

By Senator Simon

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1                   A bill to be entitled  
2           An act relating to emergencies; amending s. 215.559,  
3           F.S.; revising the units of government given certain  
4           funding priority; amending s. 250.375, F.S.;  
5           authorizing certain servicemembers to provide medical  
6           care in specified circumstances; amending s. 252.32,  
7           F.S.; authorizing the Division of Emergency Management  
8           to create certain local organizations in county  
9           constitutional offices; providing that county  
10          constitutional offices have specified emergency  
11          powers; amending s. 252.34, F.S.; revising the  
12          definition of the term "political subdivision";  
13          amending s. 252.35, F.S.; providing that the division  
14          has command and control of specified emergency  
15          management efforts; revising requirements for a state  
16          comprehensive emergency management plan; revising  
17          duties of the division; authorizing the division to  
18          create new debris management sites in certain  
19          circumstances; creating s. 252.352, F.S.; requiring  
20          certain political subdivisions to publish specified  
21          information on publicly available websites; requiring  
22          that such websites be available for a specified period  
23          of time; requiring certain county governments to  
24          provide to the county's legislative delegation  
25          specified office space and information and a direct  
26          point of contact; amending s. 252.355, F.S.; providing  
27          that the registry of persons with special needs and  
28          special needs shelters includes persons with  
29          functional limitations; requiring special needs

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30 shelters to include individuals with functional  
31 limitations; authorizing the Department of Veterans'  
32 Affairs to provide certain information to specified  
33 clients; amending s. 252.357, F.S.; requiring that the  
34 Florida Comprehensive Emergency Management Plan  
35 authorize the Agency for Health Care Administration to  
36 contact independent living facilities in a disaster  
37 area; amending s. 252.359, F.S.; revising the manner  
38 in which the division facilitates transportation of  
39 essentials before and after an emergency; requiring  
40 local law enforcement to cooperate with the division  
41 to ensure the availability of essentials; specifying  
42 the entities that determine state roadways; amending  
43 s. 252.365, F.S.; revising the responsibilities of the  
44 emergency coordination officer; requiring the head of  
45 each agency to make specified notifications annually;  
46 amending s. 252.373, F.S.; authorizing the division to  
47 use certain funds for administration; amending s.  
48 252.385, F.S.; revising reporting requirements for the  
49 division; revising requirements for a specified list  
50 of facilities recommended to be retrofitted; amending  
51 s. 282.201, F.S.; abrogating the scheduled repeal of  
52 the division's exemption from using the required state  
53 data center; amending s. 403.7071, F.S.; revising the  
54 time period during which specified providers are not  
55 required to collect storm-generated yard trash;  
56 requiring specified entities to take certain actions  
57 regarding the creation, authorization,  
58 preauthorization, and management of debris management

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59 sites; providing that such sites do not need to be  
60 inspected if certain conditions are met; amending s.  
61 526.141, F.S.; requiring that self-service gasoline  
62 stations be equipped with an alternate power source;  
63 amending ss. 252.356, 381.0011, 381.0303, 400.492,  
64 400.506, 400.610, 400.934, and 401.273, F.S.;

65 conforming provisions to changes made by the act;  
66 providing an effective date.

67

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

69

70 Section 1. Paragraph (b) of subsection (1) of section  
71 215.559, Florida Statutes, is amended to read:

72 215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss  
73 Mitigation Program is established in the Division of Emergency  
74 Management.

75 (1) The Legislature shall annually appropriate \$10 million  
76 of the moneys authorized for appropriation under s.  
77 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the  
78 division for the purposes set forth in this section. Of the  
79 amount:

80 (b) Three million dollars in funds shall be used to  
81 construct or retrofit facilities used as public hurricane  
82 shelters. Each year the division shall prioritize the use of  
83 these funds for projects included in the annual report of the  
84 Shelter Development Report prepared in accordance with s.  
85 252.385(3). The division must give funding priority to projects  
86 in counties ~~regional planning council regions~~ that have shelter  
87 deficits and to projects that maximize the use of state funds.

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88 Section 2. Section 250.375, Florida Statutes, is amended to  
89 read:

90 250.375 Medical officer authorization.—A servicemember  
91 trained to provide medical care who is assigned to a military  
92 duty position and authorized by the Florida National Guard to  
93 provide medical care by virtue of such duty position may provide  
94 such medical care to military personnel and civilians within the  
95 state ~~physician who holds an active license to practice medicine~~  
96 ~~in any state, a United States territory, or the District of~~  
97 ~~Columbia,~~ while serving as a medical officer with or in support  
98 of the Florida National Guard, pursuant to federal or state  
99 orders, ~~may practice medicine on military personnel or civilians~~  
100 during an emergency or declared disaster ~~or during federal~~  
101 ~~military training.~~

102 Section 3. Paragraphs (a) and (b) of subsection (1) of  
103 section 252.32, Florida Statutes, are amended to read:

104 252.32 Policy and purpose.—

105 (1) Because of the existing and continuing possibility of  
106 the occurrence of emergencies and disasters resulting from  
107 natural, technological, or manmade causes; in order to ensure  
108 that preparations of this state will be adequate to deal with,  
109 reduce vulnerability to, and recover from such emergencies and  
110 disasters; to provide for the common defense and to protect the  
111 public peace, health, and safety; and to preserve the lives and  
112 property of the people of the state, it is hereby found and  
113 declared to be necessary:

114 (a) To create a state emergency management agency to be  
115 known as the "Division of Emergency Management," to authorize  
116 the creation of local organizations for emergency management in

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117 the political subdivisions and county constitutional offices of  
118 the state, and to authorize cooperation with the Federal  
119 Government and the governments of other states.

120 (b) To confer upon the Governor, the Division of Emergency  
121 Management, and the governing body of each political subdivision  
122 and county constitutional office of the state the emergency  
123 powers provided herein.

124 Section 4. Subsection (10) of section 252.34, Florida  
125 Statutes, is amended to read:

126 252.34 Definitions.—As used in this part, the term:

127 (10) "Political subdivision" means a separate agency or  
128 unit of local government created or established by law or  
129 ordinance and the officers thereof. The term includes, but is  
130 not limited to, a county, municipality, department, commission,  
131 authority, school district, taxing district, water management  
132 district, board, public corporation, institution of higher  
133 education, and any other public agency or body thereof ~~any~~  
134 ~~county or municipality created pursuant to law.~~

135 Section 5. Subsection (1) and paragraphs (a), (c), (i),  
136 (k), (n), (x), and (s) of subsection (2) of section 252.35,  
137 Florida Statutes, are amended, and a new paragraph (dd) is added  
138 to subsection (2) of that section, to read:

139 252.35 Emergency management powers; Division of Emergency  
140 Management.—

141 (1) The division is responsible for maintaining a  
142 comprehensive statewide program of emergency management. The  
143 division is responsible for coordination with and command and  
144 control of ~~with~~ efforts of the Federal Government and ~~with~~ other  
145 departments and cabinet agencies, ~~and~~ agencies of state

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146 government, ~~with~~ county and municipal governments and school  
147 boards, and ~~with~~ private agencies that have a role in emergency  
148 management.

149 (2) The division is responsible for carrying out the  
150 provisions of ss. 252.31-252.90. In performing its duties, the  
151 division shall:

152 (a) Prepare a state comprehensive emergency management  
153 plan, which shall be integrated into and coordinated with the  
154 emergency management plans and programs of the Federal  
155 Government. The division shall adopt the plan as a rule in  
156 accordance with chapter 120. The plan must be implemented by a  
157 continuous, integrated comprehensive emergency management  
158 program. The plan must contain provisions to ensure that the  
159 state is prepared for emergencies and minor, major, and  
160 catastrophic disasters, and the division shall work closely with  
161 local governments and agencies and organizations with emergency  
162 management responsibilities in preparing and maintaining the  
163 plan. The state comprehensive emergency management plan must be  
164 operations oriented and:

165 1. Include an evacuation component that includes specific  
166 regional and interregional planning provisions and promotes  
167 intergovernmental coordination of evacuation activities. This  
168 component must, at a minimum: contain guidelines for lifting  
169 tolls on state highways; ensure coordination pertaining to  
170 evacuees crossing county lines; set forth procedures for  
171 directing people caught on evacuation routes to safe shelter;  
172 establish strategies for ensuring sufficient, reasonably priced  
173 fueling locations along evacuation routes; and establish  
174 policies and strategies for emergency medical evacuations.

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175           2. Include a shelter component that includes specific  
176 regional and interregional planning provisions and promotes  
177 coordination of shelter activities between the public, private,  
178 and nonprofit sectors. This component must, at a minimum:  
179 contain strategies to ensure the availability of adequate public  
180 shelter space in each county ~~region~~ of the state; establish  
181 strategies for refuge-of-last-resort programs; provide  
182 strategies to assist local emergency management efforts to  
183 ensure that adequate staffing plans exist for all shelters,  
184 including medical and security personnel; provide for a  
185 postdisaster communications system for public shelters;  
186 establish model shelter guidelines for operations, registration,  
187 inventory, power generation capability, information management,  
188 and staffing; and set forth policy guidance for sheltering  
189 people with special and functional needs.

190           3. Include a postdisaster response and recovery component  
191 that includes specific regional and interregional planning  
192 provisions and promotes intergovernmental coordination of  
193 postdisaster response and recovery activities. This component  
194 must provide for postdisaster response and recovery strategies  
195 according to whether a disaster is minor, major, or  
196 catastrophic. The postdisaster response and recovery component  
197 must, at a minimum: establish the structure of the state's  
198 postdisaster response and recovery organization; establish  
199 procedures for activating the state's plan; set forth policies  
200 used to guide postdisaster response and recovery activities;  
201 describe the chain of command during the postdisaster response  
202 and recovery period; describe initial and continuous  
203 postdisaster response and recovery actions; identify the roles

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204 and responsibilities of each involved agency and organization;  
205 provide for a comprehensive communications plan; establish  
206 procedures for monitoring and coordinating mutual aid  
207 agreements; provide for rapid impact assessment teams; ensure  
208 the availability of an effective statewide urban search and  
209 rescue program coordinated with the fire services; ensure the  
210 existence of a comprehensive statewide medical care and relief  
211 plan administered by the Department of Health; and establish  
212 systems for coordinating volunteers and accepting and  
213 distributing donated funds and goods.

214 4. Include additional provisions addressing aspects of  
215 preparedness, response, recovery, and mitigation as determined  
216 necessary by the division.

217 5. Address the need for coordinated and expeditious  
218 deployment of state resources, including the Florida State Guard  
219 and Florida National Guard. In the case of an imminent major  
220 disaster, procedures should address predeployment of the Florida  
221 National Guard, and, in the case of an imminent catastrophic  
222 disaster, procedures should address predeployment of the Florida  
223 National Guard and the United States Armed Forces. Such  
224 procedures must include the facilitation of annual training  
225 initiatives supporting the education of emergency management  
226 officials, elected and appointed officials, and stakeholders.

227 6. Establish a system of communications and warning to  
228 ensure that the state's population and emergency management  
229 agencies are warned of developing emergency situations,  
230 including public health emergencies, and can communicate  
231 emergency response decisions.

232 7. Establish guidelines and schedules for annual exercises



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233 that evaluate the ability of the state and its political  
234 subdivisions to respond to minor, major, and catastrophic  
235 disasters and support local emergency management agencies. Such  
236 exercises shall be coordinated with local governments and, to  
237 the extent possible, the Federal Government.

238 8. Assign lead and support responsibilities to state  
239 agencies and personnel for emergency support functions and other  
240 support activities.

241 9. Include the public health emergency plan developed by  
242 the Department of Health pursuant to s. 381.00315.

243 10. Include an update on the status of the emergency  
244 management capabilities of the state and its political  
245 subdivisions.

246  
247 The complete state comprehensive emergency management plan must  
248 be submitted to the President of the Senate, the Speaker of the  
249 House of Representatives, and the Governor on February 1 of  
250 every even-numbered year.

251 (c) Assist political subdivisions in preparing and  
252 maintaining emergency management plans by developing a template  
253 for comprehensive emergency management plans, including plans  
254 for natural disasters and cyberattacks.

255 (i) Institute statewide public awareness programs,  
256 including an intensive public educational campaign on emergency  
257 preparedness issues. Such programs must include, but need not be  
258 limited to, the personal responsibility of individual residents  
259 to be self-sufficient for up to 120 ~~72~~ hours following a natural  
260 or manmade disaster or a public health emergency. The public  
261 educational campaign must include relevant information on public

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262 health emergency mitigation, statewide disaster plans,  
263 evacuation routes, fuel suppliers, and shelters. All educational  
264 materials must be available in alternative formats and mediums  
265 to ensure that they are available to persons with disabilities.

266 (k) 1. Prepare and distribute to appropriate state and local  
267 officials catalogs of federal, state, and private assistance  
268 programs.

269 2. In order to expedite and maximize the amount of federal  
270 assistance available, the division shall standardize and  
271 streamline the Federal Emergency Management Agency's Public  
272 Assistance Program application process. This includes assisting  
273 applicants in identifying risks in their organizations and  
274 developing a clear action plan to abate those risks.

275 (n) Subject to available funding, implement annual training  
276 programs to maintain Florida's status as a national leader in  
277 emergency management, improve the ability of state and local  
278 emergency management personnel to prepare and implement  
279 emergency management plans and programs, and facilitate  
280 coordination between all emergency management stakeholders. This  
281 shall include a continuous training program for agencies and  
282 individuals that will be called on to perform key roles in state  
283 and local postdisaster response and recovery efforts and for  
284 local government personnel on federal and state postdisaster  
285 response and recovery strategies and procedures.

286 (s) Complete an inventory of disaster response equipment,  
287 including portable generators owned by the state and local  
288 governments which are capable of operating during a major  
289 disaster. The inventory must identify, at a minimum, the  
290 location of each generator, the number of generators stored at

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291 each specific location, the agency to which each generator  
292 belongs, the primary use of the generator by the owner agency,  
293 and the names, addresses, and telephone numbers of persons  
294 having the authority to loan the stored generators as authorized  
295 by the division during a declared emergency.

296 ~~(x) Report biennially to the President of the Senate, the~~  
297 ~~Speaker of the House of Representatives, the Chief Justice of~~  
298 ~~the Supreme Court, and the Governor, no later than February 1 of~~  
299 ~~every odd-numbered year, the status of the emergency management~~  
300 ~~capabilities of the state and its political subdivisions. This~~  
301 ~~report must include the emergency management capabilities~~  
302 ~~related to public health emergencies, as determined in~~  
303 ~~collaboration with the Department of Health.~~

304 (dd) During a natural disaster for which an emergency has  
305 been declared by the Governor or the President of the United  
306 States, authorize new debris management sites. Such sites must  
307 meet all practices in accordance with debris management sites  
308 authorized under s. 403.7071.

309 Section 6. Section 252.352, Florida Statutes, is created to  
310 read:

311 252.352 Postdisaster duties of political subdivisions.-  
312 Following the declaration of a state of emergency issued by the  
313 Governor for a natural emergency:

314 (1) A political subdivision that has been impacted by a  
315 natural emergency must publish on a publicly available website  
316 all applicable local, state, and federal laws related to  
317 building and housing codes, including all limitations,  
318 definitions, guidelines, and statutory emergency management  
319 expectations. This information must be available within 5 days

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320 after the declaration of a state of emergency and must remain  
321 available for at least 3 years after such declaration, unless  
322 recovery from the natural disaster is completed earlier.

323 (2) A county that has experienced a direct impact from a  
324 natural disaster must provide the county's legislative  
325 delegation with:

326 (a) Emergency office space.

327 (b) Information on the county's emergency response.

328 (c) A direct point of contact trained in disaster recovery  
329 who will answer questions and listen to concerns related to  
330 county emergency management. A member of the delegation may  
331 direct residents to this point of contact.

332 Section 7. Section 252.355, Florida Statutes, is amended to  
333 read:

334 252.355 Registry of persons with special needs and  
335 functional limitations; notice; registration program.—

336 (1) In order to meet the special or functional needs of  
337 persons who would need assistance during evacuations and  
338 sheltering because of physical, mental, cognitive impairment, or  
339 sensory disabilities, the division, in coordination with each  
340 local emergency management agency in the state, shall maintain a  
341 registry of persons with special needs or functional limitations  
342 located within the jurisdiction of the local agency. The  
343 registration shall identify those persons in need of assistance  
344 and plan for resource allocation to meet those identified needs.

345 (2) In order to ensure that all persons with special needs  
346 or functional limitations may register, the division shall  
347 develop and maintain a special needs and functional limitations  
348 shelter registration program. During a public health emergency

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349 in which physical distancing is necessary, as determined by the  
350 State Health Officer, the division must maintain information on  
351 special needs and functional limitations shelter options that  
352 mitigate the threat of the spread of infectious diseases.

353 (a) The registration program shall include, at a minimum, a  
354 uniform electronic registration form and a database for  
355 uploading and storing submitted registration forms that may be  
356 accessed by the appropriate local emergency management agency.  
357 The link to the registration form shall be easily accessible on  
358 each local emergency management agency's website. Upon receipt  
359 of a paper registration form, the local emergency management  
360 agency shall enter the person's registration information into  
361 the database.

362 (b) To assist in identifying persons with special needs or  
363 functional limitations, home health agencies, hospices, nurse  
364 registries, home medical equipment providers, the Department of  
365 Children and Families, the Department of Health, the Agency for  
366 Health Care Administration, the Department of Education, the  
367 Agency for Persons with Disabilities, the Department of Elderly  
368 Affairs, the Department of Veterans' Affairs, and memory  
369 disorder clinics shall, and any physician licensed under chapter  
370 458 or chapter 459 and any pharmacy licensed under chapter 465  
371 may, annually provide registration information to all of their  
372 clients with special needs or functional limitations ~~clients~~ or  
373 their caregivers. The division shall develop a brochure that  
374 provides information regarding special needs and functional  
375 limitations shelter registration procedures. The brochure must  
376 be easily accessible on the division's website. All appropriate  
377 agencies and community-based service providers, including aging

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378 and disability resource centers, memory disorder clinics, home  
379 health care providers, hospices, nurse registries, and home  
380 medical equipment providers, shall, and any physician licensed  
381 under chapter 458 or chapter 459 may, assist emergency  
382 management agencies by annually registering persons with special  
383 needs or functional limitations for special needs and functional  
384 limitations shelters, collecting registration information for  
385 persons with special needs or functional limitations as part of  
386 the program intake process, and establishing programs to educate  
387 clients about the registration process and disaster preparedness  
388 safety procedures. A client of a state-funded or federally  
389 funded service program who has a physical, mental, or cognitive  
390 impairment or sensory disability and who needs assistance in  
391 evacuating, or when in a shelter, must register as a person with  
392 special needs or functional limitations. The registration  
393 program shall give persons with special needs or functional  
394 limitations the option of preauthorizing emergency response  
395 personnel to enter their homes during search and rescue  
396 operations if necessary to ensure their safety and welfare  
397 following disasters.

398 (c) The division shall be the designated lead agency  
399 responsible for community education and outreach to the public,  
400 including clients with special needs or functional limitations  
401 ~~clients~~, regarding registration and special needs and functional  
402 limitations shelters and general information regarding shelter  
403 stays.

404 (d) On or before May 31 of each year, each electric utility  
405 in the state shall annually notify residential customers in its  
406 service area of the availability of the registration program

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407 available through their local emergency management agency by:

408 1. An initial notification upon the activation of new  
409 residential service with the electric utility, followed by one  
410 annual notification between January 1 and May 31; or

411 2. Two separate annual notifications between January 1 and  
412 May 31.

413

414 The notification may be made by any available means, including,  
415 but not limited to, written, electronic, or verbal notification,  
416 and may be made concurrently with any other notification to  
417 residential customers required by law or rule.

418 (3) A person with special needs or functional limitations  
419 must be allowed to bring his or her service animal into a  
420 special needs and functional limitations shelter in accordance  
421 with s. 413.08.

422 (4) All records, data, information, correspondence, and  
423 communications relating to the registration of persons with  
424 special needs or functional limitations as provided in  
425 subsection (1) are confidential and exempt from s. 119.07(1),  
426 except that such information shall be available to other  
427 emergency response agencies, as determined by the local  
428 emergency management director. Local law enforcement agencies  
429 shall be given complete shelter roster information upon request.

430 Section 8. Section 252.357, Florida Statutes, is amended to  
431 read:

432 252.357 Monitoring of nursing homes and assisted living  
433 facilities during disaster.—The Florida Comprehensive Emergency  
434 Management Plan shall permit the Agency for Health Care  
435 Administration, working from the agency's offices or in the

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436 Emergency Operations Center, ESF-8, to make initial contact with  
437 each nursing home, independent living facility, and assisted  
438 living facility in the disaster area. The agency, by July 15,  
439 annually, shall publish on the Internet an emergency telephone  
440 number that may be used by nursing homes and assisted living  
441 facilities to contact the agency on a schedule established by  
442 the agency to report requests for assistance. The agency may  
443 also provide the telephone number to each facility when it makes  
444 the initial facility call.

445 Section 9. Section 252.359, Florida Statutes, is amended to  
446 read:

447 252.359 Ensuring availability of emergency supplies.—

448 (1) In order to meet the needs of residents affected during  
449 a declared emergency and to ensure the continuing economic  
450 resilience of communities impacted by disaster, the division  
451 shall establish a statewide system to facilitate the transport  
452 and distribution of essentials in commerce.

453 (2) As used in this section, the term "essentials" means  
454 goods that are consumed or used as a direct result of a declared  
455 emergency, or that are consumed or used to preserve, protect, or  
456 sustain life, health, safety, or economic well-being. The term  
457 includes, but is not limited to, personal protective equipment  
458 used in the event of a public health emergency.

459 (3) The division, as a function of emergency preparation,  
460 response, and recovery, may facilitate ~~shall develop a system to~~  
461 ~~certify each person who facilitates~~ the transport or  
462 distribution of essentials in commerce. The division ~~may not~~  
463 ~~certify a person other than a person who routinely transports or~~  
464 ~~distributes essentials. In developing the system, the division:~~



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465           ~~(a)~~ May provide for a preemergency or postemergency  
466 transportation of essentials ~~declaration certification.~~

467           ~~(b)~~ ~~Shall allow the certification of an employer, if~~  
468 ~~requested by the employer, to constitute a certification of the~~  
469 ~~employer's employees.~~

470           ~~(c)~~ ~~Shall create an easily recognizable indicium of~~  
471 ~~certification to assist local officials' efforts in determining~~  
472 ~~which persons have been certified under this subsection.~~

473           ~~(d)~~ ~~Shall limit the duration of each certificate to no more~~  
474 ~~than 1 year. Each certificate may be renewed so long as the~~  
475 ~~criteria for certification are met.~~

476           (4) A person authorized to transport essentials ~~or employer~~  
477 ~~certified~~ under subsection (3) is not required to obtain any  
478 additional certification or fulfill any additional requirement  
479 to transport or distribute essentials.

480           (5) Notwithstanding any curfew, restriction, road block,  
481 quarantine, or other limitation on access to an area, a person  
482 authorized ~~or employer certified~~ under subsection (3) to deliver  
483 essentials may enter or remain in the restricted ~~curfew~~ area for  
484 the limited purpose of facilitating the transport or  
485 distribution of essentials and may provide service that exceeds  
486 otherwise applicable hours of service maximums to the extent  
487 authorized by a duly executed declaration of a state of  
488 emergency. Local law enforcement shall cooperate with the  
489 division to ensure the availability of essentials under this  
490 section.

491           (6) This section does not prohibit a law enforcement  
492 officer from specifying the permissible route of ingress or  
493 egress for a person authorized ~~certified~~ under subsection (3).

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494 Notwithstanding this section, all state roadways are determined  
495 by the Florida Highway Patrol in coordination with the  
496 Department of Transportation.

497 Section 10. Subsections (2) and (4) of section 252.365,  
498 Florida Statutes, are amended to read:

499 252.365 Emergency coordination officers; disaster-  
500 preparedness plans.—

501 (2) The emergency coordination officer is responsible for  
502 coordinating with the division on emergency preparedness issues  
503 and long-term recovery priorities, preparing and maintaining  
504 emergency preparedness and postdisaster response and recovery  
505 plans for such agency, maintaining rosters of personnel to  
506 assist in disaster response and recovery operations, and  
507 coordinating appropriate training for agency personnel.

508 (4) On or before May 1 of each year, the head of each  
509 agency shall notify the Governor and the division in writing of  
510 the person ~~initially~~ designated as the emergency coordination  
511 officer for such agency and her or his alternate and of any  
512 changes in persons so designated thereafter.

513 Section 11. Subsection (4) is added to section 252.373,  
514 Florida Statutes, to read:

515 252.373 Allocation of funds; rules.—

516 (4) The division may use up to 1 percent of the total  
517 amount within the fund to administer this section.

518 Section 12. Subsections (2) and (3) of section 252.385,  
519 Florida Statutes, are amended to read:

520 252.385 Public shelter space; public records exemption.—

521 (2) ~~(a)~~ The division shall administer a program to survey  
522 existing schools, universities, community colleges, and other

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523 state-owned, municipally owned, and county-owned public  
524 buildings and any private facility that the owner, in writing,  
525 agrees to provide for use as a public hurricane evacuation  
526 shelter to identify those that are appropriately designed and  
527 located to serve as such shelters. The owners of the facilities  
528 must be given the opportunity to participate in the surveys. The  
529 state university boards of trustees, district school boards,  
530 community college boards of trustees, and the Department of  
531 Education are responsible for coordinating and implementing the  
532 survey of public schools, universities, and community colleges  
533 with the division or the local emergency management agency.

534 ~~(b) By January 31 of each even-numbered year, the division~~  
535 ~~shall prepare and submit a statewide emergency shelter plan to~~  
536 ~~the Governor and Cabinet for approval, subject to the~~  
537 ~~requirements for approval in s. 1013.37(2). The emergency~~  
538 ~~shelter plan must project, for each of the next 5 years, the~~  
539 ~~hurricane shelter needs of the state, including periods of time~~  
540 ~~during which a concurrent public health emergency may~~  
541 ~~necessitate more space for each individual to accommodate~~  
542 ~~physical distancing. In addition to information on the general~~  
543 ~~shelter needs throughout this state, the plan must identify the~~  
544 ~~general location and square footage of special needs shelters,~~  
545 ~~by regional planning council region. The plan must also include~~  
546 ~~information on the availability of shelters that accept pets.~~  
547 ~~The Department of Health shall assist the division in~~  
548 ~~determining the estimated need for special needs shelter space~~  
549 ~~and the adequacy of facilities to meet the needs of persons with~~  
550 ~~special needs based on information from the registries of~~  
551 ~~persons with special needs and other information.~~

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552           (3)(a) The division shall annually provide to the President  
553 of the Senate, the Speaker of the House of Representatives, and  
554 the Governor a list of facilities recommended to be retrofitted  
555 using state funds. State funds should be maximized and targeted  
556 to counties ~~regional planning council regions~~ with hurricane  
557 evacuation shelter deficits. The owner or lessee of a public  
558 hurricane evacuation shelter that is included on the list of  
559 facilities recommended for retrofitting is not required to  
560 perform any recommended improvements.

561           (b) The list required in paragraph (a) must include a  
562 statewide emergency shelter plan that must project, for each of  
563 the next 5 years, the hurricane shelter needs of the state. In  
564 addition to information on the general shelter needs throughout  
565 this state, the plan must identify, by county, the general  
566 location and square footage of special needs and functional  
567 limitations shelters. The plan must also include information on  
568 the availability of shelters that accept pets. The Department of  
569 Health shall assist the division in determining the estimated  
570 need for special needs and functional limitations shelter space  
571 and the adequacy of facilities to meet the needs of persons with  
572 special needs or functional limitations based on information  
573 from the registries of persons with special needs or functional  
574 limitations and other information.

575           Section 13. Subsection (2) of section 282.201, Florida  
576 Statutes, is amended to read:

577           282.201 State data center.—The state data center is  
578 established within the department. The provision of data center  
579 services must comply with applicable state and federal laws,  
580 regulations, and policies, including all applicable security,

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581 privacy, and auditing requirements. The department shall appoint  
582 a director of the state data center who has experience in  
583 leading data center facilities and has expertise in cloud-  
584 computing management.

585 (2) USE OF THE STATE DATA CENTER.—

586 ~~(a)~~ The following are exempt from the use of the state data  
587 center: the Department of Law Enforcement, the Florida Division  
588 of Emergency Management, the Department of the Lottery's Gaming  
589 System, Systems Design and Development in the Office of Policy  
590 and Budget, the regional traffic management centers as described  
591 in s. 335.14(2) and the Office of Toll Operations of the  
592 Department of Transportation, the State Board of Administration,  
593 state attorneys, public defenders, criminal conflict and civil  
594 regional counsel, capital collateral regional counsel, and the  
595 Florida Housing Finance Corporation.

596 ~~(b) The Division of Emergency Management is exempt from the~~  
597 ~~use of the state data center. This paragraph expires July 1,~~  
598 ~~2025.~~

599 Section 14. Subsection (7) of section 403.7071, Florida  
600 Statutes, is amended, and subsection (8) is added to that  
601 section, to read:

602 403.7071 Management of storm-generated debris.—Solid waste  
603 generated as a result of a storm event that is the subject of an  
604 emergency order issued by the department may be managed as  
605 follows:

606 (7) Unless otherwise specified in a contract or franchise  
607 agreement between a local government and a private solid waste  
608 or debris management service provider, a private solid waste or  
609 debris management service provider is not required to collect

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610 storm-generated yard trash during the first 90 days after an  
611 emergency order is issued by the department. Local governments  
612 are authorized and encouraged to add an addendum to existing  
613 contracts or franchise agreements to perform collection of  
614 storm-generated debris.

615 (8) (a) Each county, municipality, community development  
616 district, and political subdivision must authorize at least one  
617 debris management site and annually complete preauthorization  
618 for previously approved debris management sites through the  
619 department. For the purposes of this paragraph, a debris site  
620 designated by the Division of Emergency Management pursuant to  
621 s. 252.35(2) (dd) is considered a previously approved debris  
622 management site.

623 (b) A municipality, community development district, or  
624 political subdivision with a population of less than 5,000 may  
625 jointly preauthorize at least one debris management site with at  
626 least one adjacent municipality, if the parties develop and  
627 approve a memorandum of understanding. Such memorandum must  
628 clearly outline the capacity of the debris management site and  
629 location of the site relative to each party. The memorandum of  
630 understanding must be developed and approved annually as part of  
631 the preauthorization process described in paragraph (a).

632 (c) A preauthorized debris management site may not require  
633 additional inspection or review by the department before being  
634 used during a natural disaster if the approval process has been  
635 fully completed and all practices are allowed under department  
636 rules.

637 Section 15. Present subsection (8) of section 526.141,  
638 Florida Statutes, is redesignated as subsection (9), and a new

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639 subsection (8) is added to that section, to read:

640 526.141 Self-service gasoline stations; attendants;  
641 regulations.—

642 (8) A self-service gasoline station must be equipped with  
643 an alternate power source, such as a generator.

644 Section 16. Subsection (4) of section 252.356, Florida  
645 Statutes, is amended to read:

646 252.356 Emergency and disaster planning provisions to  
647 assist persons with disabilities or limitations.—State agencies  
648 that contract with providers for the care of persons with  
649 disabilities or limitations that make such persons dependent  
650 upon the care of others shall include emergency and disaster  
651 planning provisions in such contracts at the time the contracts  
652 are initiated or upon renewal. These provisions shall include,  
653 but shall not be limited to:

654 (4) A procedure to dispatch the emergency coordinating  
655 officer or other staff members to special needs and functional  
656 limitations shelters to assist clients with special needs or  
657 functional limitations, if necessary.

658 Section 17. Subsection (7) of section 381.0011, Florida  
659 Statutes, is amended to read:

660 381.0011 Duties and powers of the Department of Health.—It  
661 is the duty of the Department of Health to:

662 (7) Manage and coordinate emergency preparedness and  
663 disaster response functions to: investigate and control the  
664 spread of disease; coordinate the availability and staffing of  
665 special needs and functional limitations shelters; support  
666 patient evacuation; ensure the safety of food and drugs; provide  
667 critical incident stress debriefing; and provide surveillance

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668 and control of radiological, chemical, biological, and other  
669 environmental hazards.

670 Section 18. Section 381.0303, Florida Statutes, is amended  
671 to read:

672 381.0303 Special needs and functional limitations  
673 shelters.—

674 (1) PURPOSE.—The purpose of this section is to provide for  
675 the operation and closure of special needs and functional  
676 limitations shelters and to designate the Department of Health,  
677 through its county health departments, as the lead agency for  
678 coordination of the recruitment of health care practitioners, as  
679 defined in s. 456.001(4), to staff special needs and functional  
680 limitations shelters in times of emergency or disaster and to  
681 provide resources to the department to carry out this  
682 responsibility. However, nothing in this section prohibits a  
683 county health department from entering into an agreement with a  
684 local emergency management agency to assume the lead  
685 responsibility for recruiting health care practitioners.

686 (2) SPECIAL NEEDS AND FUNCTIONAL LIMITATIONS SHELTER PLAN;  
687 STAFFING; STATE AGENCY ASSISTANCE.—If funds have been  
688 appropriated to support disaster coordinator positions in county  
689 health departments:

690 (a) The department shall assume lead responsibility for the  
691 coordination of local medical and health care providers, the  
692 American Red Cross, and other interested parties in developing a  
693 plan for the staffing and medical management of special needs  
694 and functional limitations shelters and pediatric special needs  
695 and functional limitations shelters. Plans must conform to the  
696 local comprehensive emergency management plan.



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697 (b) County health departments shall, in conjunction with  
698 the local emergency management agencies, have the lead  
699 responsibility for coordination of the recruitment of health  
700 care practitioners to staff local special needs and functional  
701 limitations shelters. County health departments shall assign  
702 their employees to work in special needs and functional  
703 limitations shelters when those employees are needed to protect  
704 the health and safety of persons with special needs or  
705 functional limitations. County governments shall assist the  
706 department with nonmedical staffing and the operation of special  
707 needs and functional limitations shelters. The local health  
708 department and emergency management agency shall coordinate  
709 these efforts to ensure appropriate staffing in special needs  
710 and functional limitations shelters, including a staff member  
711 who is familiar with the needs of persons with Alzheimer's  
712 disease.

713 (c) The appropriate county health department and local  
714 emergency management agency shall jointly decide who has  
715 responsibility for medical supervision in each special needs and  
716 functional limitations shelter.

717 (d) Local emergency management agencies shall be  
718 responsible for the designation and operation of special needs  
719 and functional limitations shelters during times of emergency or  
720 disaster and the closure of the facilities following an  
721 emergency or disaster. The local health department and emergency  
722 management agency shall coordinate these efforts to ensure the  
723 appropriate designation and operation of special needs and  
724 functional limitations shelters. County health departments shall  
725 assist the local emergency management agency with regard to the

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726 management of medical services in special needs and functional  
727 limitations shelters.

728 (e) The Secretary of Elderly Affairs, or his or her  
729 designee, shall convene, at any time that he or she deems  
730 appropriate and necessary, a multiagency special needs and  
731 functional limitations shelter discharge planning team to assist  
732 local areas that are severely impacted by a natural or manmade  
733 disaster that requires the use of special needs and functional  
734 limitations shelters. Multiagency special needs and functional  
735 limitations shelter discharge planning teams shall provide  
736 assistance to local emergency management agencies with the  
737 continued operation or closure of the shelters, as well as with  
738 the discharge of clients with special needs or functional  
739 limitations ~~clients~~ to alternate facilities if necessary. Local  
740 emergency management agencies may request the assistance of a  
741 multiagency special needs and functional limitations shelter  
742 discharge planning team by alerting statewide emergency  
743 management officials of the necessity for additional assistance  
744 in their area. The Secretary of Elderly Affairs is encouraged to  
745 proactively work with other state agencies prior to any natural  
746 disasters for which warnings are provided to ensure that  
747 multiagency special needs and functional limitations shelter  
748 discharge planning teams are ready to assemble and deploy  
749 rapidly upon a determination by state emergency management  
750 officials that a disaster area requires additional assistance.  
751 The Secretary of Elderly Affairs may call upon any state agency  
752 or office to provide staff to assist a multiagency special needs  
753 and functional limitations shelter discharge planning team.  
754 Unless the secretary determines that the nature or circumstances

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755 surrounding the disaster do not warrant participation from a  
756 particular agency's staff, each multiagency special needs and  
757 functional limitations shelter discharge planning team shall  
758 include at least one representative from each of the following  
759 state agencies:

- 760 1. Department of Elderly Affairs.
- 761 2. Department of Health.
- 762 3. Department of Children and Families.
- 763 4. Department of Veterans' Affairs.
- 764 5. Division of Emergency Management.
- 765 6. Agency for Health Care Administration.
- 766 7. Agency for Persons with Disabilities.

767 (3) SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR  
768 RELATED FORMS OF DEMENTIA.—All special needs and functional  
769 limitations shelters must establish designated shelter areas for  
770 persons with Alzheimer's disease or related forms of dementia to  
771 enable those persons to maintain their normal habits and  
772 routines to the greatest extent possible.

773 (4) REIMBURSEMENT TO HEALTH CARE PRACTITIONERS AND  
774 FACILITIES.—

775 (a) The department shall, upon request, reimburse in  
776 accordance with paragraph (b):

- 777 1. Health care practitioners, as defined in s. 456.001,  
778 provided the practitioner is not providing care to a patient  
779 under an existing contract, and emergency medical technicians  
780 and paramedics licensed under chapter 401 for medical care  
781 provided at the request of the department in special needs and  
782 functional limitations shelters or at other locations during  
783 times of emergency or a declared disaster. Reimbursement for

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784 health care practitioners, except for physicians licensed under  
785 chapter 458 or chapter 459, shall be based on the average hourly  
786 rate that such practitioners were paid according to the most  
787 recent survey of Florida hospitals conducted by the Florida  
788 Hospital Association or other nationally recognized or state-  
789 recognized data source.

790 2. Health care facilities, such as hospitals, nursing  
791 homes, assisted living facilities, and community residential  
792 homes, if, upon closure of a special needs and functional  
793 limitations shelter, a multiagency special needs and functional  
794 limitations shelter discharge planning team determines that it  
795 is necessary to discharge persons with special needs or  
796 functional limitations to other health care facilities. The  
797 receiving facilities are eligible for reimbursement for services  
798 provided to the individuals for up to 90 days. A facility must  
799 show proof of a written request from a representative of an  
800 agency serving on the multiagency special needs and functional  
801 limitations shelter discharge planning team that the individual  
802 for whom the facility is seeking reimbursement for services  
803 rendered was referred to that facility from a special needs and  
804 functional limitations shelter. The department shall specify by  
805 rule which expenses are reimbursable and the rate of  
806 reimbursement for each service.

807 (b) Reimbursement is subject to the availability of federal  
808 funds and shall be requested on forms prepared by the  
809 department. If a Presidential Disaster Declaration has been  
810 issued, the department shall request federal reimbursement of  
811 eligible expenditures. The department may not provide  
812 reimbursement to facilities under this subsection for services

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813 provided to a person with special needs or functional  
814 limitations if, during the period of time in which the services  
815 were provided, the individual was enrolled in another state-  
816 funded program, such as Medicaid or another similar program, was  
817 covered under a policy of health insurance as defined in s.  
818 624.603, or was a member of a health maintenance organization or  
819 prepaid health clinic as defined in chapter 641, which would  
820 otherwise pay for the same services. Travel expense and per diem  
821 costs shall be reimbursed pursuant to s. 112.061.

822 (5) HEALTH CARE PRACTITIONER REGISTRY.—The department may  
823 use the registries established in ss. 401.273 and 456.38 when  
824 health care practitioners are needed to staff special needs and  
825 functional limitations shelters or to assist with other  
826 disaster-related activities.

827 (6) SPECIAL NEEDS AND FUNCTIONAL LIMITATIONS SHELTER  
828 INTERAGENCY COMMITTEE.—The State Surgeon General may establish a  
829 special needs and functional limitations shelter interagency  
830 committee and serve as, or appoint a designee to serve as, the  
831 committee's chair. The department shall provide any necessary  
832 staff and resources to support the committee in the performance  
833 of its duties. The committee shall address and resolve problems  
834 related to special needs and functional limitations shelters not  
835 addressed in the state comprehensive emergency medical plan and  
836 shall consult on the planning and operation of special needs and  
837 functional limitations shelters.

838 (a) The committee shall develop, negotiate, and regularly  
839 review any necessary interagency agreements, and undertake other  
840 such activities as the department deems necessary to facilitate  
841 the implementation of this section.

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842 (b) The special needs and functional limitations shelter  
843 interagency committee shall be composed of representatives of  
844 emergency management, health, medical, and social services  
845 organizations. Membership shall include, but shall not be  
846 limited to, representatives of the Departments of Health,  
847 Children and Families, Elderly Affairs, and Education; the  
848 Agency for Health Care Administration; the Division of Emergency  
849 Management; the Florida Medical Association; the Florida  
850 Osteopathic Medical Association; Associated Home Health  
851 Industries of Florida, Inc.; the Florida Nurses Association; the  
852 Florida Health Care Association; the Florida Assisted Living  
853 Affiliation; the Florida Hospital Association; the Florida  
854 Statutory Teaching Hospital Council; the Florida Association of  
855 Homes for the Aging; the Florida Emergency Preparedness  
856 Association; the American Red Cross; Florida Hospices and  
857 Palliative Care, Inc.; the Association of Community Hospitals  
858 and Health Systems; the Florida Association of Health  
859 Maintenance Organizations; the Florida League of Health Systems;  
860 the Private Care Association; the Salvation Army; the Florida  
861 Association of Aging Services Providers; the AARP; and the  
862 Florida Renal Coalition.

863 (c) Meetings of the committee shall be held in Tallahassee,  
864 and members of the committee shall serve at the expense of the  
865 agencies or organizations they represent. The committee shall  
866 make every effort to use teleconference or video conference  
867 capabilities in order to ensure statewide input and  
868 participation.

869 (7) RULES.—The department, in coordination with the  
870 Division of Emergency Management, has the authority to adopt

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871 rules necessary to implement this section. Rules shall include:

872 (a) The definition of a "person with special needs or  
873 functional limitations," including eligibility criteria for  
874 individuals with physical, mental, cognitive impairment, or  
875 sensory disabilities and the services a person with special  
876 needs or functional limitations can expect to receive in a  
877 special needs and functional limitations shelter.

878 (b) The process for special needs and functional  
879 limitations shelter health care practitioners and facility  
880 reimbursement for services provided in a disaster.

881 (c) Guidelines for special needs and functional limitations  
882 shelter staffing levels to provide services.

883 (d) The definition of and standards for special needs and  
884 functional limitations shelter supplies and equipment, including  
885 durable medical equipment.

886 (e) Standards for the special needs and functional  
887 limitations shelter registration program, including all  
888 necessary forms and guidelines for addressing the needs of  
889 unregistered persons in need of a special needs and functional  
890 limitations shelter.

891 (f) Standards for addressing the needs of families where  
892 only one dependent is eligible for admission to a special needs  
893 and functional limitations shelter and the needs of adults with  
894 special needs or functional limitations who are caregivers for  
895 individuals without special needs or functional limitations.

896 (g) The requirement of the county health departments to  
897 seek the participation of hospitals, nursing homes, assisted  
898 living facilities, home health agencies, hospice providers,  
899 nurse registries, home medical equipment providers, dialysis

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900 centers, and other health and medical emergency preparedness  
901 stakeholders in pre-event planning activities.

902 (8) EMERGENCY MANAGEMENT PLANS.—The submission of emergency  
903 management plans to county health departments by home health  
904 agencies, nurse registries, hospice programs, and home medical  
905 equipment providers is conditional upon receipt of an  
906 appropriation by the department to establish disaster  
907 coordinator positions in county health departments unless the  
908 State Surgeon General and a local county commission jointly  
909 determine to require that such plans be submitted based on a  
910 determination that there is a special need to protect public  
911 health in the local area during an emergency.

912 Section 19. Section 400.492, Florida Statutes, is amended  
913 to read:

914 400.492 Provision of services during an emergency.—Each  
915 home health agency shall prepare and maintain a comprehensive  
916 emergency management plan that is consistent with the standards  
917 adopted by national or state accreditation organizations and  
918 consistent with the local special needs plan. The plan shall be  
919 updated annually and shall provide for continuing home health  
920 services during an emergency that interrupts patient care or  
921 services in the patient's home. The plan shall include the means  
922 by which the home health agency will continue to provide staff  
923 to perform the same type and quantity of services to their  
924 patients who evacuate to special needs and functional  
925 limitations shelters that were being provided to those patients  
926 prior to evacuation. The plan shall describe how the home health  
927 agency establishes and maintains an effective response to  
928 emergencies and disasters, including: notifying staff when



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929 emergency response measures are initiated; providing for  
930 communication between staff members, county health departments,  
931 and local emergency management agencies, including a backup  
932 system; identifying resources necessary to continue essential  
933 care or services or referrals to other health care providers  
934 subject to written agreement; and prioritizing and contacting  
935 patients who need continued care or services.

936 (1) Each patient record for patients who are listed in the  
937 registry established pursuant to s. 252.355 shall include a  
938 description of how care or services will be continued in the  
939 event of an emergency or disaster. The home health agency shall  
940 discuss the emergency provisions with the patient and the  
941 patient's caregivers, including where and how the patient is to  
942 evacuate, procedures for notifying the home health agency in the  
943 event that the patient evacuates to a location other than the  
944 shelter identified in the patient record, and a list of  
945 medications and equipment which must either accompany the  
946 patient or will be needed by the patient in the event of an  
947 evacuation.

948 (2) Each home health agency shall maintain a current  
949 prioritized list of patients who need continued services during  
950 an emergency. The list shall indicate how services shall be  
951 continued in the event of an emergency or disaster for each  
952 patient and if the patient is to be transported to a special  
953 needs and functional limitations shelter, and shall indicate if  
954 the patient is receiving skilled nursing services and the  
955 patient's medication and equipment needs. The list shall be  
956 furnished to county health departments and to local emergency  
957 management agencies, upon request.

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958 (3) Home health agencies shall not be required to continue  
959 to provide care to patients in emergency situations that are  
960 beyond their control and that make it impossible to provide  
961 services, such as when roads are impassable or when patients do  
962 not go to the location specified in their patient records. Home  
963 health agencies may establish links to local emergency  
964 operations centers to determine a mechanism by which to approach  
965 specific areas within a disaster area in order for the agency to  
966 reach its clients. Home health agencies shall demonstrate a good  
967 faith effort to comply with the requirements of this subsection  
968 by documenting attempts of staff to follow procedures outlined  
969 in the home health agency's comprehensive emergency management  
970 plan, and by the patient's record, which support a finding that  
971 the provision of continuing care has been attempted for those  
972 patients who have been identified as needing care by the home  
973 health agency and registered under s. 252.355, in the event of  
974 an emergency or disaster under subsection (1).

975 (4) Notwithstanding the provisions of s. 400.464(2) or any  
976 other provision of law to the contrary, a home health agency may  
977 provide services in a special needs and functional limitations  
978 shelter located in any county.

979 Section 20. Subsection (12) of section 400.506, Florida  
980 Statutes, is amended to read:

981 400.506 Licensure of nurse registries; requirements;  
982 penalties.—

983 (12) Each nurse registry shall prepare and maintain a  
984 comprehensive emergency management plan that is consistent with  
985 the criteria in this subsection and with the local special needs  
986 plan. The plan shall be updated annually. The plan shall include

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987 the means by which the nurse registry will continue to provide  
988 the same type and quantity of services to its patients who  
989 evacuate to special needs and functional limitations shelters  
990 which were being provided to those patients prior to evacuation.  
991 The plan shall specify how the nurse registry shall facilitate  
992 the provision of continuous care by persons referred for  
993 contract to persons who are registered pursuant to s. 252.355  
994 during an emergency that interrupts the provision of care or  
995 services in private residences. Nurse registries may establish  
996 links to local emergency operations centers to determine a  
997 mechanism by which to approach specific areas within a disaster  
998 area in order for a provider to reach its clients. Nurse  
999 registries shall demonstrate a good faith effort to comply with  
1000 the requirements of this subsection by documenting attempts of  
1001 staff to follow procedures outlined in the nurse registry's  
1002 comprehensive emergency management plan which support a finding  
1003 that the provision of continuing care has been attempted for  
1004 patients identified as needing care by the nurse registry and  
1005 registered under s. 252.355 in the event of an emergency under  
1006 this subsection.

1007 (a) All persons referred for contract who care for persons  
1008 registered pursuant to s. 252.355 must include in the patient  
1009 record a description of how care will be continued during a  
1010 disaster or emergency that interrupts the provision of care in  
1011 the patient's home. It shall be the responsibility of the person  
1012 referred for contract to ensure that continuous care is  
1013 provided.

1014 (b) Each nurse registry shall maintain a current  
1015 prioritized list of patients in private residences who are

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1016 registered pursuant to s. 252.355 and are under the care of  
1017 persons referred for contract and who need continued services  
1018 during an emergency. This list shall indicate, for each patient,  
1019 if the client is to be transported to a special needs and  
1020 functional limitations shelter and if the patient is receiving  
1021 skilled nursing services. Nurse registries shall make this list  
1022 available to county health departments and to local emergency  
1023 management agencies upon request.

1024 (c) Each person referred for contract who is caring for a  
1025 patient who is registered pursuant to s. 252.355 shall provide a  
1026 list of the patient's medication and equipment needs to the  
1027 nurse registry. Each person referred for contract shall make  
1028 this information available to county health departments and to  
1029 local emergency management agencies upon request.

1030 (d) Each person referred for contract shall not be required  
1031 to continue to provide care to patients in emergency situations  
1032 that are beyond the person's control and that make it impossible  
1033 to provide services, such as when roads are impassable or when  
1034 patients do not go to the location specified in their patient  
1035 records.

1036 (e) The comprehensive emergency management plan required by  
1037 this subsection is subject to review and approval by the county  
1038 health department. During its review, the county health  
1039 department shall contact state and local health and medical  
1040 stakeholders when necessary. The county health department shall  
1041 complete its review to ensure that the plan complies with the  
1042 criteria in the Agency for Health Care Administration rules  
1043 within 90 days after receipt of the plan and shall either  
1044 approve the plan or advise the nurse registry of necessary

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1045 revisions. If a nurse registry fails to submit a plan or fails  
1046 to submit requested information or revisions to the county  
1047 health department within 30 days after written notification from  
1048 the county health department, the county health department shall  
1049 notify the Agency for Health Care Administration. The agency  
1050 shall notify the nurse registry that its failure constitutes a  
1051 deficiency, subject to a fine of \$5,000 per occurrence. If the  
1052 plan is not submitted, information is not provided, or revisions  
1053 are not made as requested, the agency may impose the fine.

1054 (f) The Agency for Health Care Administration shall adopt  
1055 rules establishing minimum criteria for the comprehensive  
1056 emergency management plan and plan updates required by this  
1057 subsection, with the concurrence of the Department of Health and  
1058 in consultation with the Division of Emergency Management.

1059 Section 21. Paragraph (b) of subsection (1) of section  
1060 400.610, Florida Statutes, is amended to read:

1061 400.610 Administration and management of a hospice.—

1062 (1) A hospice shall have a clearly defined organized  
1063 governing body, consisting of a minimum of seven persons who are  
1064 representative of the general population of the community  
1065 served. The governing body shall have autonomous authority and  
1066 responsibility for the operation of the hospice and shall meet  
1067 at least quarterly. The governing body shall:

1068 (b)1. Prepare and maintain a comprehensive emergency  
1069 management plan that provides for continuing hospice services in  
1070 the event of an emergency that is consistent with local special  
1071 needs plans. The plan shall include provisions for ensuring  
1072 continuing care to hospice patients who go to special needs and  
1073 functional limitations shelters. The plan shall include the

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1074 means by which the hospice provider will continue to provide  
1075 staff to provide the same type and quantity of services to their  
1076 patients who evacuate to special needs and functional  
1077 limitations shelters which were being provided to those patients  
1078 prior to evacuation. The plan is subject to review and approval  
1079 by the county health department, except as provided in  
1080 subparagraph 2. During its review, the county health department  
1081 shall contact state and local health and medical stakeholders  
1082 when necessary. The county health department shall complete its  
1083 review to ensure that the plan complies with criteria in rules  
1084 of the agency within 90 days after receipt of the plan and shall  
1085 either approve the plan or advise the hospice of necessary  
1086 revisions. Hospice providers may establish links to local  
1087 emergency operations centers to determine a mechanism by which  
1088 to approach specific areas within a disaster area in order for  
1089 the provider to reach its clients. A hospice shall demonstrate a  
1090 good faith effort to comply with the requirements of this  
1091 paragraph by documenting attempts of staff to follow procedures  
1092 as outlined in the hospice's comprehensive emergency management  
1093 plan and to provide continuing care for those hospice clients  
1094 who have been identified as needing alternative caregiver  
1095 services in the event of an emergency.

1096 2. For any hospice that operates in more than one county,  
1097 the Department of Health during its review shall contact state  
1098 and local health and medical stakeholders when necessary. The  
1099 Department of Health shall complete its review to ensure that  
1100 the plan complies with criteria in rules of the agency within 90  
1101 days after receipt of the plan and shall approve the plan or  
1102 advise the hospice of necessary revisions. The Department of

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1103 Health shall make every effort to avoid imposing differing  
1104 requirements on a hospice that operates in more than one county  
1105 as a result of differing or conflicting comprehensive plan  
1106 requirements of the counties in which the hospice operates.

1107 Section 22. Paragraph (a) of subsection (20) and subsection  
1108 (21) of section 400.934, Florida Statutes, are amended to read:

1109 400.934 Minimum standards.—As a requirement of licensure,  
1110 home medical equipment providers shall:

1111 (20) (a) Prepare and maintain a comprehensive emergency  
1112 management plan that meets minimum criteria established by  
1113 agency rule under s. 400.935. The plan shall be updated annually  
1114 and shall provide for continuing home medical equipment services  
1115 for life-supporting or life-sustaining equipment, as defined in  
1116 s. 400.925, during an emergency that interrupts home medical  
1117 equipment services in a patient's home. The plan shall include:

1118 1. The means by which the home medical equipment provider  
1119 will continue to provide equipment to perform the same type and  
1120 quantity of services to its patients who evacuate to special  
1121 needs and functional limitations shelters which were being  
1122 provided to those patients prior to evacuation.

1123 2. The means by which the home medical equipment provider  
1124 establishes and maintains an effective response to emergencies  
1125 and disasters, including plans for:

1126 a. Notification of staff when emergency response measures  
1127 are initiated.

1128 b. Communication between staff members, county health  
1129 departments, and local emergency management agencies, which  
1130 includes provisions for a backup communications system.

1131 c. Identification of resources necessary to continue

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1132 essential care or services or referrals to other organizations  
1133 subject to written agreement.

1134 d. Contacting and prioritizing patients in need of  
1135 continued medical equipment services and supplies.

1136 (21) Each home medical equipment provider shall maintain a  
1137 current prioritized list of patients who need continued services  
1138 during an emergency. The list shall indicate the means by which  
1139 services shall be continued for each patient in the event of an  
1140 emergency or disaster, whether the patient is to be transported  
1141 to a special needs and functional limitations shelter, and  
1142 whether the patient has life-supporting or life-sustaining  
1143 equipment, including the specific type of equipment and related  
1144 supplies. The list shall be furnished to county health  
1145 departments and local emergency management agencies upon  
1146 request.

1147 Section 23. Subsection (2) of section 401.273, Florida  
1148 Statutes, is amended to read:

1149 401.273 Emergency medical technician and paramedic registry  
1150 for disasters and emergencies.—

1151 (2) A certificateholder may perform the functions of an  
1152 emergency medical technician or paramedic in a special needs and  
1153 functional limitations shelter or as a member of a disaster  
1154 medical assistance team, provided that such functions are  
1155 performed only under the medical direction of a physician who is  
1156 licensed under chapter 458 or chapter 459 and who has complied  
1157 with the formal supervision requirements of s. 458.348.

1158 Section 24. This act shall take effect July 1, 2025.