

Amendment No.

CHAMBER ACTION

Senate

House

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. . .

1 Representative H. Gibson offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsection (4) of section 322.142, Florida
6 Statutes, is amended to read:

7 322.142 Color photographic or digital imaged licenses.--

8 (4) The department may maintain a film negative or print
9 file. The department shall maintain a record of the digital
10 image and signature of the licensees, together with other data
11 required by the department for identification and retrieval.
12 Reproductions from the file or digital record are exempt from
13 the provisions of s. 119.07(1) and shall be made and issued only
14 for departmental administrative purposes; for the issuance of
15 duplicate licenses; in response to law enforcement agency
16 requests; to the Department of State pursuant to an interagency

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17 agreement to facilitate determinations of eligibility of voter
18 registration applicants and registered voters in accordance with
19 ss. 98.045 and 98.075; to the Department of Revenue pursuant to
20 an interagency agreement for use in establishing paternity and
21 establishing, modifying, or enforcing support obligations in
22 Title IV-D cases; to the Department of Children and Family
23 Services pursuant to an interagency agreement to conduct
24 protective investigations under chapter 415; or to the
25 Department of Financial Services pursuant to an interagency
26 agreement to facilitate the location of owners of unclaimed
27 property, the validation of unclaimed property claims, and the
28 identification of fraudulent or false claims, ~~and are exempt~~
29 ~~from the provisions of s. 119.07(1).~~

30 Section 2. Subsection (2) of section 415.103, Florida
31 Statutes, is amended to read:

32 415.103 Central abuse hotline.--

33 (2) Upon receiving an oral or written report of known or
34 suspected abuse, neglect, or exploitation of a vulnerable adult,
35 the central abuse hotline shall ~~must~~ determine if the report
36 requires an immediate onsite protective investigation.

37 (a) For reports requiring an immediate onsite protective
38 investigation, the central abuse hotline must immediately notify
39 the department's designated protective investigative district
40 staff responsible for protective investigations to ensure prompt
41 initiation of an onsite investigation.

42 (b) For reports not requiring an immediate onsite
43 protective investigation, the central abuse hotline must notify
44 the department's designated protective investigative district

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45 staff responsible for protective investigations in sufficient
46 time to allow for an investigation to be commenced within 24
47 hours. At the time of notification ~~of district staff with~~
48 ~~respect to the report~~, the central abuse hotline must also
49 provide any ~~known information on any~~ previous reports ~~report~~
50 concerning the a subject of the present report or any pertinent
51 information relative to the present report or any noted earlier
52 reports.

53 (c) If the report is of known or suspected abuse of a
54 vulnerable adult by someone other than a relative, caregiver, or
55 household member, the report shall be immediately transferred to
56 the appropriate county sheriff's office.

57 Section 3. Paragraph (e) of subsection (1) and paragraph
58 (g) of subsection (2) of section 415.1051, Florida Statutes, are
59 amended to read:

60 415.1051 Protective services interventions when capacity
61 to consent is lacking; nonemergencies; emergencies; orders;
62 limitations.--

63 (1) NONEMERGENCY PROTECTIVE SERVICES INTERVENTIONS.--If
64 the department has reasonable cause to believe that a vulnerable
65 adult or a vulnerable adult in need of services is being abused,
66 neglected, or exploited and is in need of protective services
67 but lacks the capacity to consent to protective services, the
68 department shall petition the court for an order authorizing the
69 provision of protective services.

70 (e) Continued protective services.--

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71 1. Within ~~No more than~~ 60 days after the date of the order
72 authorizing the provision of protective services, the department
73 shall petition the court to determine whether:

74 a. Protective services are to ~~will~~ be continued with the
75 consent of the vulnerable adult pursuant to this subsection;

76 b. Protective services are to ~~will~~ be continued for the
77 vulnerable adult who lacks capacity;

78 c. Protective services are to ~~will~~ be discontinued; or

79 d. A petition for guardianship shall ~~should~~ be filed
80 pursuant to chapter 744.

81 2. If the court determines that a petition for
82 guardianship shall ~~should~~ be filed pursuant to chapter 744, the
83 court, for good cause shown, may order continued protective
84 services until it makes a determination regarding capacity.

85 3. If the department has a good faith belief that the
86 vulnerable adult lacks capacity, the petition to determine
87 incapacity under s. 744.3201 may be filed by the department.
88 Once the petition is filed, the department may not be appointed
89 guardian and may not provide legal counsel for the guardian.

90 (2) EMERGENCY PROTECTIVE SERVICES INTERVENTION.--If the
91 department has reasonable cause to believe that a vulnerable
92 adult is suffering from abuse or neglect that presents a risk of
93 death or serious physical injury to the vulnerable adult and
94 that the vulnerable adult lacks the capacity to consent to
95 emergency protective services, the department may take action
96 under this subsection. If the vulnerable adult has the capacity
97 to consent and refuses consent to emergency protective services,
98 emergency protective services may not be provided.

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99 (g) Continued emergency protective services.--

100 1. Within ~~Not more than~~ 60 days after the date of the
101 order authorizing the provision of emergency protective
102 services, the department shall petition the court to determine
103 whether:

104 a. Emergency protective services are to ~~will~~ be continued
105 with the consent of the vulnerable adult;

106 b. Emergency protective services are to ~~will~~ be continued
107 for the vulnerable adult who lacks capacity;

108 c. Emergency protective services are to ~~will~~ be
109 discontinued; or

110 d. A petition shall ~~should~~ be filed under chapter 744.

111 2. If it is decided to file a petition under chapter 744,
112 for good cause shown, the court may order continued emergency
113 protective services until a determination is made by the court.

114 3. If the department has a good faith belief that the
115 vulnerable adult lacks capacity, the petition to determine
116 incapacity under s. 744.3201 may be filed by the department.
117 Once the petition is filed, the department may not be appointed
118 guardian and may not provide legal counsel for the guardian.

119 Section 4. Section 415.112, Florida Statutes, is amended
120 to read:

121 415.112 Specific rulemaking authority ~~Rules for~~
122 ~~implementation of ss. 415.101-415.113.--~~The department shall
123 adopt promulgate rules to administer this chapter, including,
124 but not limited to: for the implementation of ss. 415.101-
125 415.113.

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126 (1) Background screening of department employees and
127 applicants for employment, which shall include a criminal
128 records check and drug testing of adult protective investigators
129 and adult protective investigator supervisors.

130 (2) Reporting of adult abuse, neglect, and exploitation;
131 reporting of a vulnerable adult in need of services; false
132 reporting; and adult protective investigations.

133 (3) Confidentiality and retention of department records,
134 access to records, and record requests.

135 (4) Injunctions and other protective orders.

136 (5) The provision of emergency and nonemergency protective
137 services intervention.

138 (6) Agreements with law enforcement and other state
139 agencies.

140 (7) Legal and casework procedures, including, but not
141 limited to, diligent search, petitions, emergency removals,
142 capacity to consent, and adult protection teams.

143 (8) Legal and casework management of cases involving
144 protective supervision, protective orders, judicial reviews,
145 administrative reviews, case plans, and documentation
146 requirements.

147 (9) The coordination of casework with the following
148 agencies as appropriate to the individual situation: the Agency
149 for Health Care Administration, the Department of Elderly
150 Affairs, the area agency on aging, the Nursing Home Diversion or
151 Medicaid waiver program provider, the Florida Senior Care
152 provider, and other relevant agencies or organizations, to
153 develop a plan that improves the prospects for safety of

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154 affected residents and, if necessary, identifies alternative
155 living arrangements such as facilities licensed under part II of
156 chapter 400 or chapter 429.

157 Section 5. Paragraphs (k) and (l) of subsection (1),
158 subsection (2), and paragraph (b) of subsection (3) of section
159 429.28, Florida Statutes, are amended to read:

160 429.28 Resident bill of rights.--

161 (1) No resident of a facility shall be deprived of any
162 civil or legal rights, benefits, or privileges guaranteed by
163 law, the Constitution of the State of Florida, or the
164 Constitution of the United States as a resident of a facility.
165 Every resident of a facility shall have the right to:

166 (k) Receive at least 45 days' written notice of relocation
167 or termination of residency from the licensee as provided in s.
168 429.285, unless the relocation or termination of residency is
169 initiated by the resident or the resident designee; facility
170 unless, for medical reasons, the resident is certified by a
171 physician to require an emergency relocation to a facility
172 providing a more skilled level of care; or the resident engages
173 in a pattern of conduct that is harmful or offensive to other
174 residents. In the case of a resident who has been adjudicated
175 mentally incapacitated, the guardian shall be given at least 45
176 days' notice of a nonemergency relocation or residency
177 termination. Reasons for relocation shall be set forth in
178 writing. In order for a licensee facility to terminate the
179 residency of an individual without notice as provided in this
180 paragraph herein, the licensee facility shall show good cause in
181 a court of competent jurisdiction. Admission to a facility

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182 licensed under this part may not be conditioned upon a waiver of
183 such right, and any document or provision in a document that
184 purports to waive or preclude such right is void and
185 unenforceable.

186 (1) Present grievances and recommend changes in policies,
187 procedures, and services to the staff of the facility, governing
188 officials, or any other person without restraint, interference,
189 coercion, discrimination, or reprisal. Each licensee facility
190 shall establish a written grievance procedure to facilitate the
191 residents' exercise of this right. This right includes access to
192 ombudsman volunteers and advocates and the right to be a member
193 of, to be active in, and to associate with advocacy or special
194 interest groups. Each licensee shall maintain a written log of
195 grievances that shall be available for inspection and shall be
196 maintained for at least 2 years. Residents may provide verbal or
197 written grievances.

198 (2) The administrator of a facility shall ensure that a
199 written notice of the rights, obligations, and prohibitions set
200 forth in this part is posted in a prominent place in each
201 facility and read or explained to residents who cannot read.
202 This notice shall include the name, address, and telephone
203 numbers of the local ombudsman council and central abuse hotline
204 and, when applicable, the Advocacy Center for Persons with
205 Disabilities, Inc., and the Florida local advocacy council,
206 where complaints may be lodged. The licensee facility must
207 ensure a resident's access to a telephone to call the local
208 ombudsman council, central abuse hotline, Advocacy Center for

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209 Persons with Disabilities, Inc., and the Florida local advocacy
210 council.

211 (3)

212 (b) In order to determine whether the licensee facility is
213 adequately protecting residents' rights, the biennial survey
214 shall include private informal conversations with a sample of
215 residents and consultation with the ombudsman council in the
216 planning and service area in which the facility is located to
217 discuss residents' experiences within the facility.

218 Section 6. Section 429.285, Florida Statutes, is created
219 to read:

220 429.285 Resident relocation or termination of residency;
221 requirements and procedures.--

222 (1) A facility licensed under this part must permit a
223 resident to remain in the facility. Relocation or termination of
224 residency of a resident may not occur unless:

225 (a) The relocation or termination of residency is
226 necessary for the resident's welfare and the resident's needs
227 cannot be met in the facility;

228 (b) The relocation or termination of residency is
229 appropriate because the resident's health has improved
230 sufficiently so that the resident no longer needs the services
231 provided by the facility;

232 (c) The health and safety of other residents or facility
233 employees would be endangered;

234 (d) The resident has failed, after at least 30 days'
235 notice, to provide payment for his or her stay in the facility;

236 (e) The facility ceases to operate;

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237 (f) There is a documented pattern of harmful and offensive
238 behavior by the resident; or

239 (g) The contract provided for under s. 429.24(1) between
240 the licensee and the resident expires on its own terms.

241 (2) When a relocation or termination of residency is
242 initiated by the licensee, the administrator that is relocating
243 the resident or terminating residency, or an individual employed
244 by the facility who is designated by the administrator to act on
245 behalf of the administration, must sign the notice of relocation
246 or termination of residency. Any notice indicating a medical
247 reason for relocation or termination of residency must be signed
248 by the resident's physician or include an attached physician's
249 written order for the relocation or termination of residency.

250 (3) At least 45 days prior to a proposed relocation or
251 termination of residency, a licensee must provide by certified
252 mail advance written notice of the proposed relocation or
253 termination of residency to the resident and, if known, to a
254 family member or the resident's legal guardian or
255 representative.

256 (4) The notice must be in writing and contain all
257 information required by state and federal laws, rules, and
258 regulations. A copy of the notice must be placed in the
259 resident's file. The agency shall develop a standard form to be
260 used by all facilities licensed under this part for purposes of
261 notifying residents of a relocation or termination of residency.
262 In addition to any other pertinent information included, the
263 form shall:

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264 (a) Specify the reason allowed under state law justifying
265 the relocation or termination of the residency, with an
266 explanation to support this action.

267 (b) State the effective date of the relocation or
268 termination of residency and the location to which the resident
269 is being relocated.

270 (c) Include the right and means to request the local long-
271 term care ombudsman council to review the notice of relocation
272 or termination of residency.

273 (5) A relocation or termination of residency notice
274 initiated by a licensee must be reported to the Office of State
275 Long-Term Care Ombudsman by mail, electronic mail, or facsimile
276 within 5 business days after a resident's receipt of a notice to
277 relocate or terminate residency. The Office of State Long-Term
278 Care Ombudsman shall compile and publish the information
279 collected from such notices in the annual report required by s.
280 400.0065(2)(i). A resident may request that the local long-term
281 care ombudsman council review any notice of relocation or
282 termination of residency given to the resident. When requested
283 by a resident to review such notice, the local long-term care
284 ombudsman council shall do so within 5 business days after
285 receipt of the request.

286 (6) In the event of an emergency relocation or termination
287 of residency, as provided under s. 429.28(1)(k), notice shall be
288 provided to the resident, the resident's legal guardian or
289 representative, and the local long-term care ombudsman council
290 by telephone or in person. The written notice shall be given
291 before the relocation or termination of residency, if possible,

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292 and no later than 5 business days after the relocation or
293 termination of residency. A local long-term care ombudsman
294 council conducting a review under this section shall do so
295 within 2 business days after receipt of the request. The
296 resident's file must include documentation indicating who was
297 contacted, whether the contact was by telephone or in person,
298 and the date and time of the contact.

299 (7) After receipt of a notice required under this section,
300 the local long-term care ombudsman council may request a private
301 informal conversation with a resident to whom the notice is
302 directed, and, if known, a family member or the resident's legal
303 guardian or representative, to ensure that the licensee is
304 proceeding with the relocation or termination of residency in
305 accordance with the requirements of this section.

306 (8) The agency may adopt rules pursuant to ss. 120.536(1)
307 and 120.54 to administer this section.

308 Section 7. Paragraphs (b) and (c) of subsection (3) of
309 section 429.07, Florida Statutes, are amended to read:

310 429.07 License required; fee.--

311 (3) In addition to the requirements of s. 408.806, each
312 license granted by the agency must state the type of care for
313 which the license is granted. Licenses shall be issued for one
314 or more of the following categories of care: standard, extended
315 congregate care, limited nursing services, or limited mental
316 health.

317 (b) An extended congregate care license shall be issued to
318 facilities providing, directly or through contract, services
319 beyond those authorized in paragraph (a), including acts

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320 performed pursuant to part I of chapter 464 by persons licensed
321 thereunder, and supportive services defined by rule to persons
322 who otherwise would be disqualified from continued residence in
323 a facility licensed under this part.

324 1. In order for extended congregate care services to be
325 provided in a facility licensed under this part, the agency must
326 first determine that all requirements established in law and
327 rule are met and must specifically designate, on the facility's
328 license, that such services may be provided and whether the
329 designation applies to all or part of a facility. Such
330 designation may be made at the time of initial licensure or
331 relicensure, or upon request in writing by a licensee under this
332 part and part II of chapter 408. Notification of approval or
333 denial of such request shall be made in accordance with part II
334 of chapter 408. Existing facilities qualifying to provide
335 extended congregate care services must have maintained a
336 standard license and may not have been subject to administrative
337 sanctions during the previous 2 years, or since initial
338 licensure if the facility has been licensed for less than 2
339 years, for any of the following reasons:

340 a. A class I or class II violation;

341 b. Three or more repeat or recurring class III violations
342 of identical or similar resident care standards as specified in
343 rule from which a pattern of noncompliance is found by the
344 agency;

345 c. Three or more class III violations that were not
346 corrected in accordance with the corrective action plan approved
347 by the agency;

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348 d. Violation of resident care standards resulting in a
349 requirement to employ the services of a consultant pharmacist or
350 consultant dietitian;

351 e. Denial, suspension, or revocation of a license for
352 another facility under this part in which the applicant for an
353 extended congregate care license has at least 25 percent
354 ownership interest; or

355 f. Imposition of a moratorium pursuant to this part or
356 part II of chapter 408 or initiation of injunctive proceedings.

357 2. Facilities that are licensed to provide extended
358 congregate care services shall maintain a written progress
359 report on each person who receives such services, which report
360 describes the type, amount, duration, scope, and outcome of
361 services that are rendered and the general status of the
362 resident's health. A registered nurse, or appropriate designee,
363 representing the agency shall visit such facilities at least
364 quarterly to monitor residents who are receiving extended
365 congregate care services and to determine if the facility is in
366 compliance with this part, part II of chapter 408, and rules
367 that relate to extended congregate care. One of these visits may
368 be in conjunction with the regular survey. The monitoring visits
369 may be provided through contractual arrangements with
370 appropriate community agencies. A registered nurse shall serve
371 as part of the team that inspects such facility. The agency may
372 waive one of the required yearly monitoring visits for a
373 facility that has been licensed for at least 24 months to
374 provide extended congregate care services, if, during the
375 inspection, the registered nurse determines that extended

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376 congregate care services are being provided appropriately, and
377 if the facility has no class I or class II violations and no
378 uncorrected class III violations. Before such decision is made,
379 the agency shall consult with the long-term care ombudsman
380 council for the area in which the facility is located to
381 determine if any complaints have been made and substantiated
382 about the quality of services or care. The agency may not waive
383 one of the required yearly monitoring visits if complaints have
384 been made and substantiated.

385 3. Facilities that are licensed to provide extended
386 congregate care services shall:

387 a. Demonstrate the capability to meet unanticipated
388 resident service needs.

389 b. Offer a physical environment that promotes a homelike
390 setting, provides for resident privacy, promotes resident
391 independence, and allows sufficient congregate space as defined
392 by rule.

393 c. Have sufficient staff available, taking into account
394 the physical plant and firesafety features of the building, to
395 assist with the evacuation of residents in an emergency, as
396 necessary.

397 d. Adopt and follow policies and procedures that maximize
398 resident independence, dignity, choice, and decisionmaking to
399 permit residents to age in place to the extent possible, so that
400 moves due to changes in functional status are minimized or
401 avoided.

402 e. Allow residents or, if applicable, a resident's
403 representative, designee, surrogate, guardian, or attorney in
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404 fact to make a variety of personal choices, participate in
405 developing service plans, and share responsibility in
406 decisionmaking.

407 f. Implement the concept of managed risk.

408 g. Provide, either directly or through contract, the
409 services of a person licensed pursuant to part I of chapter 464.

410 h. In addition to the training mandated in s. 429.52,
411 provide specialized training as defined by rule for facility
412 staff.

413 4. Facilities licensed to provide extended congregate care
414 services are exempt from the criteria for continued residency as
415 set forth in rules adopted under s. 429.41. Facilities so
416 licensed shall adopt their own requirements within guidelines
417 for continued residency set forth by rule. However, such
418 facilities may not serve residents who require 24-hour nursing
419 supervision. Facilities licensed to provide extended congregate
420 care services shall provide each resident with a written copy of
421 facility policies governing admission and retention.

422 5. The primary purpose of extended congregate care
423 services is to allow residents, as they become more impaired,
424 the option of remaining in a familiar setting from which they
425 would otherwise be disqualified for continued residency. A
426 facility licensed to provide extended congregate care services
427 may also admit an individual who exceeds the admission criteria
428 for a facility with a standard license, if the individual is
429 determined appropriate for admission to the extended congregate
430 care facility.

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431 6. Before admission of an individual to a facility
432 licensed to provide extended congregate care services, the
433 individual must undergo a medical examination as provided in s.
434 429.26(4) and the facility must develop a preliminary service
435 plan for the individual.

436 7. When a facility can no longer provide or arrange for
437 services in accordance with the resident's service plan and
438 needs and the facility's policy, the facility shall make
439 arrangements for relocating the person in accordance with s.
440 429.285 ~~429.28(1)(k)~~.

441 8. Failure to provide extended congregate care services
442 may result in denial of extended congregate care license
443 renewal.

444 9. No later than January 1 of each year, the department,
445 in consultation with the agency, shall prepare and submit to the
446 Governor, the President of the Senate, the Speaker of the House
447 of Representatives, and the chairs of appropriate legislative
448 committees, a report on the status of, and recommendations
449 related to, extended congregate care services. The status report
450 must include, but need not be limited to, the following
451 information:

452 a. A description of the facilities licensed to provide
453 such services, including total number of beds licensed under
454 this part.

455 b. The number and characteristics of residents receiving
456 such services.

457 c. The types of services rendered that could not be
458 provided through a standard license.

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459 d. An analysis of deficiencies cited during licensure
460 inspections.

461 e. The number of residents who required extended
462 congregate care services at admission and the source of
463 admission.

464 f. Recommendations for statutory or regulatory changes.

465 g. The availability of extended congregate care to state
466 clients residing in facilities licensed under this part and in
467 need of additional services, and recommendations for
468 appropriations to subsidize extended congregate care services
469 for such persons.

470 h. Such other information as the department considers
471 appropriate.

472 (c) A limited nursing services license shall be issued to
473 a facility that provides services beyond those authorized in
474 paragraph (a) and as specified in this paragraph.

475 1. In order for limited nursing services to be provided in
476 a facility licensed under this part, the agency must first
477 determine that all requirements established in law and rule are
478 met and must specifically designate, on the facility's license,
479 that such services may be provided. Such designation may be made
480 at the time of initial licensure or relicensure, or upon request
481 in writing by a licensee under this part and part II of chapter
482 408. Notification of approval or denial of such request shall be
483 made in accordance with part II of chapter 408. Existing
484 facilities qualifying to provide limited nursing services shall
485 have maintained a standard license and may not have been subject
486 to administrative sanctions that affect the health, safety, and

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487 welfare of residents for the previous 2 years or since initial
488 licensure if the facility has been licensed for less than 2
489 years.

490 2. Facilities that are licensed to provide limited nursing
491 services shall maintain a written progress report on each person
492 who receives such nursing services, which report describes the
493 type, amount, duration, scope, and outcome of services that are
494 rendered and the general status of the resident's health. A
495 registered nurse representing the agency shall visit such
496 facilities at least twice a year to monitor residents who are
497 receiving limited nursing services and to determine if the
498 facility is in compliance with applicable provisions of this
499 part, part II of chapter 408, and related rules. The monitoring
500 visits may be provided through contractual arrangements with
501 appropriate community agencies. A registered nurse shall also
502 serve as part of the team that inspects such facility.

503 3. A person who receives limited nursing services under
504 this part must meet the admission criteria established by the
505 agency for assisted living facilities. When a resident no longer
506 meets the admission criteria for a facility licensed under this
507 part, arrangements for relocating the person shall be made in
508 accordance with s. 429.285 ~~429.28(1)(k)~~, unless the facility is
509 licensed to provide extended congregate care services.

510 Section 8. Subsection (1) of section 429.31, Florida
511 Statutes, is amended to read:

512 429.31 Closing of facility; notice; penalty.--

513 (1) In addition to the requirements of part II of chapter
514 408, the facility shall inform each resident or the next of kin,
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515 legal representative, or agency acting on each resident's
516 behalf, of the fact and the proposed time of discontinuance of
517 operation, following the notification requirements provided in
518 s. 429.285 ~~429.28(1)(k)~~. In the event a resident has no person
519 to represent him or her, the facility shall be responsible for
520 referral to an appropriate social service agency for placement.

521 Section 9. This act shall take effect October 1, 2008.

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

525

526 Remove the entire title and insert:

527

A bill to be entitled

528

An act relating to adult protection and care; amending s.

529

322.142, F.S.; authorizing the Department of Children and

530

Family Services to obtain copies of driver's license files

531

maintained by the Department of Highway Safety and Motor

532

Vehicles for the purpose of conducting protective

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investigations; amending s. 415.103, F.S.; requiring that

534

reports to the central abuse hotline relating to

535

vulnerable adults be transferred to the county sheriff's

536

office under certain circumstances; amending s. 415.1051,

537

F.S.; authorizing the Department of Children and Family

538

Services to file a petition within 60 days to determine

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incapacity in adult protection proceedings; prohibiting

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the department from serving as the guardian or providing

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legal counsel to the guardian under certain circumstances;

542

amending s. 415.112, F.S.; providing authority and

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HOUSE AMENDMENT

Bill No. CS/CS/CS/SB 2216

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543 requirements for department rules; amending s. 429.28,
544 F.S.; revising and specifying certain conditions in an
545 assisted living facility's resident bill of rights for a
546 resident's relocation or termination of residency;
547 creating s. 429.285, F.S.; prohibiting resident relocation
548 or termination of residency in the absence of certain
549 specified conditions; requiring the administrator or
550 employee of a facility to sign a notice of relocation or
551 termination of residency and requiring a physician's
552 signature under certain circumstances; requiring a
553 licensee to provide advance written notice to the resident
554 and other specified persons regarding relocation or
555 termination of residency; providing that the notice
556 contain certain information; providing for the creation of
557 a form to submit relocation or termination of residency
558 information and specifying information to be included
559 therein; requiring a licensee to report relocation or
560 termination of residency to the Office of State Long-term
561 Care Ombudsman within a certain timeframe; permitting
562 residents to seek the assistance of the local long-term
563 care ombudsmen council in reviewing a notice of relocation
564 or termination of residency; providing for emergency
565 relocation and termination of residency; permitting the
566 local long-term care ombudsmen council to request private
567 informal contact with a resident upon receipt of a notice
568 of relocation or termination of residency; authorizing the
569 agency to adopt rules; amending ss. 429.07 and 429.31,

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4/24/2008 11:41 AM

HOUSE AMENDMENT

Bill No. CS/CS/CS/SB 2216

Amendment No.

570 F.S.; conforming cross-references; providing an effective
571 date.

820601

4/24/2008 11:41 AM