
136 determined to be a result of abuse, abandonment, or neglect.  
137 Information identifying the person reporting abuse, abandonment,  
138 or neglect may ~~shall~~ not be released. Any information otherwise  
139 made confidential or exempt by law may ~~shall~~ not be released  
140 pursuant to this paragraph.

141 (p) An employee of the local school district who is  
142 designated as a liaison between the school district and the  
143 department pursuant to an interagency agreement required under  
144 s. 39.0016 and the principal of a public school, private school,  
145 or charter school where the child is a student. Information

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146 contained in the records which the liaison or the principal  
147 determines are necessary for a school employee to effectively  
148 provide a student with educational services may be released to  
149 that employee.

150 (q) An employee or agent of the Department of Education who  
151 is responsible for the investigation or prosecution of  
152 misconduct by a certified educator.

153 (r) Staff of a children's advocacy center that is  
154 established and operated under s. 39.3035.

155 (s) A physician licensed under chapter 458 or chapter 459,  
156 a psychologist licensed under chapter 490, or a mental health  
157 professional licensed under chapter 491 engaged in the care or  
158 treatment of the child.

159 (t) Persons with whom the department is seeking to place  
160 the child or to whom placement has been granted, including  
161 foster parents for whom an approved home study has been  
162 conducted, the designee of a licensed residential group home  
163 described in s. 39.523, an approved relative or nonrelative with  
164 whom a child is placed pursuant to s. 39.402, preadoptive  
165 parents for whom a favorable preliminary adoptive home study has  
166 been conducted, adoptive parents, or an adoption entity acting  
167 on behalf of preadoptive or adoptive parents.

168 (5) Any information contained in reports or records  
169 relating to child abuse, abandonment, or neglect which would  
170 identify ~~The name of~~ any person reporting child abuse,  
171 abandonment, or neglect may not be released to any person other  
172 than employees of the department responsible for child  
173 protective services, the central abuse hotline, law enforcement,  
174 the child protection team, or the appropriate state attorney,

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3-00582-19

2019318

175 without the written consent of the person reporting. This does  
176 not prohibit the subpoenaing of a person reporting child abuse,  
177 abandonment, or neglect when deemed necessary by the court, the  
178 state attorney, or the department, provided the fact that such  
179 person made the report is not disclosed. Any person who reports  
180 a case of child abuse or neglect may, at the time he or she  
181 makes the report, request that the department notify him or her  
182 that a child protective investigation occurred as a result of  
183 the report. Any person specifically listed in s. 39.201(1) who  
184 makes a report in his or her official capacity may also request  
185 a written summary of the outcome of the investigation. The  
186 department shall mail such a notice to the reporter within 10  
187 days after completing the child protective investigation.

188 Section 3. This act shall take effect July 1, 2019.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/11/2019  
Meeting Date

SB 318  
Bill Number (if applicable)

Topic Child Abuse, Abandonment Neglect

Name Trish Neely

Job Title Board Member

Address 2024 Shangri La Lane  
Street

Phone 850 322 3317

Tally FL 32303  
City State Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against  
(The Chair will read this information into the record.)

Representing League of Women Voters

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2.11.19

*Meeting Date*

318

*Bill Number (if applicable)*

Topic Child Abuse, Abandonment and Neglect

*Amendment Barcode (if applicable)*

Name Barney Bishop III

Job Title President & CEO

Address 2215 Thomasville Road

Phone 850.510.9922

*Street*

Tallahassee

FL

32308

Email barney@barneybishop.com

*City*

*State*

*Zip*

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against  
(The Chair will read this information into the record.)

Representing Florida Smart Justice Alliance

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/14/14)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

---

BILL: SB 374

INTRODUCER: Senator Harrell

SUBJECT: Children and Youth Cabinet

DATE: February 8, 2019

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Preston	Hendon	CF	<b>Favorable</b>
2.			HP	
3.			RC	

---

**I. Summary:**

SB 374 adds a representative of the Florida Dental Association to the Children and Youth Cabinet. The representative is to be appointed by the Governor.

The bill has no fiscal impact on the state and has an effective date of July 1, 2019.

**II. Present Situation:**

The Children and Youth Cabinet was established in 2007 in the Executive Office of the Governor to ensure that Florida's public policy relating to children and youth is developed to promote interdepartmental collaboration and program implementation in order that services designed for children and youth are planned, managed, and delivered in a holistic and integrated manner to improve children's self-sufficiency, safety, economic stability, health, and quality of life.<sup>1</sup>

Currently the cabinet has 16 members and the President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the Supreme Court, the Attorney General, and the Chief Financial Officer, or their appointed designees, serve as ex officio members of the cabinet.

Members include:

- The Governor;
- The Secretary of the Department of Children and Families;
- The Secretary of the Department of Juvenile Justice;
- The director of the Agency for Persons with Disabilities;
- The director of the Office of Early Learning;
- The State Surgeon General;
- The Secretary of the Agency for Health Care Administration;

---

<sup>1</sup> Section 402.56, F.S.

- The Commissioner of Education;
- The director of the Statewide Guardian Ad Litem Office;
- The director of the Office of Adoption and Child Protection;
- A superintendent of schools, appointed by the Governor; and
- Five members who represent children and youth advocacy organizations and who are not service providers, appointed by the Governor.

### **III. Effect of Proposed Changes:**

**Section 1** amends s. 402.56, F.S., to add a representative of the Florida Dental Association to the Children and Youth Cabinet, to be appointed by the Governor.

**Section 2** provides an effective date of July 1, 2019.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

#### **C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

The bill amends s. 402.56 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Harrell

25-00579A-19

2019374\_\_

1 A bill to be entitled  
 2 An act relating to the Children and Youth Cabinet;  
 3 amending s. 402.56, F.S.; expanding the membership of  
 4 the Children and Youth Cabinet within the Executive  
 5 Office of the Governor to include a representative  
 6 from the Florida Dental Association appointed by the  
 7 Governor; providing an effective date.  
 8  
 9 Be It Enacted by the Legislature of the State of Florida:  
 10  
 11 Section 1. Subsection (4) of section 402.56, Florida  
 12 Statutes, is amended to read:  
 13 402.56 Children's cabinet; organization; responsibilities;  
 14 annual report.—  
 15 (4) MEMBERS.—The cabinet shall consist of 17 ~~16~~ members  
 16 including the Governor and the following persons:  
 17 (a) 1. The Secretary of Children and Families;  
 18 2. The Secretary of Juvenile Justice;  
 19 3. The director of the Agency for Persons with  
 20 Disabilities;  
 21 4. The director of the Office of Early Learning;  
 22 5. The State Surgeon General;  
 23 6. The Secretary of Health Care Administration;  
 24 7. The Commissioner of Education;  
 25 8. The director of the Statewide Guardian Ad Litem Office;  
 26 9. The director of the Office of Adoption and Child  
 27 Protection;  
 28 10. A superintendent of schools, appointed by the Governor;  
 29 11. A representative of the Florida Dental Association,

Page 1 of 2

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25-00579A-19

2019374\_\_

30 appointed by the Governor; and  
 31 12.11. Five members who represent children and youth  
 32 advocacy organizations and who are not service providers,  
 33 appointed by the Governor.  
 34 (b) The President of the Senate, the Speaker of the House  
 35 of Representatives, the Chief Justice of the Supreme Court, the  
 36 Attorney General, and the Chief Financial Officer, or their  
 37 appointed designees, shall serve as ex officio members of the  
 38 cabinet.  
 39 (c) The Governor or the Governor's designee shall serve as  
 40 the chair of the cabinet.  
 41 (d) Nongovernmental members of the cabinet shall serve  
 42 without compensation, but are entitled to receive per diem and  
 43 travel expenses in accordance with s. 112.061 while in  
 44 performance of their duties.  
 45 Section 2. This act shall take effect July 1, 2019.

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# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/11/19

Meeting Date

SB 374

Bill Number (if applicable)

Topic Children and Youth Cabinet

Name Joe Anne Hart

Job Title Chief Legislative Officer

Address 118 East Jefferson Street

Street

Phone 850.224.1089

Tallah, FL 32301

City

State

Zip

Email jahart@floridadental.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against  
(The Chair will read this information into the record.)

Representing Florida Dental Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



**COMMITTEE:** Children, Families, and Elder Affairs  
**ITEM:** SB 374  
**FINAL ACTION:** Favorable  
**MEETING DATE:** Monday, February 11, 2019  
**TIME:** 4:30—6:00 p.m.  
**PLACE:** 301 Senate Building

[illegible]

CODES: FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed  
VA=Vote After Roll Call  
VC=Vote Change After Roll Call

WD=Withdrawn  
OO=Out of Order  
AV=Abstain from Voting

## THE FLORIDA SENATE

02/11/2019

Meeting Date

Topic Sober Home Update

Name Daniel Lauber, AICP

Job Title Attorney / Planning Consultant

Address 7215 Oak Avenue  
Street

*Street*

River Forest  
City

City

11

State

60305

Zip

Phone 708-366-5200

Email dan@lawberlaw.com

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against  
(The Chair will read this information into the record.)

## Representing

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

***This form is part of the public record for this meeting.***

S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/11/2019

Meeting Date

Bill Number (if applicable)

Topic Sober Home Update

Amendment Barcode (if applicable)

Name Maureen Kielian

Job Title President of Southeast FL Recovery Advocates

Address 3302 NE Holly Creek Drive

Phone 954-629-5264

Street

Jensen Beach

FL

34957

City

State

Zip

Email mkielian@aol.com

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/11/2019

Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic Sober Home Update

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name Steven Farnsworth

Job Title Executive Director

Address 326 W Lantana Rd. Suite #1  
Street

Phone 561-544-7490

Lantana  
City

FL

State

33462

Zip

Email steve@farronline.org

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against  
(The Chair will read this information into the record.)

Representing Florida Association of Recovery Residences

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/11/2019

Meeting Date

Bill Number (if applicable)

Topic Sober Home Update

Amendment Barcode (if applicable)

Name Lissa Franklin

Job Title \_\_\_\_\_

Address \_\_\_\_\_

Street

Phone 305-978-2207

City

State

Zip

Email franklin.lissa@gmail.com

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against  
(The Chair will read this information into the record.)

Representing \_\_\_\_\_

Appearing at request of Chair: ☒ Yes ☐ No      Lobbyist registered with Legislature: ☐ Yes ☒ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-11-19

Meeting Date

child support

Bill Number (if applicable)

Topic Amended Rule's in the 1<sup>st</sup> Guide line

Amendment Barcode (if applicable)

Name ISAIAH DAVIS

Job Title Warehouse Worker

Address 3840 NW 8<sup>th</sup> Ct

Street

Ft. Lauderdale FL 33311

City

State

Zip

Phone (786) 226-3506

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against  
(The Chair will read this information into the record.)

Representing MYSELF

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

S-001 (10/14/14)