

By Senator Aronberg

27-01568A-09

20092696

1 A bill to be entitled
2 An act relating to elders and disabled adults;
3 establishing a pilot program in a specified county to
4 provide services to persons with Alzheimer's disease
5 or other dementia-related disorders who are wandering
6 and disoriented; providing purposes of the pilot
7 program; requiring the development of interagency
8 memoranda of understanding; providing sovereign
9 immunity for certain facilities providing specified
10 services; requiring an evaluation and report to the
11 Legislature; providing for expiration; providing an
12 effective date.

13
14 WHEREAS, Alzheimer's disease and other forms of dementia
15 are characterized by the loss of the ability to reason, think,
16 and remember, and

17 WHEREAS, the National Institute on Aging has determined
18 that as many as 5 million Americans may be afflicted with
19 Alzheimer's disease, and

20 WHEREAS, the Alzheimer's Association estimates that more
21 than 60 percent of Americans who suffer from this affliction
22 will wander from the care of their loved ones in a confused and
23 distracted state, unable to find their way home, and

24 WHEREAS, the current method for addressing instances in
25 which persons suffering from Alzheimer's disease or other
26 dementia-related disorders have wandered from the care of their
27 loved ones or from a long-term care or assisted living facility
28 is insufficient to safeguard such persons from overly
29 traumatizing transportation and evaluation procedures, NOW,

27-01568A-09

20092696

30 THEREFORE,

31
32 Be It Enacted by the Legislature of the State of Florida:

33
34 Section 1. Alzheimer's Disease and Dementia-related
35 Disorder Pilot Program.—

36 (1) Beginning on July 1, 2010, and continuing for a period
37 of no longer than 3 years, the Agency for Health Care
38 Administration in consultation with the Department of Law
39 Enforcement may establish a pilot program in Palm Beach County
40 to provide services to persons with Alzheimer's disease or other
41 dementia-related disorders who have been found wandering and
42 disoriented. The program shall permit long-term care facilities
43 in Palm Beach County that choose to participate in the program
44 to temporarily accept a person into the facility who has
45 recently wandered from a long-term care facility, a community-
46 based setting, or a personal residence and been found by a law
47 enforcement officer.

48 (2) The purposes of the program include, but are not
49 limited to:

50 (a) Providing a more relaxed and comfortable environment
51 for the evaluation and further identification of persons with
52 Alzheimer's disease or other dementia-related disorders who have
53 been found wandering and disoriented.

54 (b) Encouraging the continued training and instruction of
55 certified law enforcement officers, pursuant to s. 943.17296,
56 Florida Statutes, in the identification of and appropriate
57 responses to persons with Alzheimer's disease or other dementia-
58 related disorders.

27-01568A-09

20092696

59 (c) Ensuring that staff of participating long-term care
60 facilities receive training in the care and treatment of persons
61 with Alzheimer's disease or other dementia-related disorders, in
62 addition to the training required under ss. 400.1755, 429.178,
63 429.83, and 429.917, Florida Statutes.

64 (d) Preventing, to the greatest extent possible, the
65 unnecessary involuntary detention, evaluation, treatment, and
66 commitment provided under part I of chapter 394, Florida
67 Statutes, for persons with Alzheimer's disease or other
68 dementia-related disorders who have been found wandering and
69 disoriented.

70 (3) The Agency for Health Care Administration shall develop
71 memoranda of understanding with the Department of Children and
72 Family Services, the Department of Elderly Affairs, and the
73 Department of Law Enforcement to implement the pilot program.

74 (4) The provisions of s. 768.28, Florida Statutes, relating
75 to sovereign immunity, shall be applicable to long-term care
76 facilities that elect to participate in the pilot program.
77 Participating facilities shall be deemed to be acting as
78 instrumentalities of the state while in the exercise of their
79 duties and responsibilities under this section.

80 (5) By January 1, 2011, the Agency for Health Care
81 Administration shall submit a report to the President of the
82 Senate and the Speaker of the House of Representatives which
83 includes a general evaluation of the pilot program, assessments
84 from local authorities and long-term care facilities regarding
85 the perceived successes and failures of the pilot program, and
86 recommendations for further legislation, including a
87 recommendation regarding extending the pilot program to other

27-01568A-09

20092696__

88 regions of the state.

89 (6) This section expires June 30, 2013.

90 Section 2. This act shall take effect July 1, 2009.