

By Senator Richter

37-00815-11

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1                   A bill to be entitled  
2           An act relating to local long-term care ombudsman  
3           councils; repealing s. 400.0074, F.S., relating to  
4           requirement that local ombudsman councils conduct  
5           onsite administrative assessments; amending s.  
6           400.0067, F.S.; conforming a cross-reference; amending  
7           s. 400.0069, F.S.; removing a provision relating to  
8           onsite administrative assessments by local ombudsman  
9           council members, to conform; providing an effective  
10          date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Section 400.0074, Florida Statutes, is repealed.

15           Section 2. Paragraph (b) of subsection (2) of section  
16 400.0067, Florida Statutes, is amended to read:

17           400.0067 State Long-Term Care Ombudsman Council; duties;  
18 membership.-

19           (2) The State Long-Term Care Ombudsman Council shall:

20           (b) Serve as an appellate body in receiving from the local  
21 councils complaints not resolved at the local level. Any  
22 individual member or members of the state council may enter any  
23 long-term care facility involved in an appeal, ~~pursuant to the~~  
24 ~~conditions specified in s. 400.0074(2).~~

25           Section 3. Subsections (4) through (9) of section 400.0069,  
26 Florida Statutes, are renumbered as subsections (3) through (8),  
27 respectively, and present subsection (3) of that section is  
28 amended to read:

29           400.0069 Local long-term care ombudsman councils; duties;

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30 membership.-

31 ~~(3) In order to carry out the duties specified in~~  
32 ~~subsection (2), a member of a local council is authorized to~~  
33 ~~enter any long term care facility without notice or first~~  
34 ~~obtaining a warrant, subject to the provisions of s.~~  
35 ~~400.0074(2).~~

36 Section 4. This act shall take effect July 1, 2011.