

Bill No. SB 2616

Barcode 630658

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

.
. .
. .
. .
. .
. .

The Committee on Domestic Security (Wise) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 252.355, Florida Statutes, is amended to read:

252.355 Registry of persons with special needs; notice.--

(1) In order to meet the special needs of persons who would need assistance during evacuations and sheltering because of physical, mental, cognitive impairment, or sensory disabilities, each local emergency management agency in the state shall maintain a registry of persons with special needs located within the jurisdiction of the local agency. The registration shall identify those persons in need of assistance and plan for resource allocation to meet those identified needs. To assist the local emergency management agency in identifying such persons, the Department of Children

Bill No. SB 2616

Barcode 630658

1 and Family Services, Department of Health, Agency for Health
 2 Care Administration, Department of Education, the Agency for
 3 Persons with Disabilities, Agency for Workforce Innovation,
 4 ~~Department of Labor and Employment Security,~~ and Department of
 5 Elderly Affairs shall provide registration information to all
 6 of their special needs clients and to all people with
 7 disabilities or special needs who receive services incoming
 8 ~~clients as a part of the intake process.~~ The registry shall be
 9 updated annually. The registration program shall give persons
 10 with special needs the option of preauthorizing emergency
 11 response personnel to enter their homes during search and
 12 rescue operations if necessary to assure their safety and
 13 welfare following disasters.

14 (2) The Department of Community Affairs shall be the
 15 designated lead agency responsible for community education and
 16 outreach to the general public, including special needs
 17 clients, regarding registration as a person with special
 18 needs, for special needs shelters, and for general information
 19 regarding shelter stays. The Department of Community Affairs
 20 shall disseminate such educational and outreach information
 21 through the local emergency management offices. The Department
 22 of Community Affairs shall coordinate the development of
 23 curriculum and dissemination of all community education and
 24 outreach related to special needs shelters with the
 25 Clearinghouse on Disability Information of the Governor's
 26 Americans with Disabilities Act Working Group, the Department
 27 of Children and Family Services, the Department of Health, the
 28 Agency for Health Care Administration, the Department of
 29 Education, the Agency for Persons with Disabilities, the
 30 Clearinghouse on Disability Information, the Agency for
 31 Workforce Development, and the Department of Elderly Affairs.

Bill No. SB 2616

Barcode 630658

1 ~~(3)(2)~~ On or before May 1 of each year each electric
 2 utility in the state shall annually notify residential
 3 customers in its service area of the availability of the
 4 registration program available through their local emergency
 5 management agency.

6 ~~(4)(3)~~ All records, data, information, correspondence,
 7 and communications relating to the registration of persons
 8 with special needs as provided in subsection (1) are
 9 confidential and exempt from the provisions of s. 119.07(1),
 10 except that such information shall be available to other
 11 emergency response agencies, as determined by the local
 12 emergency management director and shall be provided to the
 13 Department of Health in the furtherance of their duties and
 14 responsibilities.

15 ~~(5)(4)~~ All appropriate agencies and community-based
 16 service providers, including home health care providers and
 17 hospices, shall assist emergency management agencies by
 18 collecting registration information for persons with special
 19 needs as part of program intake processes, establishing
 20 programs to increase the awareness of the registration
 21 process, and educating clients about the procedures that may
 22 be necessary for their safety during disasters. Clients of
 23 state or federally funded service programs with physical,
 24 mental, cognitive impairment, or sensory disabilities who need
 25 assistance in evacuating, or when in shelters, must register
 26 as persons with special needs.

27 Section 2. Section 381.0303, Florida Statutes, is
 28 amended to read:

29 381.0303 Health practitioner recruitment for special
 30 needs shelters.--

31 (1) PURPOSE.--The purpose of this section is to

Bill No. SB 2616

Barcode 630658

1 designate the Department of Health, through its county health
 2 departments, as the lead agency for coordination of the
 3 recruitment of health care practitioners, as defined in s.
 4 456.001(4), to staff special needs shelters in times of
 5 emergency or disaster and to provide resources to the
 6 department to carry out this responsibility. However, nothing
 7 in this section prohibits a county health department from
 8 entering into an agreement with a local emergency management
 9 agency to assume the lead responsibility for recruiting health
 10 care practitioners.

11 (2) SPECIAL NEEDS SHELTER PLAN AND STAFFING.--~~Provided~~
 12 ~~funds have been appropriated to support medical services~~
 13 ~~disaster coordinator positions in county health departments,~~
 14 The department shall assume lead responsibility for the local
 15 coordination of local medical and health care providers, the
 16 American Red Cross, and other interested parties in developing
 17 a plan for the staffing and medical management of special
 18 needs shelters. The local Children's Medical Services offices
 19 shall assume lead responsibility for the local coordination of
 20 local medical and health care providers, the American Red
 21 Cross, and other interested parties in developing a plan for
 22 the staffing and medical management of pediatric special needs
 23 shelters. Plans ~~The plan~~ shall be in conformance with the
 24 local comprehensive emergency management plan.

25 (a) County health departments shall, in conjunction
 26 with the local emergency management agencies, have the lead
 27 responsibility for coordination of the recruitment of health
 28 care practitioners to staff local special needs shelters.
 29 County health departments shall assign their employees to work
 30 in special needs shelters when needed to protect the health of
 31 patients. County governments shall assist in this process.

Bill No. SB 2616

Barcode 630658

1 (b) The appropriate county health department,
 2 Children's Medical Services, and local emergency management
 3 agency shall jointly determine who has responsibility for
 4 medical supervision in a special needs shelter.

5 (c) The Department of Elderly Affairs shall be the
 6 lead agency responsible for ensuring the placement of special
 7 needs elderly residents and Alzheimer adult special needs
 8 residents rendered homeless due to a disaster event and for
 9 appropriate and necessary discharge planning for special needs
 10 shelter residents. Other elder service agencies and
 11 organizations shall assist Department of Elderly Affairs in
 12 this effort.

13 (d)1. The Department of Children and Family Services
 14 shall be the lead agency responsible for ensuring the
 15 placement of mental health special needs residents rendered
 16 homeless due to a disaster event and the appropriate and
 17 necessary discharge planning for special needs shelter
 18 residents. Other social service agencies or organizations
 19 shall assist the Department of Children and Family Services in
 20 this effort. The Agency for Persons with Disabilities shall be
 21 the lead agency responsible for ensuring the placement and
 22 appropriate, necessary discharge planning for special needs
 23 shelter residents with developmental disabilities rendered
 24 homeless by a disaster event.

25 2. The Department of Children and Families shall be
 26 the lead agency responsible for ensuring the placement of
 27 children within the welfare system.

28
 29 In all cases, the appropriate agency shall provide the
 30 appropriate and necessary discharge planning for their
 31 respective clients. Other social service agencies or

Bill No. SB 2616

Barcode 630658

1 organizations shall assist the aforementioned agencies in this
2 effort.

3 (e) State employees with a preestablished role in
4 disaster response may be called upon to serve in times of
5 disaster commensurate with their knowledge, skills, and
6 abilities and any needed activities related to the situation.

7 (f)(c) Local emergency management agencies shall be
8 responsible for the designation and operation of special needs
9 shelters during times of emergency or disaster. County health
10 departments shall assist the local emergency management agency
11 with regard to the management of medical services in special
12 needs shelters.

13 (3) REIMBURSEMENT TO HEALTH CARE PRACTITIONERS.--The
14 Department of Health shall reimburse, subject to the
15 availability of funds for this purpose, health care
16 practitioners, as defined in s. 456.001, provided the
17 practitioner is not providing care to a patient under an
18 existing contract, and emergency medical technicians and
19 paramedics licensed pursuant to chapter 401 for medical care
20 provided at the request of the department in special needs
21 shelters or at other locations during times of emergency or
22 major disaster. Reimbursement for health care practitioners,
23 except for physicians licensed pursuant to chapter 458 or
24 chapter 459, shall be based on the average hourly rate that
25 such practitioners were paid according to the most recent
26 survey of Florida hospitals conducted by the Florida Hospital
27 Association. Reimbursement shall be requested on forms
28 prepared by the Department of Health. If a Presidential
29 Disaster Declaration has been made, and the Federal Government
30 makes funds available, the department shall use such funds for
31 reimbursement of eligible expenditures. In other situations,

Bill No. SB 2616

Barcode 630658

1 or if federal funds do not fully compensate the department for
 2 reimbursement made pursuant to this section, the department
 3 shall submit to the Cabinet or Legislature, as appropriate, a
 4 budget amendment to obtain reimbursement from the working
 5 capital fund. Hospitals and nursing homes that are used to
 6 shelter special needs persons during and after an evacuation
 7 shall submit invoices for reimbursement from the state for
 8 expenses incurred in this effort. Travel expense and per diem
 9 costs shall be reimbursed pursuant to s. 112.061.

10 (4) HEALTH CARE PRACTITIONER REGISTRY.--The department
 11 may use the registries established in ss. 401.273 and 456.38
 12 when health care practitioners are needed to staff special
 13 needs shelters or to staff disaster medical assistance teams.

14 (5) SPECIAL NEEDS SHELTER INTERAGENCY COMMITTEE.--The
 15 Department of Health may establish a special needs shelter
 16 interagency committee, to be chaired and staffed by the
 17 department. The committee shall resolve problems related to
 18 special needs shelters not addressed in the state
 19 comprehensive emergency medical plan and shall serve in a
 20 consultative role in ~~as an oversight committee to monitor~~ the
 21 planning and operation of special needs shelters.

22 (a) The committee shall ~~may~~:

23 1. Develop and negotiate any necessary interagency
 24 agreements.

25 2. Undertake other such activities as the department
 26 deems necessary to facilitate the implementation of this
 27 section.

28 3. Submit recommendations to the Legislature as
 29 necessary. Such recommendations shall include, but not be
 30 limited to, the following:

31 a. Defining "special needs shelter."

Bill No. SB 2616

Barcode 630658

- 1 b. Defining "special needs person."
- 2 c. Development of a uniform registration form.
- 3 d. The improvement of public awareness regarding the
- 4 registration process.
- 5 e. The improvement of overall communications with
- 6 special needs persons both before and after a disaster.
- 7 f. The establishment of special needs shelter
- 8 guidelines for staffing, supplies, including durable medical,
- 9 emergency power, and transportation.

10

11 The Department of Health shall establish a statewide database
 12 designed to collect and disseminate timely and appropriate
 13 special needs registration information.

14 (b) The special needs shelter interagency committee
 15 shall be composed of representatives of emergency management,
 16 health, medical, and social services organizations. Membership
 17 shall include, but shall not be limited to, the Departments of
 18 Community Affairs, Children and Family Services, Elderly
 19 Affairs, ~~Labor and Employment Security~~, and Education; the
 20 Agency for Health Care Administration; the Agency for
 21 Workforce Innovation; the Florida Medical Association; the
 22 Florida Osteopathic Medical Association; Associated Home
 23 Health Industries of Florida, Inc.; the Florida Nurses
 24 Association; the Florida Health Care Association; the Florida
 25 Assisted Living Association; the Florida Hospital Association;
 26 the Florida Statutory Teaching Hospital Council; the Florida
 27 Association of Homes for the Aging; the Florida Emergency
 28 Preparedness Association; the American Red Cross; Florida
 29 Hospices, Inc.; the Association of Community Hospitals and
 30 Health Systems; the Florida Association of Health Maintenance
 31 Organizations; the Florida League of Health Systems; Private

Bill No. SB 2616

Barcode 630658

1 Care Association; ~~and~~ the Salvation Army; the Florida
2 Association of Aging Services Providers; and the AARP.

3 (c) Meetings of the committee shall be held in
4 Tallahassee, and members of the committee shall serve at the
5 expense of the agencies or organizations they represent. The
6 committee shall make every effort to use teleconference or
7 video conference capabilities in order to ensure widespread
8 input and to accommodate persons from other areas of the
9 state.

10 (6) RULES.--The department has the authority to adopt
11 rules necessary to implement this section. Rules shall ~~may~~
12 include a definition of a special needs patient, specification
13 with respect to ~~specify~~ physician reimbursement, and the
14 designation of ~~designate which~~ county health departments which
15 will have responsibility for the implementation of subsections
16 (2) and (3). Special needs shelters shall include minimum
17 standards relating to:

18 (a) The provision of electricity.

19 (b) Staffing levels for provision of services to
20 assist individuals with activities of daily living.

21 (c) The provision of transportation services.

22 (d) Compliance with applicable service animal laws.

23 (e) Eligibility criteria that includes individuals
24 with physical, cognitive, and psychiatric disabilities.

25 (f) The provision of supports and services for
26 individuals with physical, cognitive, and psychiatric
27 disabilities.

28 (g) Standardized applications that include specific
29 eligibility criteria and the services an individual with
30 special needs can expect.

31 (h) Procedures for addressing the needs of

Bill No. SB 2616

Barcode 630658

1 unregistered individuals in need of shelter.

2 (i) Requirements that the special needs shelter
 3 location meets the Florida Accessibility Code. If the location
 4 fails to meet the standards, a plan must be provided
 5 describing how compliance will be achieved.

6 (j) Procedures for addressing the needs of families
 7 who are eligible for special needs shelter services. Specific
 8 procedures shall be developed to address the needs of families
 9 with multiple dependents where only one dependent is eligible
 10 for the special needs shelter. Specific procedures shall be
 11 developed to address the needs of adults with special needs
 12 who are caregivers for individuals without special needs.

13 (7) REVIEW OF EMERGENCY MANAGEMENT PLANS.--~~The~~
 14 ~~submission of~~ Emergency management plans submitted to county
 15 health departments by home health agencies pursuant to s.
 16 400.497(8)(c) and (d) and by nurse registries pursuant to s.
 17 400.506(16)(e) and by hospice programs pursuant to s.
 18 400.610(1)(b) shall specifically address an agency's
 19 functional staffing plan for the shelters to ensure continuity
 20 of care and services for clients registered pursuant to s.
 21 252.355. Staffing plans for a nurse registry shall be
 22 consistent with s. 400.506(16)(a). ~~is conditional upon the~~
 23 ~~receipt of an appropriation by the department to establish~~
 24 ~~medical services disaster coordinator positions in county~~
 25 ~~health departments unless the secretary of the department and~~
 26 ~~a local county commission jointly determine to require such~~
 27 ~~plans to be submitted based on a determination that there is a~~
 28 ~~special need to protect public health in the local area during~~
 29 ~~an emergency.~~

30 Section 3. Subsections (2) and (4) of section 252.385,
 31 Florida Statutes, are amended to read:

Bill No. SB 2616

Barcode 630658

1 252.385 Public shelter space.--

2 (2)(a) The division shall administer a program to
3 survey existing schools, universities, community colleges, and
4 other state-owned, municipally owned, and county-owned public
5 buildings and any private facility that the owner, in writing,
6 agrees to provide for use as a public hurricane evacuation
7 shelter to identify those that are appropriately designed and
8 located to serve as such shelters. The owners of the
9 facilities must be given the opportunity to participate in the
10 surveys. The Board of Regents, district school boards,
11 community college boards of trustees, and the Department of
12 Education are responsible for coordinating and implementing
13 the survey of public schools, universities, and community
14 colleges with the division or the local emergency management
15 agency.

16 (b) By January 31 of each even-numbered year, the
17 Division of Emergency Management within the Department of
18 Community Affairs shall prepare and submit a statewide
19 emergency shelter plan to the Governor and the Cabinet for
20 approval as provided in s. 1013.37(2). The plan must also
21 identify the general location and square footage of special
22 needs shelters, by planning council region, during the next 5
23 years. The Department of Health shall assist the division in
24 determining the estimated need for special needs shelter space
25 based on information from the special needs registration
26 database and other factors.

27 (4)(a) Public facilities, including schools,
28 postsecondary education facilities, and other facilities owned
29 or leased by the state or local governments, but excluding
30 hospitals or nursing homes, which are suitable for use as
31 public hurricane evacuation shelters shall be made available

Bill No. SB 2616

Barcode 630658

1 at the request of the local emergency management agencies. The
 2 local emergency management agency shall inspect a designated
 3 facility to determine its readiness before activating such
 4 facility for a specific hurricane or disaster. Such agencies
 5 shall coordinate with the appropriate school board,
 6 university, community college, or local governing board when
 7 requesting the use of such facilities as public hurricane
 8 evacuation shelters.

9 (b) The Department of Management Services shall
 10 incorporate provisions for the use of suitable leased public
 11 facilities as public hurricane evacuation shelters into lease
 12 agreements for state agencies. Suitable leased public
 13 facilities include leased public facilities that are solely
 14 occupied by state agencies and have at least 2,000 square feet
 15 of net floor area in a single room or in a combination of
 16 rooms having a minimum of 400 square feet in each room. The
 17 net square footage of floor area must be determined by
 18 subtracting from the gross square footage the square footage
 19 of spaces such as mechanical and electrical rooms, storage
 20 rooms, open corridors, restrooms, kitchens, science or
 21 computer laboratories, shop or mechanical areas,
 22 administrative offices, records vaults, and crawl spaces.

23 (c) The Department of Management Services shall, in
 24 consultation with local and state emergency management
 25 agencies, assess Department of Management Services facilities
 26 to identify the extent to which each facility has public
 27 hurricane evacuation shelter space. The Department of
 28 Management Services shall submit proposed facility retrofit
 29 projects that incorporate hurricane protection enhancements to
 30 the department for assessment and inclusion in the annual
 31 report prepared in accordance with subsection (3).

Bill No. SB 2616

Barcode 630658

1 Section 4. Subsection (3) of section 400.492, Florida
2 Statutes, is amended to read:

3 400.492 Provision of services during an
4 emergency.--Each home health agency, nurse registry, hospice,
5 or durable medical equipment provider shall prepare and
6 maintain a comprehensive emergency management plan that is
7 consistent with the standards adopted by national
8 accreditation organizations and consistent with the local
9 special needs plan. The plan shall be updated annually and
10 shall provide for continuing home health, nurse registry,
11 hospice, or durable medical equipment provider services during
12 an emergency that interrupts patient care or services in the
13 patient's home. The plan shall describe how the home health
14 agency, nurse registry, hospice, or durable medical equipment
15 provider establishes and maintains an effective response to
16 emergencies and disasters, including: notifying staff when
17 emergency response measures are initiated; providing for
18 communication between staff members, county health
19 departments, and local emergency management agencies,
20 including a backup system; identifying resources necessary to
21 continue essential care or services or referrals to other
22 organizations subject to written agreement; and prioritizing
23 and contacting patients who need continued care or services.

24 (3) Home health, hospice, and durable medical
25 equipment provider agencies ~~are shall~~ not ~~be~~ required to
26 continue to provide care to patients in emergency situations
27 that are beyond their control and that make it impossible to
28 provide services, such as when roads are impassable or when
29 patients do not go to the location specified in their patient
30 records. Home health agencies, nurse registries, hospices, and
31 durable medical equipment providers may establish links to

Bill No. SB 2616

Barcode 630658

1 local emergency operations centers to determine a mechanism to
 2 approach areas within the disaster area in order for the
 3 agency to reach its clients. The presentation of home care or
 4 hospice clients to a special needs shelter without the home
 5 health agency or hospice making a good-faith effort to provide
 6 services in the shelter setting will constitute abandonment of
 7 the client and will result in regulatory review.

8 Section 5. Section 408.831, Florida Statutes, is
 9 amended to read:

10 408.831 Denial, suspension, or revocation of a
 11 license, registration, certificate, or application.--

12 (1) In addition to any other remedies provided by law,
 13 the agency may deny each application or suspend or revoke each
 14 license, registration, or certificate of entities regulated or
 15 licensed by it:

16 (a) If the applicant, licensee, registrant, or
 17 certificateholder, or, in the case of a corporation,
 18 partnership, or other business entity, if any officer,
 19 director, agent, or managing employee of that business entity
 20 or any affiliated person, partner, or shareholder having an
 21 ownership interest equal to 5 percent or greater in that
 22 business entity, has failed to pay all outstanding fines,
 23 liens, or overpayments assessed by final order of the agency
 24 or final order of the Centers for Medicare and Medicaid
 25 Services, not subject to further appeal, unless a repayment
 26 plan is approved by the agency; or

27 (b) For failure to comply with any repayment plan.

28 (2) In reviewing any application requesting a change
 29 of ownership or change of the licensee, registrant, or
 30 certificateholder, the transferor shall, prior to agency
 31 approval of the change, repay or make arrangements to repay

Bill No. SB 2616

Barcode 630658

1 any amounts owed to the agency. Should the transferor fail to
 2 repay or make arrangements to repay the amounts owed to the
 3 agency, the issuance of a license, registration, or
 4 certificate to the transferee shall be delayed until repayment
 5 or until arrangements for repayment are made.

6 (3) Entities subject to this section may exceed their
 7 licensed capacity to act as a receiving facility in accordance
 8 with an emergency operations plan for clients of evacuating
 9 providers from a geographic area where an evacuation order has
 10 been issued by a local authority having jurisdiction. While in
 11 an overcapacity status, each provider must furnish or arrange
 12 for appropriate care and services to all clients. Overcapacity
 13 status in excess of 15 days must comply with all fire safety
 14 requirements or their equivalency as approved by state and
 15 local authorities, as applicable. In addition, the agency
 16 shall approve requests for overcapacity beyond 15 days, which
 17 shall be based upon satisfactory justification and need as
 18 provided by the receiving and sending facility.

19 (4) An inactive license may be issued to a licensee
 20 subject to this section when the provider is located in a
 21 geographic area where a state of emergency was declared by the
 22 Governor of Florida if the provider:

23 (a) Suffered damage to the provider's operation during
 24 that state of emergency.

25 (b) Is currently licensed.

26 (c) Does not have a provisional license.

27 (d) Will be temporarily unable to provide services but
 28 is reasonably expected to resume services within 12 months.

29
 30 An inactive license may be issued for a period not to exceed
 31 12 months but may be renewed by the agency for up to 6

Bill No. SB 2616

Barcode 630658

1 additional months upon demonstration to the agency of progress
2 toward reopening. A request by a licensee for an inactive
3 license or to extend the previously approved inactive period
4 must be submitted in writing to the agency, accompanied by
5 written justification for the inactive license which states
6 the beginning and ending dates of inactivity and includes a
7 plan for the transfer of any clients to other providers and
8 appropriate licensure fees. Upon agency approval, the licensee
9 shall notify clients of any necessary discharge or transfer as
10 required by authorizing statutes or applicable rules. The
11 beginning of the inactive licensure period shall be the date
12 the provider ceases operations. The end of the inactive period
13 shall become the licensee expiration date and all licensure
14 fees must be current, paid in full, and may be prorated.
15 Reactivation of an inactive license requires the prior
16 approval by the agency of a renewal application, including
17 payment of licensure fees and agency inspections indicating
18 compliance with all requirements of this part and applicable
19 rules and statutes.

20 (5)(3) This section provides standards of enforcement
21 applicable to all entities licensed or regulated by the Agency
22 for Health Care Administration. This section controls over any
23 conflicting provisions of chapters 39, 381, 383, 390, 391,
24 393, 394, 395, 400, 408, 468, 483, and 641 or rules adopted
25 pursuant to those chapters.

26 Section 6. Section 252.357, Florida Statutes, is
27 created to read:

28 252.357 Nursing homes provisions.--The Florida
29 Comprehensive Emergency Management Plan shall require that the
30 Agency for Health Care Administration working in the State
31 Emergency Operations Center, ESF-8, shall make contact with

Bill No. SB 2616

Barcode 630658

1 each nursing home in the disaster area on a daily basis to
 2 determine if the nursing home is in need of services or
 3 supplies to adequately care for residents. By June 1, 2005,
 4 and annually thereafter, the Agency for Health Care
 5 Administration shall publish an emergency telephone number
 6 that can be used by nursing homes to contact the agency at the
 7 State Emergency Operation center on a 24-hour basis to report
 8 requests for assistance.

9 Section 7. This act shall take effect July 1, 2005.

10

11

12 ===== T I T L E A M E N D M E N T =====

13 And the title is amended as follows:

14 Delete everything before the enacting clause

15

16 and insert:

17

 A bill to be entitled

18

 An act relating to emergency management;

19

 amending s. 252.355, F.S.; requiring the

20

 Department of Community Affairs to be the

21

 designated lead agency responsible for

22

 community education and outreach to the general

23

 public regarding registration as a person with

24

 special needs, for special needs shelters, and

25

 for general information regarding shelter

26

 stays; requiring the department to disseminate

27

 educational and outreach information through

28

 local emergency management offices; requiring

29

 the department to coordinate with other

30

 organizations; requiring information about

31

 special needs registration to be given to the

Bill No. SB 2616

Barcode 630658

1 Department of Health; amending s. 381.0303,
2 F.S.; removing a condition of specified funding
3 as a prerequisite to the assumption of lead
4 responsibility by the Department of Health for
5 specified coordination with respect to the
6 development of a plan for the staffing and
7 medical management of special needs shelters;
8 requiring the local Children's Medical Services
9 offices to assume lead responsibility for
10 specified coordination with respect to the
11 development of a plan for the staffing and
12 medical management of pediatric special needs
13 shelters; requiring such plans to be in
14 conformance with the local comprehensive
15 emergency management plan; requiring county
16 governments to assist in the process of
17 coordinating the recruitment of health care
18 practitioners to staff local special needs
19 shelters; requiring the appropriate county
20 health department, Children's Medical Services,
21 and local emergency management agency to
22 jointly determine the responsibility for
23 medical supervision in a special needs shelter;
24 requiring the Department of Elderly Affairs to
25 be the lead agency responsible for ensuring the
26 placement of special needs for elderly and
27 Alzheimer's adult special needs residents
28 rendered homeless due to a disaster event and
29 for appropriate discharge planning; requiring
30 the Agency for Persons with Disabilities to be
31 the lead agency responsible for ensuring the

Bill No. SB 2616

Barcode 630658

1 placement of developmentally disabled special
2 needs residents rendered homeless by a disaster
3 event; requiring the Department of Children and
4 Family Services to be the lead agency
5 responsible for ensuring the placement of
6 children within the welfare system and
7 individuals receiving mental health services
8 from the department; requiring the appropriate
9 agency to provide necessary discharge planning
10 for their respective clients; providing that
11 state employees having a preestablished role in
12 disaster response may be called upon to serve
13 in times of disaster in specified capacities;
14 requiring hospitals and nursing homes that are
15 used to shelter special needs persons during
16 and after an evacuation to submit invoices for
17 reimbursement from the state for expenses
18 incurred for medical care provided at the
19 request of the Department of Health in special
20 needs shelters or at other locations during
21 times of emergency or major disaster; revising
22 the role of the special needs shelter
23 interagency committee with respect to the
24 planning and operation of special needs
25 shelters; providing required functions of the
26 committee; requiring the Department of Health
27 to establish a statewide database to capture
28 and disseminate special needs registration
29 information; revising the composition of the
30 special needs shelter interagency committee;
31 providing for the inclusion of specified rules

Bill No. SB 2616

Barcode 630658

1 with respect to health practitioner recruitment
2 for special needs shelters; providing
3 requirements with respect to emergency
4 management plans submitted by home health
5 agencies, nurse registries, and hospice
6 programs to county health departments for
7 review; removing a condition of specified
8 funding as a prerequisite to the submission of
9 such plans; amending s. 252.385, F.S.;
10 requiring the Department of Community Affairs
11 to include special needs shelters in their
12 biennial plan; requiring inspection of public
13 hurricane evacuation shelter facilities by
14 local emergency management agencies before
15 activation of such facilities; amending s.
16 400.492, F.S.; providing that a home health
17 agency, a hospice, and a durable medical
18 equipment provider are not required to continue
19 to provide care to patients in emergency
20 situations that are beyond their control and
21 that make it impossible to provide services;
22 authorizing home health agencies, nurse
23 registries, hospices, and durable medical
24 equipment providers to establish links to local
25 emergency operations centers to determine a
26 mechanism to approach areas within a disaster
27 area in order for the agency to reach its
28 clients; providing that the presentation of
29 home care clients to the special needs shelter
30 without the home health agency making a
31 good-faith effort to provide services in the

Bill No. SB 2616

Barcode 630658

1 shelter setting constitutes abandonment of the
2 client; requiring regulatory review in such
3 cases; amending s. 408.831, F.S.; authorizing
4 entities regulated or licensed by the Agency
5 for Health Care Administration to exceed their
6 licensed capacity to act as a receiving
7 facility under specified circumstances;
8 providing requirements while such entities are
9 in an overcapacity status; providing for
10 issuance of an inactive license to such
11 licensees under specified conditions; providing
12 requirements and procedures with respect to the
13 issuance and reactivation of an inactive
14 license; providing fees; creating s. 252.357,
15 F.S.; requiring the Agency for Health Care
16 Administration to contact nursing homes and
17 provide emergency contact numbers; providing an
18 effective date.

19
20
21
22
23
24
25
26
27
28
29
30
31