

Amendment No.

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WITHDRAWN	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: Children, Families &
 2 Seniors Subcommittee
 3 Representative Hawkins offered the following:

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6 Remove lines 38-138 and insert:
 7 abuse, exploitation, or neglect of elderly persons and
 8 vulnerable adults.

9 (b) An elder and vulnerable adult abuse fatality review
 10 team may be initiated by any of the following agencies, which
 11 shall specify the geographic area which the team shall serve:

- 12 1. A state attorney, or his or her designee.
- 13 2. A law enforcement agency.
- 14 3. The Department of Children and Families.
- 15 4. The Office of the Attorney General.
- 16 5. The Agency for Persons with Disabilities.

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17 (c) The purpose of a review team is to learn how to
18 prevent elder and vulnerable adult abuse and abuse-related
19 deaths by intervening early and improving the system response to
20 elder and vulnerable adult abuse, exploitation, or neglect.

21 (2) For purposes of this section and s. 415.1104, the term
22 "vulnerable adult" includes a disabled adult and elderly person
23 as those terms are defined in s. 825.101(3) and (4),
24 respectively.

25 (3)(a) ~~An elder abuse fatality~~ A review team ~~must~~ may
26 include a representative from the entity initiating the team, who
27 shall actively participate.

28 (b) A review team may include, ~~but is not limited to,~~
29 representatives from the other entities which may initiate the
30 team under paragraph (b) of subsection (1) and any of the
31 following entities or persons ~~located in the review team's~~
32 judicial circuit:

33 1. ~~Law enforcement agencies.~~

34 2. ~~The state attorney.~~

35 1. ~~3.~~ The medical examiner.

36 2. ~~4.~~ A county court judge.

37 5. ~~Adult protective services.~~

38 3. ~~6.~~ The area agency on aging.

39 4. ~~7.~~ The State Long-Term Care Ombudsman Program.

40 5. ~~8.~~ The Agency for Health Care Administration.

41 9. ~~The Office of the Attorney General.~~

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- 42 ~~6.10.~~ The Office of the State Courts Administrator.
- 43 ~~7.11.~~ The clerk of the court.
- 44 ~~8.12.~~ A victim services program.
- 45 ~~9.13.~~ An elder law or disability rights attorney.
- 46 ~~10.14.~~ Emergency services personnel.
- 47 ~~11.15.~~ A certified domestic violence center.
- 48 ~~12.16.~~ An advocacy organization for victims of sexual
49 violence.
- 50 ~~13.17.~~ A funeral home director.
- 51 ~~14.18.~~ A forensic pathologist.
- 52 ~~15.19.~~ A geriatrician.
- 53 ~~16.20.~~ A geriatric nurse.
- 54 ~~17.21.~~ A geriatric psychiatrist or other individual
55 licensed to offer behavioral health services.
- 56 ~~18.22.~~ A hospital discharge planner.
- 57 ~~19.23.~~ A public guardian.
- 58 ~~20.24.~~ Any other persons who have knowledge regarding
59 fatal and near-fatal incidents of vulnerable adult abuse, elder
60 abuse, domestic violence, ~~or~~ sexual violence, or suicide,
61 including knowledge of research, policy, law, and other matters
62 connected with such incidents involving vulnerable adults
63 orelderly persons ~~elders, or who are recommended for inclusion~~
64 ~~by the review team.~~
- 65 ~~(4)(a)-(e)~~ Participation in a review team is voluntary.
- 66 Members of a review team shall serve without compensation and

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67 may not be reimbursed for per diem or travel expenses. ~~Members~~
68 ~~shall serve for terms of 2 years, to be staggered as determined~~
69 ~~by the co-chairs.~~

70 ~~(d) The state attorney may call the first organizational~~
71 ~~meeting of the team. At the initial meeting, members of a review~~
72 ~~team shall choose two members to serve as co-chairs. Chairs may~~
73 ~~be reelected by a majority vote of a review team for not more~~
74 ~~than two consecutive terms. At the initial meeting, members of a~~
75 ~~review team shall establish a schedule for future meetings. Each~~
76 ~~review team shall meet at least once each fiscal year.~~

77 ~~(e) Each review team shall determine its local operations,~~
78 ~~including, but not limited to, the process for case selection.~~
79 ~~The state attorney shall refer cases to be reviewed by each~~
80 ~~team. Reviews must be limited to closed cases in which an~~
81 ~~elderly person's death was caused by, or related to, abuse or~~
82 ~~neglect. All identifying information concerning the elderly~~
83 ~~person must be redacted by the state attorney in documents~~
84 ~~received for review. As used in this paragraph, the term "closed~~
85 ~~case" means a case that does not involve information considered~~
86 ~~active as defined in s. 119.011(3)(d).~~

87 (b) The review team may determine the number and type of
88 incidents it chooses to review.

89 (c)~~(f)~~ Administrative costs of operating the review team
90 must be borne by the team members or entities they represent.

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91 ~~(5)-(2)~~ A ~~An elder abuse fatality~~ review team in existence
92 on July 1, 2023 ~~July 1, 2020~~, may continue to exist and must
93 comply with the requirements of this section.

94 ~~(6)-(3)~~ A ~~An elder abuse fatality~~ review team ~~must~~ ~~shall~~ do
95 all of the following:

96 (a) Review fatal and near-fatal incidents involving deaths
97 ~~of~~ elderly persons and vulnerable adults in the team's
98 jurisdiction in its judicial circuit which are found to have
99 been caused by, or related to, abuse, exploitation, or neglect.

100 (b) Take into consideration the events leading up to a
101 fatal or near-fatal incident, available community resources,
102 current law and policies, ~~and~~ the actions taken by systems or
103 individuals related to the fatal or near-fatal incident, and any
104 information considered relevant by the team, including a review
105 of public records and records for which a public records
106 exemption is granted.

107 (c) Identify potential gaps, deficiencies, or problems in
108 the delivery of services to elderly persons or vulnerable adults
109 by public and private agencies which may be related to incidents
110 ~~deaths~~ reviewed by the team.

111 (d) Whenever possible, develop communitywide approaches to
112 address the causes of, and contributing factors to, incidents
113 ~~deaths~~ reviewed by the team.

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114 (e) Develop recommendations and potential changes in law,
115 rules, and policies to support the care of elderly persons and
116 vulnerable adults and to prevent