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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 or  
5           other dementia-related disorders who are wandering and  
6           disoriented; providing purposes of the pilot program;  
7           requiring the development of interagency memoranda of  
8           understanding; providing sovereign immunity for certain  
9           facilities providing specified services; requiring an  
10          evaluation and report to the Legislature; providing for  
11          expiration; providing an effective date.

12  
13           WHEREAS, Alzheimer's disease and other forms of dementia  
14          are characterized by the loss of the ability to reason, think,  
15          and remember, and

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

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

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

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28 | traumatizing transportation and evaluation procedures, NOW,  
 29 | THEREFORE,

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

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

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

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

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

53 |       (b) Encouraging the continued training and instruction of  
 54 | certified law enforcement officers, pursuant to s. 943.17296,  
 55 | Florida Statutes, in the identification of and appropriate

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56 responses to persons with Alzheimer's disease or other dementia-  
57 related disorders.

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

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

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

74 (4) The provisions of s. 768.28, Florida Statutes,  
75 relating to sovereign immunity, shall be applicable to long-term  
76 care 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

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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  
88 regions of the state.

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

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