

By Senator Taddeo

40-00982A-18

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1 A bill to be entitled
2 An act relating to assisted living facility resident
3 rights; amending s. 429.28, F.S.; requiring written
4 notice of relocation or termination of residency from
5 an assisted living facility to be provided to a
6 resident or the resident's legal representative;
7 requiring the facility to send a copy of a notice of
8 relocation or termination to the State Long-Term Care
9 Ombudsman Program within a specified timeframe;
10 providing an effective date.

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

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14 Section 1. Paragraph (k) of subsection (1) of section
15 429.28, Florida Statutes, is amended to read:

16 429.28 Resident bill of rights.—

17 (1) No resident of a facility shall be deprived of any
18 civil or legal rights, benefits, or privileges guaranteed by
19 law, the Constitution of the State of Florida, or the
20 Constitution of the United States as a resident of a facility.
21 Every resident of a facility shall have the right to:

22 (k) At least 45 days' notice of relocation or termination
23 of residency from the facility unless, for medical reasons, the
24 resident is certified by a physician to require an emergency
25 relocation to a facility providing a more skilled level of care
26 or the resident engages in a pattern of conduct that is harmful
27 or offensive to other residents. In the case of a resident who
28 has been adjudicated mentally incapacitated, the guardian shall
29 be given at least 45 days' notice of a nonemergency relocation

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30 or residency termination. The facility shall provide written
31 notice to the resident or the resident's legal representative
32 which must include specific reasons for relocation or
33 termination of residency. The facility shall send a copy of the
34 notice to a representative of the State Long-Term Care Ombudsman
35 Program within 7 calendar days after the notice is provided to
36 the resident or the resident's legal representative ~~be set forth~~
37 ~~in writing~~. In order for a facility to terminate the residency
38 of an individual without notice as provided herein, the facility
39 shall show good cause in a court of competent jurisdiction.

40 Section 2. This act shall take effect July 1, 2018.