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CS/HB 835, Engrossed 1

2020 Legislature

1  
 2 An act relating to Alzheimer's disease; amending s.  
 3 430.501, F.S.; requiring state agencies to provide  
 4 assistance to the Alzheimer's Disease Advisory  
 5 Committee, upon request; creating s. 430.5015, F.S.;  
 6 creating the position of Dementia Director within the  
 7 Department of Elderly Affairs; requiring the Secretary  
 8 of Elderly Affairs to appoint the director;  
 9 authorizing the director to call upon certain agencies  
 10 for assistance; providing duties and responsibilities  
 11 of the director; amending s. 430.502, F.S.; revising  
 12 the name of a memory disorder clinic in Orange County;  
 13 revising a provision relating to an allocation formula  
 14 for the funding of respite care; providing an  
 15 effective date.

16  
 17 Be It Enacted by the Legislature of the State of Florida:

18  
 19 Section 1. Paragraph (b) of subsection (3) of section  
 20 430.501, Florida Statutes, is amended to read:

21 430.501 Alzheimer's Disease Advisory Committee; research  
 22 grants.—

23 (3)

24 (b)1. The Governor shall appoint members from a broad  
 25 cross-section of public, private, and volunteer sectors. All

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26 | nominations shall be forwarded to the Governor by the Secretary  
27 | of Elderly Affairs in accordance with this subsection.

28 |         2. Members shall be appointed to 4-year staggered terms in  
29 | accordance with s. 20.052, except for the sitting members of the  
30 | Senate and House of Representatives, who shall be appointed to a  
31 | term corresponding to their term of office.

32 |         3. The Secretary of Elderly Affairs shall serve as an ex  
33 | officio member of the committee.

34 |         4. The committee shall elect one of its members to serve  
35 | as chair for a term of 1 year.

36 |         5. The committee may establish subcommittees as necessary  
37 | to carry out the functions of the committee.

38 |         6. The committee shall meet quarterly, or as frequently as  
39 | needed.

40 |         7. The committee shall submit an annual report to the  
41 | Governor, the President of the Senate, the Speaker of the House  
42 | of Representatives, and the Secretary of Elderly Affairs on or  
43 | before September 1 of each year. The annual report shall include  
44 | information and recommendations on Alzheimer's disease policy;  
45 | all state-funded efforts in Alzheimer's disease research,  
46 | clinical care, institutional, home-based and community-based  
47 | programs and the outcomes of such efforts; and any proposed  
48 | updates to the Alzheimer's disease state plan submitted under  
49 | subparagraph 8.

50 |         8. Beginning in 2020, and every third year thereafter, on

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51 or before November 1, the Department of Elderly Affairs shall  
52 review the Alzheimer's disease state plan and submit an updated  
53 state plan to the Governor, the President of the Senate, and the  
54 Speaker of the House of Representatives. The Department of  
55 Elderly Affairs shall utilize the annual reports submitted by  
56 the committee and collaborate with state Alzheimer's disease  
57 organizations and professionals when considering such updates to  
58 the Alzheimer's disease state plan. The state plan shall:

59 a. Assess the current and future impact of Alzheimer's  
60 disease and related forms of dementia on the state.

61 b. Examine the existing industries, services, and  
62 resources addressing the needs of persons having Alzheimer's  
63 disease or a related form of dementia and their family  
64 caregivers.

65 c. Examine the needs of persons of all cultural  
66 backgrounds having Alzheimer's disease or a related form of  
67 dementia and how their lives are affected by the disease from  
68 younger-onset, through mid-stage, to late-stage.

69 d. Develop a strategy to mobilize a state response to this  
70 public health crisis.

71 e. Provide information regarding:

72 (I) State trends with respect to persons having  
73 Alzheimer's disease or a related form of dementia and their  
74 needs, including, but not limited to:

75 (A) The role of the state in providing community-based

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76 | care, long-term care, and family caregiver support, including  
77 | respite, education, and assistance to persons who are in the  
78 | early stages of Alzheimer's disease, who have younger-onset  
79 | Alzheimer's disease, or who have a related form of dementia.

80 | (B) The development of state policy with respect to  
81 | persons having Alzheimer's disease or a related form of  
82 | dementia.

83 | (C) Surveillance of persons having Alzheimer's disease or  
84 | a related form of dementia for the purpose of accurately  
85 | estimating the number of such persons in the state at present  
86 | and projected population levels.

87 | (II) Existing services, resources, and capacity,  
88 | including, but not limited to:

89 | (A) The type, cost, and availability of dementia-specific  
90 | services throughout the state.

91 | (B) Policy requirements and effectiveness for dementia-  
92 | specific training for professionals providing care.

93 | (C) Quality care measures employed by providers of care,  
94 | including providers of respite, adult day care, assisted living  
95 | facility, skilled nursing facility, and hospice services.

96 | (D) The capability of public safety workers and law  
97 | enforcement officers to respond to persons having Alzheimer's  
98 | disease or a related form of dementia, including, but not  
99 | limited to, responding to their disappearance, search and  
100 | rescue, abuse, elopement, exploitation, or suicide.

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101 (E) The availability of home and community-based services  
 102 and respite care for persons having Alzheimer's disease or a  
 103 related form of dementia and education and support services to  
 104 assist their families and caregivers.

105 (F) An inventory of long-term care facilities and  
 106 community-based services serving persons having Alzheimer's  
 107 disease or a related form of dementia.

108 (G) The adequacy and appropriateness of geriatric-  
 109 psychiatric units for persons having behavior disorders  
 110 associated with Alzheimer's disease or a related form of  
 111 dementia.

112 (H) Residential assisted living options for persons having  
 113 Alzheimer's disease or a related form of dementia.

114 (I) The level of preparedness of service providers before,  
 115 during, and after a catastrophic emergency involving a person  
 116 having Alzheimer's disease or a related form of dementia and  
 117 their caregivers and families.

118 (III) Needed state policies or responses, including, but  
 119 not limited to, directions for the provision of clear and  
 120 coordinated care, services, and support to persons having  
 121 Alzheimer's disease or a related form of dementia and their  
 122 caregivers and families and strategies to address any identified  
 123 gaps in the provision of services.

124 9. All state agencies shall provide assistance to the  
 125 committee, upon request.

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126        10. The Department of Elderly Affairs shall provide staff  
 127 support to assist the committee in the performance of its  
 128 duties.

129        ~~11.10.~~ Members of the committee and subcommittees shall  
 130 receive no salary, but are entitled to reimbursement for travel  
 131 and per diem expenses, as provided in s. 112.061, while  
 132 performing their duties under this section.

133        Section 2. Section 430.5015, Florida Statutes, is created  
 134 to read:

135        430.5015 Dementia Director.-

136        (1) The position of Dementia Director is created within  
 137 the Department of Elderly Affairs. The Secretary of Elderly  
 138 Affairs shall appoint the director who shall serve at the  
 139 pleasure of the secretary.

140        (2) The director may call upon appropriate agencies of  
 141 state government for assistance as is needed pursuant to s.  
 142 430.04(13).

143        (3) The director shall:

144        (a) Facilitate coordination and support of policies and  
 145 programs in the Legislature and the executive branch, including  
 146 agencies of the executive branch, which relate to Alzheimer's  
 147 disease and related forms of dementia.

148        (b) Facilitate coordination and support for the  
 149 Alzheimer's Disease Advisory Committee and the implementation of  
 150 and updates to the Alzheimer's disease state plan pursuant to s.

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151 430.501(3)(b)8.

152 (c) Provide support to memory disorder clinics to help the  
 153 clinics meet or exceed the minimum performance standards under  
 154 s. 430.502(3).

155 (d) Facilitate and support coordination of outreach  
 156 programs and services between agencies, memory disorder clinics,  
 157 area agencies on aging, and other interested groups for the  
 158 purpose of fostering public awareness and education regarding  
 159 Alzheimer's disease and related forms of dementia.

160 (e) Facilitate coordination of services and activities  
 161 between groups interested in dementia research, programs, and  
 162 services, including, but not limited to, area agencies on aging,  
 163 service providers, advocacy groups, legal services, emergency  
 164 personnel, law enforcement, and state colleges and universities.

165 (f) Collect and monitor data related to the impact of  
 166 Alzheimer's disease in the state.

167 Section 3. Subsections (1) and (8) of section 430.502,  
 168 Florida Statutes, are amended to read:

169 430.502 Alzheimer's disease; memory disorder clinics and  
 170 day care and respite care programs.—

171 (1) There is established:

172 (a) A memory disorder clinic at each of the three medical  
 173 schools in this state;

174 (b) A memory disorder clinic at a major private nonprofit  
 175 research-oriented teaching hospital, and may fund a memory

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176 disorder clinic at any of the other affiliated teaching  
 177 hospitals;  
 178 (c) A memory disorder clinic at the Mayo Clinic in  
 179 Jacksonville;  
 180 (d) A memory disorder clinic at the West Florida Regional  
 181 Medical Center;  
 182 (e) A memory disorder clinic operated by Health First in  
 183 Brevard County;  
 184 (f) A memory disorder clinic at the Orlando Regional  
 185 Healthcare System, Inc.;  
 186 (g) A memory disorder center located in a public hospital  
 187 that is operated by an independent special hospital taxing  
 188 district that governs multiple hospitals and is located in a  
 189 county with a population greater than 800,000 persons;  
 190 (h) A memory disorder clinic at St. Mary's Medical Center  
 191 in Palm Beach County;  
 192 (i) A memory disorder clinic at Tallahassee Memorial  
 193 Healthcare;  
 194 (j) A memory disorder clinic at Lee Memorial Hospital  
 195 created by chapter 63-1552, Laws of Florida, as amended;  
 196 (k) A memory disorder clinic at Sarasota Memorial Hospital  
 197 in Sarasota County;  
 198 (l) A memory disorder clinic at Morton Plant Hospital,  
 199 Clearwater, in Pinellas County;  
 200 (m) A memory disorder clinic at Florida Atlantic



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201 University, Boca Raton, in Palm Beach County;  
 202 (n) A memory disorder clinic at AdventHealth Florida  
 203 ~~Hospital~~ in Orange County; and  
 204 (o) A memory disorder clinic at Miami Jewish Health System  
 205 in Miami-Dade County,  
 206  
 207 for the purpose of conducting research and training in a  
 208 diagnostic and therapeutic setting for persons suffering from  
 209 Alzheimer's disease and related memory disorders. However,  
 210 memory disorder clinics shall not receive decreased funding due  
 211 solely to subsequent additions of memory disorder clinics in  
 212 this subsection.  
 213 (8) Pursuant to s. 287.057, the department shall contract  
 214 for the provision of respite care. All funds appropriated for  
 215 the provision of respite care shall be distributed annually by  
 216 the department to each funded county according to an allocation  
 217 formula. In developing the formula, the department shall  
 218 consider the number and proportion of the county population of  
 219 individuals who are 70 ~~75~~ years of age and older. Each respite  
 220 care program shall be used as a resource for research and  
 221 statistical data by the memory disorder clinics established in  
 222 this part. In consultation with the memory disorder clinics, the  
 223 department shall specify the information to be provided by the  
 224 respite care programs for research purposes.  
 225 Section 4. This act shall take effect July 1, 2020.