



349184

LEGISLATIVE ACTION

Senate	.	House
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Senator Soto moved the following:

**Senate Amendment (with title amendment)**

Delete lines 1114 - 1150

and insert:

Section 24. Section 400.0060, Florida Statutes, is amended to read:

400.0060 Definitions.—When used in this part, unless the context clearly dictates otherwise, the term:

(1) "Administrative assessment" means a review of conditions in a long-term care facility which impact the rights, health, safety, and welfare of residents with the purpose of noting needed improvement and making recommendations to enhance the quality of life for residents.



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14 (2) "Agency" means the Agency for Health Care  
15 Administration.

16 (3) "Department" means the Department of Elderly Affairs.

17 (4) "District" means a geographical area designated by the  
18 state ombudsman in which individuals certified as ombudsmen  
19 carry out the duties of the state ombudsman program ~~"Local~~  
20 ~~council" means a local long-term care ombudsman council~~  
21 ~~designated by the ombudsman pursuant to s. 400.0069. Local~~  
22 ~~councils are also known as district long-term care ombudsman~~  
23 ~~councils or district councils.~~

24 (5) "Long-term care facility" means a nursing home  
25 facility, assisted living facility, adult family-care home,  
26 board and care facility, facility where continuing long-term  
27 care is provided, or any other similar residential adult care  
28 facility.

29 (6) "Office" means the Office of State Long-Term Care  
30 Ombudsman created by s. 400.0063.

31 (7) "Ombudsman" means an individual who has been certified  
32 by the state ombudsman as meeting the requirements of ss.  
33 400.0069, 400.0070, and 400.0091 ~~the individual appointed by the~~  
34 ~~Secretary of Elderly Affairs to head the Office of State Long-~~  
35 ~~Term Care Ombudsman.~~

36 (8) "Representative of the office" means the state  
37 ombudsman, an employee of the office, or an individual certified  
38 as an ombudsman.

39 (9) ~~(8)~~ "Resident" means an individual 18 ~~60~~ years of age or  
40 older who resides in a long-term care facility.

41 (10) ~~(9)~~ "Secretary" means the Secretary of Elderly Affairs.

42 (11) ~~(10)~~ "State council" means the State Long-Term Care



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43 Ombudsman Council created by s. 400.0067.

44 (12) "State ombudsman" means the individual appointed by  
45 the Secretary of Elderly Affairs to head the Office of State  
46 Long-Term Care Ombudsman.

47 (13) "State ombudsman program" means the program operating  
48 under the direction of the office.

49 Section 25. Section 400.0061, Florida Statutes, is amended  
50 to read:

51 400.0061 Legislative findings and intent; long-term care  
52 facilities.—

53 (1) The Legislature finds that conditions in long-term care  
54 facilities in this state are such that the rights, health,  
55 safety, and welfare of residents are not fully ensured by rules  
56 of the Department of Elderly Affairs or the Agency for Health  
57 Care Administration or by the good faith of owners or operators  
58 of long-term care facilities. Furthermore, there is a need for a  
59 formal mechanism whereby a long-term care facility resident, a  
60 representative of a long-term care facility resident, or any  
61 other concerned citizen may make a complaint against the  
62 facility or its employees, or against other persons who are in a  
63 position to restrict, interfere with, or threaten the rights,  
64 health, safety, or welfare of a long-term care facility  
65 resident. The Legislature finds that concerned citizens are  
66 often more effective advocates for the rights of others than  
67 governmental agencies. The Legislature further finds that in  
68 order to be eligible to receive an allotment of funds authorized  
69 and appropriated under the federal Older Americans Act, the  
70 state must establish and operate an Office of State Long-Term  
71 Care Ombudsman, to be headed by the state ~~Long-Term Care~~



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72 ombudsman, and carry out a state ~~long-term care~~ ombudsman  
73 program.

74 (2) It is the intent of the Legislature, therefore, to  
75 utilize voluntary citizen ombudsmen ~~ombudsman councils~~ under the  
76 leadership of the state ombudsman, and, through them, to operate  
77 a state ~~an~~ ombudsman program, which shall, without interference  
78 by any executive agency, undertake to discover, investigate, and  
79 determine the presence of conditions or individuals who ~~which~~  
80 constitute a threat to the rights, health, safety, or welfare of  
81 the residents of long-term care facilities. To ensure that the  
82 effectiveness and efficiency of such investigations are not  
83 impeded by advance notice or delay, the Legislature intends that  
84 representatives of the office ~~ombudsman and ombudsman councils~~  
85 ~~and their designated representatives~~ not be required to obtain  
86 warrants in order to enter into or conduct investigations or  
87 onsite administrative assessments of long-term care facilities.  
88 It is the further intent of the Legislature that the environment  
89 in long-term care facilities be conducive to the dignity and  
90 independence of residents and that investigations by  
91 representatives of the office ~~ombudsman councils~~ shall further  
92 the enforcement of laws, rules, and regulations that safeguard  
93 the health, safety, and welfare of residents.

94 Section 26. Section 400.0063, Florida Statutes, is amended  
95 to read:

96 400.0063 Establishment of Office of State Long-Term Care  
97 Ombudsman; designation of ombudsman and legal advocate.—

98 (1) There is created an Office of State Long-Term Care  
99 Ombudsman in the Department of Elderly Affairs.

100 (2) (a) The Office of State Long-Term Care Ombudsman shall



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101 be headed by the state ~~Long-Term Care~~ ombudsman, who shall serve  
102 on a full-time basis and shall personally, or through  
103 representatives of the office, carry out the purposes and  
104 functions of the state ombudsman program ~~office~~ in accordance  
105 with state and federal law.

106 (b) The state ombudsman shall be appointed by and shall  
107 serve at the pleasure of the Secretary of Elderly Affairs. The  
108 secretary shall appoint a person who has expertise and  
109 experience in the fields of long-term care and advocacy to serve  
110 as state ombudsman.

111 (3) (a) There is created in the office the position of legal  
112 advocate, who shall be selected by and serve at the pleasure of  
113 the state ombudsman and shall be a member in good standing of  
114 The Florida Bar.

115 (b) The duties of the legal advocate shall include, but not  
116 be limited to:

117 1. Assisting the state ombudsman in carrying out the duties  
118 of the office with respect to the abuse, neglect, exploitation,  
119 or violation of rights of residents of long-term care  
120 facilities.

121 2. Assisting the state council and representatives of the  
122 office ~~local councils~~ in carrying out their responsibilities  
123 under this part.

124 3. Pursuing administrative, legal, and other appropriate  
125 remedies on behalf of residents.

126 4. Serving as legal counsel to the state council and  
127 representatives of the office ~~local councils, or individual~~  
128 ~~members thereof~~, against whom any suit or other legal action is  
129 initiated in connection with the performance of the official



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130 duties of the state ombudsman program ~~councils or an individual~~  
131 ~~member.~~

132 Section 27. Section 400.0065, Florida Statutes, is amended  
133 to read:

134 400.0065 Office of State Long-Term Care Ombudsman; duties  
135 and responsibilities.-

136 (1) The purpose of the Office of State Long-Term Care  
137 Ombudsman is ~~shall be~~ to:

138 (a) Identify, investigate, and resolve complaints made by  
139 or on behalf of residents of long-term care facilities relating  
140 to actions or omissions by providers or representatives of  
141 providers of long-term care services, other public or private  
142 agencies, guardians, or representative payees that may adversely  
143 affect the health, safety, welfare, or rights of the residents.

144 (b) Provide services that assist in protecting the health,  
145 safety, welfare, and rights of residents.

146 (c) Inform residents, their representatives, and other  
147 citizens about obtaining the services of the state ~~Long-Term~~  
148 ~~Care~~ ombudsman program and its representatives.

149 (d) Ensure that residents have regular and timely access to  
150 the services provided through the office and that residents and  
151 complainants receive timely responses from representatives of  
152 the office to their complaints.

153 (e) Represent the interests of residents before  
154 governmental agencies and seek administrative, legal, and other  
155 remedies to protect the health, safety, welfare, and rights of  
156 the residents.

157 (f) Administer the state council ~~and local councils.~~

158 (g) Analyze, comment on, and monitor the development and



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159 implementation of federal, state, and local laws, rules, and  
160 regulations, and other governmental policies and actions, that  
161 pertain to the health, safety, welfare, and rights of the  
162 residents, with respect to the adequacy of long-term care  
163 facilities and services in the state, and recommend any changes  
164 in such laws, rules, regulations, policies, and actions as the  
165 office determines to be appropriate and necessary.

166 (h) Provide technical support for the development of  
167 resident and family councils to protect the well-being and  
168 rights of residents.

169 (2) The state ~~Long-Term Care~~ ombudsman has ~~shall have~~ the  
170 duty and authority to:

171 (a) Establish and coordinate districts ~~local councils~~  
172 throughout the state.

173 (b) Perform the duties specified in state and federal law,  
174 rules, and regulations.

175 (c) Within the limits of appropriated federal and state  
176 funding, employ such personnel as are necessary to perform  
177 adequately the functions of the office and provide or contract  
178 for legal services to assist the state council and  
179 representatives of the office ~~local councils~~ in the performance  
180 of their duties. ~~Staff positions established for the purpose of~~  
181 ~~coordinating the activities of each local council and assisting~~  
182 ~~its members may be filled by the ombudsman after approval by the~~  
183 ~~secretary. Notwithstanding any other provision of this part,~~  
184 ~~upon certification by the ombudsman that the staff member hired~~  
185 ~~to fill any such position has completed the initial training~~  
186 ~~required under s. 400.0091, such person shall be considered a~~  
187 ~~representative of the State Long-Term Care Ombudsman Program for~~



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188 ~~purposes of this part.~~

189 (d) Contract for services necessary to carry out the  
190 activities of the office.

191 (e) Apply for, receive, and accept grants, gifts, or other  
192 payments, including, but not limited to, real property, personal  
193 property, and services from a governmental entity or other  
194 public or private entity or person, and make arrangements for  
195 the use of such grants, gifts, or payments.

196 (f) Coordinate, to the greatest extent possible, state and  
197 local ombudsman services with the protection and advocacy  
198 systems for individuals with developmental disabilities and  
199 mental illnesses and with legal assistance programs for the poor  
200 through adoption of memoranda of understanding and other means.

201 ~~(g) Enter into a cooperative agreement with the Statewide  
202 Advocacy Council for the purpose of coordinating and avoiding  
203 duplication of advocacy services provided to residents.~~

204 (g)-(h) Enter into a cooperative agreement with the Medicaid  
205 Fraud Division as prescribed under s. 731(e)(2)(B) of the Older  
206 Americans Act.

207 (h)-(i) Prepare an annual report describing the activities  
208 carried out by the office, the state council, and the districts  
209 ~~local councils~~ in the year for which the report is prepared. The  
210 state ombudsman shall submit the report to the secretary, the  
211 United States Assistant Secretary for Aging, the Governor, the  
212 President of the Senate, the Speaker of the House of  
213 Representatives, the Secretary of Children and Families, and the  
214 Secretary of Health Care Administration at least 30 days before  
215 the convening of the regular session of the Legislature. ~~The~~  
216 ~~secretary shall in turn submit the report to the United States~~





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217 ~~Assistant Secretary for Aging, the Governor, the President of~~  
218 ~~the Senate, the Speaker of the House of Representatives, the~~  
219 ~~Secretary of Children and Family Services, and the Secretary of~~  
220 ~~Health Care Administration.~~ The report shall, at a minimum:  
221       1. Contain and analyze data collected concerning complaints  
222 about and conditions in long-term care facilities and the  
223 disposition of such complaints.  
224       2. Evaluate the problems experienced by residents.  
225       3. Analyze the successes of the state ombudsman program  
226 during the preceding year, including an assessment of how  
227 successfully the office ~~program~~ has carried out its  
228 responsibilities under the Older Americans Act.  
229       4. Provide recommendations for policy, regulatory, and  
230 statutory changes designed to solve identified problems; resolve  
231 residents' complaints; improve residents' lives and quality of  
232 care; protect residents' rights, health, safety, and welfare;  
233 and remove any barriers to the optimal operation of the state  
234 ~~Long-Term Care~~ ombudsman program.  
235       5. Contain recommendations from the state ~~Long-Term Care~~  
236 ~~Ombudsman~~ council regarding program functions and activities and  
237 recommendations for policy, regulatory, and statutory changes  
238 designed to protect residents' rights, health, safety, and  
239 welfare.  
240       6. Contain any relevant recommendations from  
241 representatives of the office ~~local councils~~ regarding program  
242 functions and activities.  
243       Section 28. Section 400.0067, Florida Statutes, is amended  
244 to read:  
245       400.0067 State Long-Term Care Ombudsman Council; duties;



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246 membership.-

247 (1) There is created, within the Office of State Long-Term  
248 Care Ombudsman, the State Long-Term Care Ombudsman Council.

249 (2) The state ~~Long-Term Care Ombudsman~~ council shall:

250 (a) Serve as an advisory body to assist the state ombudsman  
251 in reaching a consensus among districts ~~local councils~~ on issues  
252 affecting residents and impacting the optimal operation of the  
253 program.

254 (b) Serve as an appellate body in receiving from the  
255 districts ~~local councils~~ complaints not resolved at the district  
256 ~~local~~ level. Any individual member or members of the state  
257 council may enter any long-term care facility involved in an  
258 appeal, pursuant to the conditions specified in s. 400.0074(2).

259 (c) Assist the state ombudsman to discover, investigate,  
260 and determine the existence of abuse or neglect in any long-term  
261 care facility, and work with the adult protective services  
262 program as required in ss. 415.101-415.113.

263 (d) Assist the state ombudsman in eliciting, receiving,  
264 responding to, and resolving complaints made by or on behalf of  
265 residents.

266 (e) Elicit and coordinate state, district ~~local~~, and  
267 voluntary organizational assistance for the purpose of improving  
268 the care received by residents.

269 (f) Assist the state ombudsman in preparing the annual  
270 report described in s. 400.0065.

271 (3) The state ~~Long-Term Care Ombudsman~~ council shall be  
272 composed of one active certified ombudsman from each district  
273 ~~local council member elected by each local council~~ plus three  
274 at-large members appointed by the secretary ~~Governor~~.



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275           (a) Each district manager, in consultation with the  
276 district ombudsmen, shall select a district ombudsman ~~local~~  
277 ~~council shall elect by majority vote a representative from among~~  
278 ~~the council members~~ to represent the interests of the district  
279 ~~local council~~ on the state council. A ~~local council chair~~ may  
280 ~~not serve as the representative of the local council on the~~  
281 ~~state council.~~

282           (b)1. The state ombudsman ~~secretary~~, ~~after consulting with~~  
283 ~~the ombudsman~~, shall submit to the secretary ~~Governor~~ a list of  
284 individuals ~~persons~~ recommended for appointment to the at-large  
285 positions on the state council. The list ~~may~~ shall not include  
286 the name of any individual ~~person~~ who is currently serving in a  
287 district ~~on a local council.~~

288           2. The secretary ~~Governor~~ shall appoint three at-large  
289 members chosen from the list.

290           3. If the secretary ~~Governor~~ does not appoint an at-large  
291 member to fill a vacant position within 60 days after the list  
292 is submitted, the state ~~secretary~~, ~~after consulting with the~~  
293 ~~ombudsman~~, shall appoint an at-large member to fill that vacant  
294 position.

295           (4) (a) (c) 1. ~~All~~ State council members shall serve 3-year  
296 terms.

297           ~~2.~~ A member of the state council may not serve more than  
298 two consecutive terms.

299           (b) 3. A district manager, in consultation with the district  
300 ombudsmen, ~~local council~~ may recommend replacement ~~removal~~ of  
301 its selected ombudsman on ~~elected representative from~~ the state  
302 council ~~by a majority vote~~. If the district manager, in  
303 consultation with the district ombudsmen, selects a replacement



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304 ~~ombudsman, council votes to remove its representative, the local~~  
305 ~~council chair shall immediately notify the state ombudsman must~~  
306 ~~be notified. The secretary shall advise the Governor of the~~  
307 ~~local council's vote upon receiving notice from the ombudsman.~~

308 (c)4. The position of any member missing three state  
309 council meetings within a 1-year period without cause may be  
310 declared vacant by the state ombudsman. The findings of the  
311 state ombudsman regarding cause shall be final and binding.

312 (d)5. Any vacancy on the state council shall be filled in  
313 the same manner as the original appointment.

314 (e)(d)1. The state council shall elect a chair to serve for  
315 a term of 1 year. A chair may not serve more than two  
316 consecutive terms.

317 2. The chair shall select a vice chair from among the  
318 members. The vice chair shall preside over the state council in  
319 the absence of the chair.

320 3. The chair may create additional executive positions as  
321 necessary to carry out the duties of the state council. Any  
322 person appointed to an executive position shall serve at the  
323 pleasure of the chair, and his or her term shall expire on the  
324 same day as the term of the chair.

325 4. A chair may be immediately removed from office before  
326 ~~prior to~~ the expiration of his or her term by a vote of two-  
327 thirds of all state council members present at any meeting at  
328 which a quorum is present. If a chair is removed from office  
329 before ~~prior to~~ the expiration of his or her term, a replacement  
330 chair shall be chosen during the same meeting in the same manner  
331 as described in this paragraph, and the term of the replacement  
332 chair shall begin immediately. The replacement chair shall serve



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333 for the remainder of the term and is eligible to serve two  
334 subsequent consecutive terms.

335 ~~(f)~~(e)1. The state council shall meet upon the call of the  
336 chair or upon the call of the state ombudsman. The state council  
337 shall meet at least quarterly but may meet more frequently as  
338 needed.

339 2. A quorum shall be considered present if more than 50  
340 percent of all active state council members are in attendance at  
341 the same meeting.

342 3. The state council may not vote on or otherwise make any  
343 decisions resulting in a recommendation that will directly  
344 impact the state council or any district ~~local council~~, outside  
345 of a publicly noticed meeting at which a quorum is present.

346 ~~(g)~~(f) Members shall receive no compensation but shall,  
347 with approval from the state ombudsman, be reimbursed for per  
348 diem and travel expenses as provided in s. 112.061.

349 Section 29. Section 400.0069, Florida Statutes, is amended  
350 to read:

351 400.0069 ~~Local~~ Long-term care ombudsman districts ~~councils~~;  
352 duties; appointment ~~membership~~.-

353 (1)(a) The state ombudsman shall designate districts ~~local~~  
354 ~~long-term care ombudsman councils~~ to carry out the duties of the  
355 state ~~Long-Term Care~~ ombudsman program ~~within local communities~~.  
356 Each district ~~local council~~ shall function under the direction  
357 of the state ombudsman.

358 (b) The state ombudsman shall ensure that there are  
359 representatives of the office ~~is at least one local council~~  
360 operating in each district ~~of the department's planning and~~  
361 ~~service areas. The ombudsman may create additional local~~



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362 ~~councils~~ as necessary to ensure that residents throughout the  
363 state have adequate access to state ~~Long-Term Care~~ ombudsman  
364 program services. ~~The ombudsman, after approval from the~~  
365 ~~secretary, shall designate the jurisdictional boundaries of each~~  
366 ~~local council.~~

367 (2) The duties of the representatives of the office in the  
368 districts ~~local councils~~ are to:

369 (a) Provide services to assist in ~~Serve as a third-party~~  
370 ~~mechanism for~~ protecting the health, safety, welfare, and ~~civil~~  
371 ~~and human~~ rights of residents.

372 (b) Discover, investigate, and determine the existence of  
373 abuse, ~~or~~ neglect, or exploitation using in any long-term care  
374 ~~facility and to use~~ the procedures provided for in ss. 415.101-  
375 415.113 when applicable.

376 (c) Identify ~~Elicit, receive,~~ investigate, ~~respond to,~~ and  
377 resolve complaints made by or on behalf of residents relating to  
378 actions or omissions by providers or representatives of  
379 providers of long-term care services, other public or private  
380 agencies, guardians, or representative payees that may adversely  
381 affect the health, safety, welfare, or rights of residents.

382 (d) Review and, if necessary, comment on all existing or  
383 proposed rules, regulations, and other governmental policies and  
384 actions relating to long-term care facilities that may  
385 potentially have an effect on the rights, health, safety, and  
386 welfare of residents.

387 (e) Review personal property and money accounts of  
388 residents who are receiving assistance under the Medicaid  
389 program pursuant to an investigation to obtain information  
390 regarding a specific complaint ~~or problem.~~



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391 (f) Recommend that the state ombudsman and the legal  
392 advocate seek administrative, legal, and other remedies to  
393 protect the health, safety, welfare, and rights of ~~the~~  
394 residents.

395 (g) Provide technical assistance for the development of  
396 resident and family councils within long-term care facilities.

397 (h) ~~(g)~~ Carry out other activities that the state ombudsman  
398 determines to be appropriate.

399 (3) In order to carry out the duties specified in  
400 subsection (2), a representative of the office may ~~member of a~~  
401 ~~local council is authorized to~~ enter any long-term care facility  
402 without notice or without first obtaining a warrant; however,  
403 ~~subject to the provisions of s. 400.0074(2) may apply regarding~~  
404 notice of a followup administrative assessment.

405 (4) Each district ~~local council~~ shall be composed of  
406 ombudsmen ~~members~~ whose primary residences are ~~residence is~~  
407 located within the boundaries of the district ~~local council's~~  
408 jurisdiction.

409 (a) Upon good cause shown, the state ombudsman, in his or  
410 her sole discretion, may appoint an ombudsman to another  
411 district ~~The ombudsman shall strive to ensure that each local~~  
412 ~~council include the following persons as members:~~

413 ~~1. At least one medical or osteopathic physician whose~~  
414 ~~practice includes or has included a substantial number of~~  
415 ~~geriatric patients and who may practice in a long term care~~  
416 ~~facility;~~

417 ~~2. At least one registered nurse who has geriatric~~  
418 ~~experience;~~

419 ~~3. At least one licensed pharmacist;~~



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420 ~~4. At least one registered dietitian;~~

421 ~~5. At least six nursing home residents or representative~~  
422 ~~consumer advocates for nursing home residents;~~

423 ~~6. At least three residents of assisted living facilities~~  
424 ~~or adult family care homes or three representative consumer~~  
425 ~~advocates for alternative long-term care facility residents;~~

426 ~~7. At least one attorney; and~~

427 ~~8. At least one professional social worker.~~

428 (b) The following individuals may not be appointed as  
429 ombudsmen:

430 1. The owner or representative of a long-term care  
431 facility.

432 2. A provider or representative of a provider of long-term  
433 care services.

434 3. An employee of the agency.

435 4. An employee of the department, except for a  
436 representative of the office.

437 5. An employee of the Department of Children and Families.

438 6. An employee of the Agency for Persons with Disabilities

439 ~~In no case shall the medical director of a long-term care~~  
440 ~~facility or an employee of the agency, the department, the~~  
441 ~~Department of Children and Family Services, or the Agency for~~  
442 ~~Persons with Disabilities serve as a member or as an ex officio~~  
443 ~~member of a council.~~

444 (5) (a) To be appointed as an ombudsman, an individual must:

445 1. Individuals wishing to join a local council shall Submit  
446 an application to the state ombudsman or his or her designee.

447 2. Successfully complete level 2 background screening  
448 pursuant to s. 430.0402 and chapter 435 ~~The ombudsman shall~~





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449 ~~review the individual's application and advise the secretary of~~  
450 ~~his or her recommendation for approval or disapproval of the~~  
451 ~~candidate's membership on the local council. If the secretary~~  
452 ~~approves of the individual's membership, the individual shall be~~  
453 ~~appointed as a member of the local council.~~

454 (b) The state ombudsman shall approve or deny the  
455 appointment of the individual as an ombudsman ~~The secretary may~~  
456 ~~rescind the ombudsman's approval of a member on a local council~~  
457 ~~at any time. If the secretary rescinds the approval of a member~~  
458 ~~on a local council, the ombudsman shall ensure that the~~  
459 ~~individual is immediately removed from the local council on~~  
460 ~~which he or she serves and the individual may no longer~~  
461 ~~represent the State Long Term Care Ombudsman Program until the~~  
462 ~~secretary provides his or her approval.~~

463 (c) Upon appointment as an ombudsman, the individual may  
464 participate in district activities but may not represent the  
465 office or conduct any authorized program duties until the  
466 individual has completed the initial training specified in s.  
467 400.0091(1) and has been certified by the state ombudsman.

468 (d) The state ombudsman, for good cause shown, such as  
469 development of a conflict of interest, failure to adhere to the  
470 policies and procedures established by the office, or  
471 demonstrated inability to carry out the responsibilities of the  
472 office, may rescind the appointment of an individual as an  
473 ombudsman. After the appointment is rescinded, the individual  
474 may not conduct any duties as an ombudsman and may not represent  
475 the office or the state ombudsman program ~~A local council may~~  
476 ~~recommend the removal of one or more of its members by~~  
477 ~~submitting to the ombudsman a resolution adopted by a two-thirds~~



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478 ~~vote of the members of the council stating the name of the~~  
479 ~~member or members recommended for removal and the reasons for~~  
480 ~~the recommendation. If such a recommendation is adopted by a~~  
481 ~~local council, the local council chair or district coordinator~~  
482 ~~shall immediately report the council's recommendation to the~~  
483 ~~ombudsman. The ombudsman shall review the recommendation of the~~  
484 ~~local council and advise the secretary of his or her~~  
485 ~~recommendation regarding removal of the council member or~~  
486 ~~members.~~

487 ~~(6) (a) Each local council shall elect a chair for a term of~~  
488 ~~1 year. There shall be no limitation on the number of terms that~~  
489 ~~an approved member of a local council may serve as chair.~~

490 ~~(b) The chair shall select a vice chair from among the~~  
491 ~~members of the council. The vice chair shall preside over the~~  
492 ~~council in the absence of the chair.~~

493 ~~(c) The chair may create additional executive positions as~~  
494 ~~necessary to carry out the duties of the local council. Any~~  
495 ~~person appointed to an executive position shall serve at the~~  
496 ~~pleasure of the chair, and his or her term shall expire on the~~  
497 ~~same day as the term of the chair.~~

498 ~~(d) A chair may be immediately removed from office prior to~~  
499 ~~the expiration of his or her term by a vote of two thirds of the~~  
500 ~~members of the local council. If any chair is removed from~~  
501 ~~office prior to the expiration of his or her term, a replacement~~  
502 ~~chair shall be elected during the same meeting, and the term of~~  
503 ~~the replacement chair shall begin immediately. The replacement~~  
504 ~~chair shall serve for the remainder of the term of the person he~~  
505 ~~or she replaced.~~

506 ~~(7) Each local council shall meet upon the call of its~~



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507 ~~chair or upon the call of the ombudsman. Each local council~~  
508 ~~shall meet at least once a month but may meet more frequently if~~  
509 ~~necessary.~~

510 ~~(6)(8) An ombudsman may not~~ A member of a local council  
511 shall receive ~~no~~ compensation but shall, with approval from the  
512 state ombudsman, be reimbursed for travel expenses ~~both within~~  
513 ~~and outside the jurisdiction of the local council~~ in accordance  
514 with ~~the provisions of~~ s. 112.061.

515 ~~(7)(9) The representatives of the office~~ local councils are  
516 authorized to call upon appropriate state agencies ~~of state~~  
517 ~~government~~ for such professional assistance as may be needed in  
518 the discharge of their duties, and such. ~~All~~ state agencies  
519 shall cooperate ~~with the local councils~~ in providing requested  
520 information and agency representation ~~at council meetings~~.

521 Section 30. Section 400.0070, Florida Statutes, is amended  
522 to read:

523 400.0070 Conflicts of interest.—

524 (1) A representative of the office ~~The ombudsman~~ shall not:

525 (a) Have a direct involvement in the licensing or  
526 certification of, or an ownership or investment interest in, a  
527 long-term care facility or a provider of a long-term care  
528 service.

529 (b) Be employed by, or participate in the management of, a  
530 long-term care facility.

531 (c) Receive, or have a right to receive, directly or  
532 indirectly, remuneration, in cash or in kind, under a  
533 compensation agreement with the owner or operator of a long-term  
534 care facility.

535 (2) Each representative ~~employee~~ of the office, ~~each state~~



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536 ~~council member, and each local council member~~ shall certify that  
537 he or she has no conflict of interest.

538 (3) The department, in consultation with the state  
539 ombudsman, shall define by rule:

540 (a) Situations that constitute an individual's ~~a person~~  
541 having a conflict of interest that could materially affect the  
542 objectivity or capacity of the individual ~~a person~~ to serve as a  
543 representative ~~on an ombudsman council, or as an employee~~ of the  
544 office, ~~while carrying out the purposes of the State Long-Term~~  
545 ~~Care Ombudsman Program as specified in this part.~~

546 (b) The procedure by which an individual ~~a person~~ listed in  
547 subsection (2) shall certify that he or she has no conflict of  
548 interest.

549 Section 31. Section 400.0071, Florida Statutes, is amended  
550 to read:

551 400.0071 State ~~Long-Term Care~~ ombudsman program complaint  
552 procedures.-The department, in consultation with the state  
553 ombudsman, shall adopt rules implementing state and local  
554 complaint procedures. The rules must include procedures for  
555 receiving, investigating, identifying, and resolving complaints  
556 concerning the health, safety, welfare, and rights of residents:-

557 ~~(1) Receiving complaints against a long-term care facility~~  
558 ~~or an employee of a long-term care facility.~~

559 ~~(2) Conducting investigations of a long-term care facility~~  
560 ~~or an employee of a long-term care facility subsequent to~~  
561 ~~receiving a complaint.~~

562 ~~(3) Conducting onsite administrative assessments of long-~~  
563 ~~term care facilities.~~

564 Section 32. Section 400.0073, Florida Statutes, is amended



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565 to read:

566 400.0073 Complaint ~~State and local ombudsman council~~  
567 investigations.-

568 (1) A representative of the office ~~local council~~ shall  
569 identify and investigate, ~~within a reasonable time after a~~  
570 ~~complaint is made,~~ any complaint made by or on behalf of a  
571 resident ~~that,~~ a representative of a resident, or any other  
572 ~~credible source based on an action or omission by an~~  
573 ~~administrator, an employee, or a representative of a long-term~~  
574 ~~care facility which~~ might be:

575 (a) Contrary to law;

576 (b) Unreasonable, unfair, oppressive, or unnecessarily  
577 discriminatory, even though in accordance with law;

578 (c) Based on a mistake of fact;

579 (d) Based on improper or irrelevant grounds;

580 (e) Unaccompanied by an adequate statement of reasons;

581 (f) Performed in an inefficient manner; or

582 (g) Otherwise adversely affecting the health, safety,  
583 welfare, or rights of a resident.

584 ~~(2) In an investigation, both the state and local councils~~  
585 ~~have the authority to hold public hearings.~~

586 ~~(3) Subsequent to an appeal from a local council, the state~~  
587 ~~council may investigate any complaint received by the local~~  
588 ~~council involving a long-term care facility or a resident.~~

589 (2)-(4) If a representative of the office ~~the ombudsman or~~  
590 ~~any state or local council member~~ is not allowed to enter a  
591 long-term care facility, the administrator of the facility shall  
592 be considered to have interfered with a representative of the  
593 office, ~~the state council, or the local council~~ in the



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594 performance of official duties as described in s. 400.0083(1)  
595 and to have committed a violation of this part. The  
596 representative of the office ombudsman shall report a facility's  
597 refusal to allow entry to the facility to the state ombudsman or  
598 his or her designee, who shall then report the incident to the  
599 agency, and the agency shall record the report and take it into  
600 consideration when determining actions allowable under s.  
601 400.102, s. 400.121, s. 429.14, s. 429.19, s. 429.69, or s.  
602 429.71.

603 Section 33. Section 400.0074, Florida Statutes, is amended  
604 to read:

605 400.0074 ~~Local ombudsman council~~ Onsite administrative  
606 assessments.-

607 (1) A representative of the office must ~~In addition to any~~  
608 ~~specific investigation conducted pursuant to a complaint, the~~  
609 ~~local council shall~~ conduct, at least annually, an onsite  
610 administrative assessment of each nursing home, assisted living  
611 facility, and adult family-care home ~~within its jurisdiction.~~  
612 This administrative assessment must be resident-centered and  
613 ~~shall~~ focus on factors affecting the rights, health, safety, and  
614 welfare of the residents. ~~Each local council is encouraged to~~  
615 ~~conduct a similar onsite administrative assessment of each~~  
616 ~~additional long-term care facility within its jurisdiction.~~

617 (2) An onsite administrative assessment is conducted by a  
618 ~~local council shall be~~ subject to the following conditions:

619 (a) To the extent possible and reasonable, the  
620 administrative assessment ~~assessments~~ shall not duplicate the  
621 efforts of ~~the agency~~ surveys and inspections conducted by state  
622 agencies of long-term care facilities ~~under part II of this~~



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623 ~~chapter and parts I and II of chapter 429.~~

624 (b) An administrative assessment shall be conducted at a  
625 time and for a duration necessary to produce the information  
626 required to complete the assessment ~~carry out the duties of the~~  
627 ~~local council.~~

628 (c) Advance notice of an administrative assessment may not  
629 be provided to a long-term care facility, except that notice of  
630 followup assessments on specific problems may be provided.

631 (d) A representative of the office ~~local council member~~  
632 ~~physically present for the administrative assessment~~ must ~~shall~~  
633 ~~identify himself or herself to the administrator and cite the~~  
634 ~~specific statutory authority for his or her assessment of the~~  
635 ~~facility~~ or his or her designee.

636 (e) An administrative assessment may not unreasonably  
637 interfere with the programs and activities of residents.

638 (f) A representative of the office ~~local council member~~ may  
639 not enter a single-family residential unit within a long-term  
640 care facility during an administrative assessment without the  
641 permission of the resident or the representative of the  
642 resident.

643 (g) An administrative assessment must be conducted in a  
644 manner that will impose no unreasonable burden on a long-term  
645 care facility.

646 ~~(3) Regardless of jurisdiction, the ombudsman may authorize~~  
647 ~~a state or local council member to assist another local council~~  
648 ~~to perform the administrative assessments described in this~~  
649 ~~section.~~

650 (3)(4) An onsite administrative assessment may not be  
651 accomplished by forcible entry. However, if a representative of



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652 the office ombudsman ~~or a state or local council member~~ is not  
653 allowed to enter a long-term care facility, the administrator of  
654 the facility shall be considered to have interfered with a  
655 representative of the office, ~~the state council, or the local~~  
656 ~~council~~ in the performance of official duties as described in s.  
657 400.0083(1) and to have committed a violation of this part. The  
658 representative of the office ombudsman shall report the refusal  
659 by a facility to allow entry to the state ombudsman or his or  
660 her designee, who shall then report the incident to the agency,  
661 and the agency shall record the report and take it into  
662 consideration when determining actions allowable under s.  
663 400.102, s. 400.121, s. 429.14, s. 429.19, s. 429.69, or s.  
664 429.71.

665 (4) The department, in consultation with the state  
666 ombudsman, may adopt rules implementing procedures for  
667 conducting onsite administrative assessments of long-term care  
668 facilities.

669 Section 34. Section 400.0075, Florida Statutes, is amended  
670 to read:

671 400.0075 Complaint notification and resolution procedures.—

672 (1) (a) Any complaint ~~or problem~~ verified by a  
673 representative of the office ~~an ombudsman council~~ as a result of  
674 an investigation may ~~or onsite administrative assessment, which~~  
675 ~~complaint or problem is determined to require remedial action by~~  
676 ~~the local council, shall~~ be identified and brought to the  
677 attention of the long-term care facility administrator subject  
678 to the confidentiality provisions of s. 400.0077 in writing.  
679 Upon receipt of the information ~~such document,~~ the  
680 administrator, with the concurrence of the representative of the





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681 ~~office local council chair~~, shall establish target dates for  
682 taking appropriate remedial action. If, by the target date, the  
683 remedial action is not completed or forthcoming, the  
684 representative may extend the target date if there is reason to  
685 believe such action would facilitate the resolution of the  
686 complaint, or the representative may refer the complaint to the  
687 district manager ~~local council chair may, after obtaining~~  
688 ~~approval from the ombudsman and a majority of the members of the~~  
689 ~~local council:~~

690 1. ~~Extend the target date if the chair has reason to~~  
691 ~~believe such action would facilitate the resolution of the~~  
692 ~~complaint.~~

693 2. ~~In accordance with s. 400.0077, publicize the complaint,~~  
694 ~~the recommendations of the council, and the response of the~~  
695 ~~long-term care facility.~~

696 3. ~~Refer the complaint to the state council.~~

697 (b) If an ombudsman determines ~~the local council chair~~  
698 ~~believes~~ that the health, safety, welfare, or rights of a ~~the~~  
699 resident are in imminent danger, the ombudsman must immediately  
700 notify the district manager. The district manager ~~chair shall~~  
701 ~~notify the ombudsman or legal advocate, who, after verifying~~  
702 that such imminent danger exists, must notify the appropriate  
703 state agencies, including law enforcement, the state ombudsman,  
704 and the legal advocate to ensure the protection of ~~shall seek~~  
705 ~~immediate legal or administrative remedies to protect the~~  
706 resident.

707 (c) If the state ombudsman or legal advocate has reason to  
708 believe that the long-term care facility or an employee of the  
709 facility has committed a criminal act, the state ombudsman or



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710 legal advocate shall provide the local law enforcement agency  
711 with the relevant information to initiate an investigation of  
712 the case.

713 (2)~~(a)~~ Upon referral from a district local council, the  
714 state ombudsman or his or her designee council shall assume the  
715 responsibility for the disposition of the complaint. If a long-  
716 term care facility fails to take action to resolve or remedy the  
717 ~~on a complaint by the state council~~, the state ombudsman council  
718 may, ~~after obtaining approval from the ombudsman and a majority~~  
719 ~~of the state council members~~:

720 (a)1. In accordance with s. 400.0077, publicize the  
721 complaint, the recommendations of the representatives of the  
722 office local or state council, and the response of the long-term  
723 care facility.

724 (b)2. Recommend to the department and the agency a series  
725 of facility reviews pursuant to s. 400.19, s. 429.34, or s.  
726 429.67 to ensure correction and nonrecurrence of the conditions  
727 that gave ~~give~~ rise to the complaint ~~complaints~~ against the a  
728 long-term care facility.

729 (c)3. Recommend to the department and the agency that the  
730 long-term care facility no longer receive payments under any  
731 state assistance program, including Medicaid.

732 (d)4. Recommend to the department and the agency that  
733 procedures be initiated for action against ~~revocation of~~ the  
734 long-term care facility's license in accordance with chapter  
735 120.

736 ~~(b) If the state council chair believes that the health,~~  
737 ~~safety, welfare, or rights of the resident are in imminent~~  
738 ~~danger, the chair shall notify the ombudsman or legal advocate,~~



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739 ~~who, after verifying that such imminent danger exists, shall~~  
740 ~~seek immediate legal or administrative remedies to protect the~~  
741 ~~resident.~~

742 (3)(e) If the state ombudsman, after consultation with the  
743 legal advocate, has reason to believe that the long-term care  
744 facility or an employee of the facility has committed a criminal  
745 act, the office ombudsman shall provide local law enforcement  
746 with the relevant information to initiate an investigation of  
747 the case.

748 Section 35. Section 400.0078, Florida Statutes, is amended  
749 to read:

750 400.0078 Citizen access to state ~~Long-Term-Care~~ ombudsman  
751 program services.-

752 (1) The office shall establish a statewide toll-free  
753 telephone number and e-mail address for receiving complaints  
754 concerning matters adversely affecting the health, safety,  
755 welfare, or rights of residents.

756 (2) ~~Every resident or representative of a resident shall~~  
757 ~~receive,~~ Upon admission to a long-term care facility, each  
758 resident or representative of a resident must receive  
759 information regarding:

760 (a) The purpose of the state ~~Long-Term-Care~~ ombudsman  
761 program.

762 (b) The statewide toll-free telephone number and e-mail  
763 address for receiving complaints.

764 (c) Information that retaliatory action cannot be taken  
765 against a resident for presenting grievances or for exercising  
766 any other resident rights.

767 (d) Other relevant information regarding how to contact



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768 representatives of the office ~~program~~.

769

770 Residents or their representatives must be furnished additional  
771 copies of this information upon request.

772 Section 36. Section 400.0079, Florida Statutes, is amended  
773 to read:

774 400.0079 Immunity.—

775 (1) Any person making a complaint pursuant to this part who  
776 does so in good faith shall be immune from any liability, civil  
777 or criminal, that otherwise might be incurred or imposed as a  
778 direct or indirect result of making the complaint.

779 (2) Representatives of the office and ~~The ombudsman or any~~  
780 ~~person authorized by the ombudsman to act on behalf of the~~  
781 ~~office, as well as all members of the state council and local~~  
782 ~~councils,~~ shall be immune from any liability, civil or criminal,  
783 that otherwise might be incurred or imposed during the good  
784 faith performance of official duties.

785 Section 37. Section 400.0081, Florida Statutes, is amended  
786 to read:

787 400.0081 Access to facilities, residents, and records.—

788 (1) A long-term care facility shall provide representatives  
789 of the office ~~with, the state council and its members, and the~~  
790 ~~local councils and their members access to:~~

791 (a) Access to ~~Any portion of~~ the long-term care facility  
792 and residents ~~any resident as necessary to investigate or~~  
793 ~~resolve a complaint.~~

794 (b) Appropriate access to medical and social records of a  
795 resident for review ~~as necessary to investigate or resolve a~~  
796 ~~complaint,~~ if:



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797           1. The representative of the office has the permission of  
798 the resident or the legal representative of the resident; or

799           2. The resident is unable to consent to the review and has  
800 no legal representative.

801           (c) Access to medical and social records of a ~~the~~ resident  
802 ~~as necessary to investigate or resolve a complaint,~~ if:

803           1. A legal representative or guardian of the resident  
804 refuses to give permission;

805           2. A representative of the office has reasonable cause to  
806 believe that the legal representative or guardian is not acting  
807 in the best interests of the resident; and

808           3. The representative of the office ~~state or local council~~  
809 ~~member~~ obtains the approval of the state ombudsman.

810           (d) Access to the administrative records, policies, and  
811 documents to which residents or the general public have access.

812           (e) Upon request, copies of all licensing and certification  
813 records maintained by the state with respect to a long-term care  
814 facility.

815           (2) The department, in consultation with the state  
816 ombudsman ~~and the state council,~~ may adopt rules to establish  
817 procedures to ensure access to facilities, residents, and  
818 records as described in this section.

819           Section 38. Section 400.0083, Florida Statutes, is amended  
820 to read:

821           400.0083 Interference; retaliation; penalties.—

822           (1) It shall be unlawful for any person, long-term care  
823 facility, or other entity to willfully interfere with a  
824 representative of the office or, the state council, ~~or a local~~  
825 ~~council~~ in the performance of official duties.



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826 (2) It shall be unlawful for any person, long-term care  
827 facility, or other entity to knowingly or willfully take action  
828 or retaliate against any resident, employee, or other person for  
829 filing a complaint with, providing information to, or otherwise  
830 cooperating with any representative of the office or, the state  
831 council, ~~or a local council~~.

832 (3) Any person, long-term care facility, or other entity  
833 that violates this section:

834 (a) Shall be liable for damages and equitable relief as  
835 determined by law.

836 (b) Commits a misdemeanor of the second degree, punishable  
837 as provided in s. 775.083.

838 Section 39. Section 400.0087, Florida Statutes, is amended  
839 to read:

840 400.0087 Department oversight; funding.—

841 (1) The department shall meet the costs associated with the  
842 state ~~Long-Term-Care~~ ombudsman program from funds appropriated  
843 to it.

844 (a) The department shall include the costs associated with  
845 support of the state ~~Long-Term-Care~~ ombudsman program when  
846 developing its budget requests for consideration by the Governor  
847 and submittal to the Legislature.

848 (b) The department may divert from the federal ombudsman  
849 appropriation an amount equal to the department's administrative  
850 cost ratio to cover the costs associated with administering the  
851 state ombudsman program. The remaining allotment from the Older  
852 Americans Act program shall be expended on direct ombudsman  
853 activities.

854 (2) The department shall monitor the office and, the state



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855 ~~council, and the local councils~~ to ensure that each is carrying  
856 out the duties delegated to it by state and federal law.

857 (3) The department is responsible for ensuring that the  
858 office:

859 (a) Has the objectivity and independence required to  
860 qualify it for funding under the federal Older Americans Act.

861 (b) Provides information to public and private agencies,  
862 legislators, and others.

863 (c) Provides appropriate training to representatives of the  
864 office ~~or of the state or local councils~~.

865 (d) Coordinates ombudsman services with Disability Rights  
866 Florida ~~the Advocacy Center for Persons with Disabilities~~ and  
867 with providers of legal services to residents ~~of long-term care~~  
868 ~~facilities~~ in compliance with state and federal laws.

869 (4) The department shall also:

870 (a) Receive and disburse state and federal funds for  
871 purposes that the state ombudsman has formulated in accordance  
872 with the Older Americans Act.

873 (b) Whenever necessary, act as liaison between agencies and  
874 branches of the federal and state governments and the office  
875 ~~State Long-Term Care Ombudsman Program~~.

876 Section 40. Section 400.0089, Florida Statutes, is amended  
877 to read:

878 400.0089 Complaint data reports.—The office shall maintain  
879 a statewide uniform reporting system to collect and analyze data  
880 relating to complaints and conditions in long-term care  
881 facilities and to residents for the purpose of identifying and  
882 resolving significant complaints ~~problems~~. The office shall  
883 publish quarterly and make readily available information



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884 pertaining to the number and types of complaints received by the  
885 state ~~Long-Term-Care~~ ombudsman program and shall include such  
886 information in the annual report required under s. 400.0065.

887 Section 41. Section 400.0091, Florida Statutes, is amended  
888 to read:

889 400.0091 Training.—The state ombudsman shall ensure that  
890 appropriate training is provided to all representatives  
891 ~~employees~~ of the office and ~~to the members of the state and~~  
892 ~~local councils.~~

893 (1) All representatives ~~state and local council members and~~  
894 ~~employees~~ of the office shall be given a minimum of 20 hours of  
895 training upon employment with the office or appointment as an  
896 ombudsman. Ten approval as a state or local council member and  
897 10 hours of continuing education are required annually  
898 thereafter.

899 (2) The state ombudsman shall approve the curriculum for  
900 the initial and continuing education training, which must, at a  
901 minimum, address:

- 902 (a) Resident confidentiality.
- 903 (b) Guardianships and powers of attorney.
- 904 (c) Medication administration.
- 905 (d) Care and medication of residents with dementia and  
906 Alzheimer's disease.
- 907 (e) Accounting for residents' funds.
- 908 (f) Discharge rights and responsibilities.
- 909 (g) Cultural sensitivity.
- 910 (h) Any other topic related to residency within a long-term  
911 care facility recommended by the secretary.

912 (3) An individual ~~No employee, officer, or representative~~





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913 ~~of the office or of the state or local councils~~, other than the  
914 state ombudsman, may not hold himself or herself out as a  
915 representative of the office ~~State Long-Term Care Ombudsman~~  
916 ~~Program~~ or conduct any authorized program duty described in this  
917 part unless the individual ~~person~~ has received the training  
918 required by this section and has been certified by the state  
919 ombudsman as qualified to carry out ombudsman activities on  
920 behalf of the office ~~or the state or local councils~~.

921  
922 ===== T I T L E A M E N D M E N T =====

923 And the title is amended as follows:

924 Delete lines 90 - 106

925 and insert:

926 amending s. 397.403, F.S.; revising references to  
927 certain accrediting agencies to changes made by the  
928 act; amending s. 400.0060, F.S.; revising and  
929 providing definitions; amending s. 400.0061, F.S.;  
930 revising legislative intent with respect to citizen  
931 ombudsmen; deleting references to ombudsman councils  
932 and transferring their responsibilities to  
933 representatives of the Office of State Long-Term Care  
934 Ombudsman; amending s. 400.0063, F.S.; revising duties  
935 of the office; amending s. 400.0065, F.S.; revising  
936 the purpose of the Office of State Long-Term Care  
937 Ombudsman; establishing districts; requiring the state  
938 ombudsman to submit an annual report to the Governor,  
939 the Legislature, and specified agencies and entities;  
940 amending s. 400.0067, F.S.; revising duties and  
941 membership of the State Long-Term Care Ombudsman



942 Council; amending s. 400.0069, F.S.; requiring the  
943 state ombudsman to designate and direct program  
944 districts; providing duties of representatives of the  
945 office in the districts; providing for appointment and  
946 qualifications of district ombudsmen; prohibiting  
947 certain individuals from serving as ombudsmen;  
948 providing for appointment of ombudsmen; amending s.  
949 400.0070, F.S.; providing conditions under which a  
950 representative of the office could be found to have a  
951 conflict of interest; amending s. 400.0071, F.S.;  
952 requiring the Department of Elderly Affairs to consult  
953 with the state ombudsman before adopting rules  
954 pertaining to complaint resolution; amending s.  
955 400.0073, F.S.; providing procedures for investigation  
956 of complaints; amending s. 400.0074, F.S.; revising  
957 procedures for conducting onsite administrative  
958 assessments; authorizing the department to adopt  
959 rules; amending s. 400.0075, F.S.; revising complaint  
960 notification and resolution procedures; amending s.  
961 400.0078, F.S.; providing for a resident or  
962 representative of a resident to receive additional  
963 information regarding resident rights; amending s.  
964 400.0079, F.S.; providing immunity from liability for  
965 a representative of the office under certain  
966 circumstances; amending s. 400.0081, F.S.; requiring  
967 long-term care facilities to provide representatives  
968 of the office with access to facilities, residents,  
969 and records for certain purposes; amending s.  
970 400.0083, F.S.; conforming provisions to changes made



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971 by the act; amending s. 400.0087, F.S.; providing for  
972 the office to coordinate ombudsman services with  
973 Disability Rights Florida; amending s. 400.0089, F.S.;  
974 conforming provisions to changes made by the act;  
975 amending s. 400.0091, F.S.; revising training  
976 requirements for representatives of the office and  
977 ombudsmen; amending s. 400.462, F.S.; defining