

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|---------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Business & Professions
 2 Subcommittee

3 Representative Roach offered the following:

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Amendment (with title amendment)

Between lines 135 and 136, insert:

Section 8. Paragraph (b) of subsection (1) of section 429.41, Florida Statutes, is amended to read:

429.41 Rules establishing standards.-

(1) It is the intent of the Legislature that rules published and enforced pursuant to this section shall include criteria by which a reasonable and consistent quality of resident care and quality of life may be ensured and the results of such resident care may be demonstrated. Such rules shall also ensure a safe and sanitary environment that is residential and noninstitutional in design or nature. It is further intended

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17 that reasonable efforts be made to accommodate the needs and
18 preferences of residents to enhance the quality of life in a
19 facility. Uniform firesafety standards for assisted living
20 facilities shall be established by the State Fire Marshal
21 pursuant to s. 633.206. The agency, in consultation with the
22 department, may adopt rules to administer the requirements of
23 part II of chapter 408. In order to provide safe and sanitary
24 facilities and the highest quality of resident care
25 accommodating the needs and preferences of residents, the
26 department, in consultation with the agency, the Department of
27 Children and Families, and the Department of Health, shall adopt
28 rules, policies, and procedures to administer this part, which
29 must include reasonable and fair minimum standards in relation
30 to:

31 (b) The preparation and annual update of a comprehensive
32 emergency management plan. Such standards must be included in
33 the rules adopted by the department after consultation with the
34 Division of Emergency Management. At a minimum, the rules must
35 provide for plan components that address emergency evacuation
36 transportation; adequate sheltering arrangements; postdisaster
37 activities, including provision of emergency power, food, and
38 water; postdisaster transportation; supplies; staffing;
39 emergency equipment; individual identification of residents and
40 transfer of records; communication with families; and responses
41 to family inquiries. The comprehensive emergency management plan

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42 is subject to review and approval by the local emergency
43 management agency. During its review, the local emergency
44 management agency shall ensure that the following agencies, at a
45 minimum, are given the opportunity to review the plan: the
46 Department of Elderly Affairs, the Department of Health, the
47 Agency for Health Care Administration, and the Division of
48 Emergency Management. Also, appropriate volunteer organizations
49 must be given the opportunity to review the plan. The local
50 emergency management agency shall complete its review within 60
51 days and either approve the plan or advise the facility of
52 necessary revisions. A municipality, county, or other local
53 government entity may not adopt, enforce, or implement any
54 ordinance, rule, or law that would impose additional
55 requirements for maximum fuel supply or safe temperature and
56 cooling requirements related to the comprehensive emergency
57 management plan.

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61 **T I T L E A M E N D M E N T**

62 Remove line 25 and insert:

63 to the state; amending s. 429.41, F.S.; prohibiting a
64 municipality, county, or other local government entity from
65 imposing additional requirements for maximum fuel supply or safe
66 temperature and cooling requirements related to the

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1299 (2019)

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67 | comprehensive emergency management plan of assisted care
68 | communities; amending s. 499.002, F.S.; preempting