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LEGISLATIVE ACTION

Senate

House

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Floor: WD

03/09/2012 03:47 PM

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Senator Diaz de la Portilla moved the following:

1           **Senate Amendment to Amendment (296574) (with title**  
2 **amendment)**

3  
4           Between lines 889 and 890  
5 insert:

6           Section 7. Subsections (4) and (6) of section 429.14,  
7 Florida Statutes, are amended to read:

8           429.14 Administrative penalties.—

9           (4) The agency shall deny or revoke the license of an  
10 assisted living facility that:

11           (a) Has two or more class I or class II violations that are  
12 similar or identical to violations identified by the agency  
13 during a survey, inspection, monitoring visit, or complaint



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14 investigation occurring within the previous 2 years; or-

15 (b) Committed a class I violation that caused the death of  
16 a resident or an intentional or negligent act that, based on a  
17 court's findings, caused the death of a resident.

18 (6) The agency shall provide to the local municipality and  
19 the Division of Hotels and Restaurants of the Department of  
20 Business and Professional Regulation, on a monthly basis, a list  
21 of those assisted living facilities that have had their licenses  
22 denied, suspended, or revoked or that are involved in an  
23 appellate proceeding pursuant to s. 120.60 related to the  
24 denial, suspension, or revocation of a license.

25 Section 8. (1) An assisted living facility that is licensed  
26 to serve residents who are clients of the Department of Elderly  
27 Affairs, the Agency for Persons with Disabilities, the  
28 Department of Juvenile Justice, or the Department of Children  
29 and Family Services or that is licensed by the Agency for Health  
30 Care Administration and is located in a municipality having a  
31 population of more than 375,000, but not more than 700,000, must  
32 maintain 24-hour security at the facility.

33 (2) An assisted living facility that is licensed to serve  
34 residents who are clients of the Department of Elderly Affairs,  
35 the Agency for Persons with Disabilities, the Department of  
36 Juvenile Justice, or the Department of Children and Family  
37 Services or that is licensed by the Agency for Health Care  
38 Administration must maintain a log of each resident and his or  
39 her transferring department. Each quarter, the facility shall  
40 send its resident logs to the municipality in which the facility  
41 is located. In addition, the facility shall maintain up-to-date  
42 logs in an accessible area on the premises and allow inspection



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43 or copying of the logs within 45 days after a request by the  
44 municipality.

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

47 And the title is amended as follows:

48       Between lines 1495 and 1496

49 insert:

50       amending s. 429.14, F.S.; requiring the revocation of  
51       a facility license for certain violations that result  
52       in the death of a resident; requiring that the Agency  
53       for Health Care Administration provide to a local  
54       municipality a list of assisted living facilities that  
55       have had their licenses denied, suspended, or revoked  
56       or that are involved in an appellate proceeding  
57       related to the denial, suspension, or revocation of a  
58       license; requiring certain assisted living facilities  
59       to maintain 24-hour security and logs on their  
60       residents; providing requirements for maintenance of  
61       the logs;