

ENROLLED

CS/HB 1121

2026 Legislature

1
2 An act relating to aging and disability services;
3 amending s. 409.979, F.S.; revising requirements for
4 Medicaid recipients to receive an offer for enrollment
5 for long-term care services; requiring the Department
6 of Elderly Affairs to maintain a statewide pre-
7 enrollment list for certain services; requiring aging
8 and disability resource center personnel to place
9 individuals on certain lists; requiring certain staff
10 to administer rescreening under certain circumstances;
11 authorizing individuals who meet specified criteria to
12 enroll in the long-term care managed care program;
13 amending s. 409.983, F.S.; providing that the initial
14 assessment of an enrollee shall be reviewed or
15 performed by the Comprehensive Assessment and Review
16 for Long-term Care Services program; amending s.
17 430.04, F.S.; revising provisions relating to
18 intermediate measures taken against an area agency on
19 aging; creating s. 430.09, F.S.; providing
20 definitions; providing requirements for the
21 procurement of commodities or contractual services by
22 area agencies on aging; limiting the salary of the
23 chief executive officer and executive director of an
24 area agency on aging; providing construction;
25 requiring the department to impose certain penalties;

ENROLLED

CS/HB 1121

2026 Legislature

26 | amending s. 430.203, F.S.; revising the definitions of
27 | the terms "community care service system" and "core
28 | services"; amending s. 430.204, F.S.; authorizing an
29 | area agency on aging to directly provide core services
30 | under certain circumstances; amending s. 430.205,
31 | F.S.; removing obsolete language; revising frequency
32 | of inservice training for certain providers; requiring
33 | certain elderly persons to be given priority
34 | consideration for receiving certain services; amending
35 | s. 430.2053, F.S.; redesignating aging resource
36 | centers as aging and disability resource centers;
37 | revising the purpose thereof; authorizing aging and
38 | disability resource centers to place certain clients
39 | on and release certain clients from pre-enrollment
40 | lists; removing a requirement to convene a work group
41 | for certain purposes; removing a requirement to
42 | provide enrollment and coverage information to certain
43 | individuals; requiring the aging and disability
44 | resource center to receive a waiver to be the provider
45 | of other direct services; revising the program to
46 | which the department and the agency on aging may not
47 | make payments; removing an eligibility requirement for
48 | an area agency on aging to transition to an aging
49 | resource center; revising the entity with which the
50 | department may consult to develop capitation rates;

ENROLLED

CS/HB 1121

2026 Legislature

51 | amending s. 430.605, F.S.; revising certain subsidy
 52 | payments to include supplements to provide for food
 53 | and nutritional supplements and certain care; amending
 54 | s. 430.901, F.S.; conforming a provision to changes
 55 | made by the act; amending s. 744.2001, F.S.; revising
 56 | the required qualifications of the executive director
 57 | of the Office of Public and Professional Guardians;
 58 | amending s. 744.2003, F.S.; revising continuing
 59 | education requirements for a professional guardian;
 60 | amending ss. 744.2004 and 744.20041, F.S.; revising
 61 | disciplinary actions taken by the office; amending s.
 62 | 744.2104, F.S.; providing certain authority for the
 63 | office in conducting certain investigations; amending
 64 | s. 744.3701, F.S.; requiring the clerk to disclose
 65 | confidential information to the department under
 66 | certain circumstances; requiring the department to
 67 | provide specified records to the Legislature by a
 68 | specified date; providing an effective date.

69 |
 70 | Be It Enacted by the Legislature of the State of Florida:
 71 |

72 | Section 1. Subsections (2) and (3) of section 409.979,
 73 | Florida Statutes, are amended to read:

74 | 409.979 Eligibility.—

75 | (2) PRE-ENROLLMENT ~~ENROLLMENT~~ OFFERS.—Subject to the

ENROLLED

CS/HB 1121

2026 Legislature

76 | availability of funds, the Department of Elderly Affairs shall
 77 | make offers for enrollment to eligible individuals based on a
 78 | pre-enrollment list ~~wait-list~~ prioritization. Before making
 79 | enrollment offers, the agency and the Department of Elderly
 80 | Affairs shall determine that sufficient funds exist to support
 81 | additional enrollment into plans.

82 | ~~(a) A Medicaid recipient enrolled in one of the following~~
 83 | ~~Medicaid home and community-based services waiver programs who~~
 84 | ~~meets the eligibility criteria established in subsection (1) is~~
 85 | ~~eligible to participate in the long-term care managed care~~
 86 | ~~program and must be transitioned into the long-term care managed~~
 87 | ~~care program by January 1, 2018:~~

- 88 | ~~1. Traumatic Brain and Spinal Cord Injury Waiver.~~
- 89 | ~~2. Adult Cystic Fibrosis Waiver.~~
- 90 | ~~3. Project AIDS Care Waiver.~~

91 | ~~(b) The agency shall seek federal approval to terminate~~
 92 | ~~the Traumatic Brain and Spinal Cord Injury Waiver, the Adult~~
 93 | ~~Cystic Fibrosis Waiver, and the Project AIDS Care Waiver once~~
 94 | ~~all eligible Medicaid recipients have transitioned into the~~
 95 | ~~long-term care managed care program.~~

96 | (3) PRE-ENROLLMENT ~~WAIT~~ LIST, RELEASE, AND OFFER PROCESS.—

97 | The Department of Elderly Affairs shall maintain a statewide
 98 | pre-enrollment ~~wait~~ list for enrollment for home and community-
 99 | based services through the long-term care managed care program.

100 | (a) The Department of Elderly Affairs shall prioritize

ENROLLED

CS/HB 1121

2026 Legislature

101 individuals for potential enrollment for home and community-
 102 based services through the long-term care managed care program
 103 using a frailty-based screening tool that results in a priority
 104 score. The priority score is used to set an order for releasing
 105 individuals from the pre-enrollment ~~wait~~ list for potential
 106 enrollment in the long-term care managed care program. If
 107 capacity is limited for individuals with identical priority
 108 scores, the individual with the oldest date of placement on the
 109 pre-enrollment ~~wait~~ list shall receive priority for release.

110 1. Pursuant to s. 430.2053, aging and disability resource
 111 center personnel certified by the Department of Elderly Affairs
 112 shall perform the screening for each individual requesting
 113 enrollment for home and community-based services through the
 114 long-term care managed care program. Aging and disability
 115 resource center personnel shall place on and release from the
 116 pre-enrollment lists clients eligible for the Alzheimer's
 117 Disease Initiative, community care for the elderly, home care
 118 for the elderly, and the Statewide Medicaid Managed Care Long-
 119 term Care program. The Department of Elderly Affairs shall
 120 request that the individual or the individual's authorized
 121 representative provide alternate contact names and contact
 122 information.

123 2. The individual ~~requesting the long-term care services,~~
 124 or the individual's authorized representative, must participate
 125 in an initial screening or rescreening for placement on the pre-

ENROLLED

CS/HB 1121

2026 Legislature

126 enrollment ~~wait~~ list. The screening or rescreening must be
127 completed in its entirety before placement on the pre-enrollment
128 ~~wait~~ list.

129 3. Pursuant to s. 430.2053, staff authorized and certified
130 by the Department of Elderly Affairs ~~aging resource center~~
131 ~~personnel~~ shall administer rescreening annually or upon
132 notification of a significant change in an individual's
133 circumstances for an individual with a high priority score.
134 Aging and disability resource center personnel may administer
135 rescreening annually or upon notification of a significant
136 change in an individual's circumstances for an individual with a
137 low priority score.

138 4. The Department of Elderly Affairs shall adopt by rule a
139 screening tool that generates the priority score and shall make
140 publicly available on its website the specific methodology used
141 to calculate an individual's priority score.

142 (b) Upon completion of the screening or rescreening
143 process, the Department of Elderly Affairs shall notify the
144 individual or the individual's authorized representative that
145 the individual has been placed on the pre-enrollment ~~wait~~ list,
146 unless the individual has a low priority score. The Department
147 of Elderly Affairs must maintain contact information for each
148 individual with a low priority score for purposes of any future
149 rescreening. Aging and disability resource center personnel
150 shall inform individuals with low priority scores of community

ENROLLED

CS/HB 1121

2026 Legislature

151 resources available to assist them and inform them that they may
152 contact the aging and disability resource center for a new
153 assessment at any time if they experience a change in
154 circumstances.

155 (c) If the Department of Elderly Affairs is unable to
156 contact the individual or the individual's authorized
157 representative to schedule an initial screening or rescreening,
158 and documents the actions taken to make such contact, it shall
159 send a letter to the last documented address of the individual
160 or the individual's authorized representative. The letter must
161 advise the individual or his or her authorized representative
162 that he or she must contact the Department of Elderly Affairs
163 within 30 calendar days after the date of the notice to schedule
164 a screening or rescreening and must notify the individual that
165 failure to complete the screening or rescreening will result in
166 his or her termination from the screening process and the pre-
167 enrollment ~~wait~~ list.

168 (d) After notification by the agency of available
169 capacity, the Department of Elderly Affairs ~~CARES program~~ shall
170 release individuals from the pre-enrollment list based on the
171 priority scoring process. The aging and disability resource
172 center shall conduct a prerelease assessment. ~~The Department of~~
173 ~~Elderly Affairs shall release individuals from the wait list~~
174 ~~based on the priority scoring process and prerelease assessment~~
175 ~~results.~~ Upon release, individuals who meet all financial and

ENROLLED

CS/HB 1121

2026 Legislature

176 | medical eligibility criteria may enroll in the long-term care
 177 | managed care program.

178 | (e) The Department of Elderly Affairs may terminate an
 179 | individual's inclusion on the pre-enrollment ~~wait~~ list if the
 180 | individual:

181 | 1. Does not have a current priority score due to the
 182 | individual's action or inaction;

183 | 2. Requests to be removed from the pre-enrollment ~~wait~~
 184 | list;

185 | 3. Does not keep an appointment to complete the
 186 | rescreening without scheduling another appointment and has not
 187 | responded to three documented attempts by the Department of
 188 | Elderly Affairs to contact the individual;

189 | 4. Receives an offer to begin the eligibility
 190 | determination process for the long-term care managed care
 191 | program; or

192 | 5. Begins receiving services through the long-term care
 193 | managed care program.

194 |
 195 | An individual whose inclusion on the pre-enrollment ~~wait~~ list is
 196 | terminated must initiate a new request for placement on the pre-
 197 | enrollment ~~wait~~ list, and any previous priority considerations
 198 | must be disregarded.

199 | (f) Notwithstanding this subsection, the following
 200 | individuals are afforded priority enrollment for home and

ENROLLED

CS/HB 1121

2026 Legislature

201 community-based services through the long-term care managed care
 202 program and do not have to complete the screening or pre-
 203 enrollment list ~~wait-list~~ process if all other long-term care
 204 managed care program eligibility requirements are met:

205 1. An individual who is 18, 19, or 20 years of age who has
 206 a chronic debilitating disease or condition of one or more
 207 physiological or organ systems which generally make the
 208 individual dependent upon 24-hour-per-day medical, nursing, or
 209 health supervision or intervention.

210 2. A nursing facility resident who requests to transition
 211 into the community and who has resided in a Florida-licensed
 212 skilled nursing facility for at least 60 consecutive days.

213 3. An individual who is referred by the Department of
 214 Children and Families pursuant to the Adult Protective Services
 215 Act, ss. 415.101-415.113, as high risk and who is placed in an
 216 assisted living facility temporarily funded by the Department of
 217 Children and Families.

218 (g) The Department of Elderly Affairs and the agency may
 219 adopt rules to implement this subsection.

220 Section 2. Subsection (4) of section 409.983, Florida
 221 Statutes, is amended to read:

222 409.983 Long-term care managed care plan payment.—In
 223 addition to the payment provisions of s. 409.968, the agency
 224 shall provide payment to plans in the long-term care managed
 225 care program pursuant to this section.

ENROLLED

CS/HB 1121

2026 Legislature

226 (4) The initial assessment of an enrollee's level of care
 227 shall be reviewed or performed ~~made~~ by the Comprehensive
 228 Assessment and Review for Long-Term Care Services (CARES)
 229 program, which shall assign the recipient into one of the
 230 following levels of care:

231 (a) Level of care 1 consists of recipients residing in or
 232 who must be placed in a nursing home.

233 (b) Level of care 2 consists of recipients at imminent
 234 risk of nursing home placement, as evidenced by the need for the
 235 constant availability of routine medical and nursing treatment
 236 and care, and who require extensive health-related care and
 237 services because of mental or physical incapacitation.

238 (c) Level of care 3 consists of recipients at imminent
 239 risk of nursing home placement, as evidenced by the need for the
 240 constant availability of routine medical and nursing treatment
 241 and care, who have a limited need for health-related care and
 242 services and are mildly medically or physically incapacitated.

243
 244 The agency shall periodically adjust payment rates to account
 245 for changes in the level of care profile for each managed care
 246 plan based on encounter data.

247 Section 3. Subsection (2) of section 430.04, Florida
 248 Statutes, is amended to read:

249 430.04 Duties and responsibilities of the Department of
 250 Elderly Affairs.—The Department of Elderly Affairs shall:

ENROLLED

CS/HB 1121

2026 Legislature

251 (2) Be responsible for ensuring that each area agency on
 252 aging operates in a manner to ensure that the elderly of this
 253 state receive the best services possible. The department shall
 254 rescind designation of an area agency on aging or take
 255 intermediate measures against the agency, including corrective
 256 action, unannounced special monitoring, temporary assumption of
 257 operation of one or more programs by the department, placement
 258 on probationary status, imposing a moratorium on agency action,
 259 imposing financial penalties for nonperformance, or other
 260 administrative action pursuant to chapter 120, if the department
 261 finds that:

262 (a) An intentional or negligent act of the agency has
 263 materially affected the health, welfare, or safety of clients,
 264 or substantially and negatively affected the operation of an
 265 aging services program.

266 (b) The agency lacks financial stability sufficient to
 267 meet contractual obligations or that contractual funds have been
 268 misappropriated.

269 (c) The agency has committed multiple or repeated
 270 violations of legal and regulatory requirements or department
 271 standards.

272 (d) The agency has failed to continue the provision or
 273 expansion of services after the declaration of a state of
 274 emergency.

275 (e) The agency has exceeded its authority or otherwise

ENROLLED

CS/HB 1121

2026 Legislature

276 failed to adhere to the terms of its contract with the
 277 department or has exceeded its authority or otherwise failed to
 278 adhere to the provisions specifically provided by statute or
 279 rule adopted by the department.

280 (f) The agency has failed to properly determine client
 281 eligibility as defined by the department.

282 (g) The agency has failed to ~~or~~ efficiently manage program
 283 budgets.

284 (h) ~~(g)~~ The agency has failed to implement and maintain a
 285 department-approved client grievance resolution procedure.

286 Section 4. Section 430.09, Florida Statutes, is created to
 287 read:

288 430.09 Area agencies on aging expenditures.—

289 (1) As used in this section, the term:

290 (a) "Commodity" means any of the various supplies,
 291 materials, goods, merchandise, food, equipment, information
 292 technology, and other personal property purchased, leased, or
 293 otherwise contracted for by an area agency on aging.

294 (b) "Competitive solicitation" means the process of
 295 requesting and receiving two or more sealed bids, proposals, or
 296 replies submitted by responsive vendors in accordance with the
 297 terms of a competitive process, regardless of the method of
 298 procurement.

299 (c) "Contractual services" means the rendering by a
 300 contractor of its time and effort rather than the furnishing of

ENROLLED

CS/HB 1121

2026 Legislature

301 specific commodities. The term applies only to those services
302 rendered by individuals and firms that are independent
303 contractors, and such services may include, but are not limited
304 to, evaluations; consultations; maintenance; accounting;
305 security; management systems; management consulting; educational
306 training programs; research and development studies or reports
307 on the findings of consultants engaged thereunder; and
308 professional, technical, and social services.

309 (2) The procurement of commodities or contractual services
310 in excess of \$35,000 by an area agency on aging is subject to
311 the competitive solicitation process. Any competitive
312 solicitation shall be made available simultaneously to all
313 vendors, must include the time and date for the receipt of bids,
314 proposals, or replies and of the public opening, and must
315 include all contractual terms and conditions applicable to the
316 procurement, including the criteria to be used in determining
317 acceptability and relative merit of the bid, proposal, or reply.

318 (3) The chief executive officer or the executive director
319 of an area agency on aging may not receive a salary in excess of
320 150 percent of the annual salary paid to the Secretary of
321 Elderly Affairs from state and federal funds. This limitation
322 applies regardless of the number of contracts an area agency on
323 aging holds with the department. This subsection does not
324 prohibit any party from providing cash that is not from
325 appropriated state funds to the chief executive officer or the

ENROLLED

CS/HB 1121

2026 Legislature

326 executive director of an area agency on aging.

327 (4) The department must impose financial penalties or
 328 sanctions, as established by the department and incorporated
 329 into the contract, for noncompliance with this section.

330 Section 5. Subsections (3) and (5) of section 430.203,
 331 Florida Statutes, are amended to read:

332 430.203 Community care for the elderly; definitions.—As
 333 used in ss. 430.201-430.207, the term:

334 (3) "Community care service system" means a service
 335 network comprising a variety of home-delivered services, day
 336 care services, and other basic services, hereinafter referred to
 337 as "core services," for functionally impaired elderly persons
 338 which are provided by or through a ~~single~~ lead agency designated
 339 by the area agency on aging. Its purpose is to provide a
 340 continuum of care encompassing a full range of preventive,
 341 maintenance, and restorative services for functionally impaired
 342 elderly persons.

343 (5) "Core services" means a variety of home-delivered
 344 services, day care services, and other basic services that may
 345 be provided by several entities. Core services are those
 346 services that are most needed to prevent unnecessary
 347 institutionalization. ~~The area agency on aging shall not~~
 348 ~~directly provide core services.~~

349 Section 6. Subsection (4) of section 430.204, Florida
 350 Statutes, is amended to read:

ENROLLED

CS/HB 1121

2026 Legislature

351 430.204 Community-care-for-the-elderly core services;
 352 departmental powers and duties.—

353 (4) (a) The department or contracting agency shall contract
 354 for the provision of the core services required by a community
 355 care service area.

356 (b) The area agency on aging may only directly provide
 357 core services if the designated lead agency is unable to perform
 358 its duties and the department approves.

359 Section 7. Subsections (2) and (4) and paragraph (a) of
 360 subsection (5) of section 430.205, Florida Statutes, are amended
 361 to read:

362 430.205 Community care service system.—

363 (2) Core services and other support services may be
 364 furnished by public or private agencies or organizations. Each
 365 community care service system must be under the direction of a
 366 lead agency that coordinates the activities of individual
 367 contracting agencies providing community-care-for-the-elderly
 368 services. When practicable, the activities of a community care
 369 service area may be directed from a multiservice senior center,
 370 as defined in s. 430.901, and coordinated with other services
 371 offered therein. ~~This subsection does not require programs in~~
 372 ~~existence prior to the effective date of this act to be~~
 373 ~~relocated.~~

374 (4) A preservice and annual inservice training program for
 375 community-care-for-the-elderly service providers and staff may

ENROLLED

CS/HB 1121

2026 Legislature

376 | be designed and implemented to help assure the delivery of
377 | quality services. The department shall specify in rules the
378 | training standards and requirements for the community-care-for-
379 | the-elderly service providers and staff. Training must be
380 | sufficient to ensure that quality services are provided to
381 | clients and that appropriate skills are developed to conduct the
382 | program.

383 | (5) Any person who has been classified as a functionally
384 | impaired elderly person is eligible to receive community-care-
385 | for-the-elderly core services.

386 | (a) Those elderly persons who are determined by protective
387 | investigations to be high-risk vulnerable adults in need of
388 | services, pursuant to s. 415.104(3)(b), or to be high-risk
389 | victims of abuse, neglect, or exploitation who are in need of
390 | immediate services to prevent further harm and are referred by
391 | the adult protective services program, shall be given priority
392 | ~~primary~~ consideration for receiving community-care-for-the-
393 | elderly services. As used in this paragraph, "priority ~~primary~~
394 | consideration" means that an assessment and services must
395 | commence within 72 hours after referral to the department or as
396 | established in accordance with department contracts by local
397 | protocols developed between department service providers and the
398 | adult protective services program. Regardless, a community-care-
399 | for-the-elderly services provider may dispute a referral under
400 | this paragraph by requesting that adult protective services

ENROLLED

CS/HB 1121

2026 Legislature

401 negotiate the referral placement of, and the services to be
 402 provided to, a vulnerable adult or victim of abuse, neglect, or
 403 exploitation. If an agreement cannot be reached with adult
 404 protective services for modification of the referral decision,
 405 the determination by adult protective services shall prevail.

406 Section 8. Section 430.2053, Florida Statutes, is amended
 407 to read:

408 430.2053 Aging and disability resource centers.—

409 (1) The department, in consultation with the Agency for
 410 Health Care Administration and the Department of Children and
 411 Families, shall develop pilot projects for aging and disability
 412 resource centers.

413 (2) The purposes of an aging and disability resource
 414 center shall be:

415 (a) To provide Florida's elders, adults with disabilities,
 416 and their families with a locally focused, coordinated approach
 417 to integrating information and referral for all available
 418 services for persons ~~elders~~ with the eligibility determination
 419 entities for state and federally funded long-term-care services.

420 (b) To provide for easier access to long-term-care
 421 services by Florida's elders, adults with disabilities, and
 422 their families by creating multiple access points to the long-
 423 term-care network that flow through one established entity with
 424 wide community recognition.

425 (3) The duties of an aging and disability resource center

ENROLLED

CS/HB 1121

2026 Legislature

426 are to:

427 (a) Develop referral agreements with local community
 428 service organizations, such as senior centers, existing elder
 429 service providers, volunteer associations, and other similar
 430 organizations, to better assist clients who do not need or do
 431 not wish to enroll in programs funded by the department or the
 432 agency. The referral agreements must also include a protocol,
 433 developed and approved by the department, which provides
 434 specific actions that an aging and disability resource center
 435 and local community service organizations must take when a
 436 person or a person's ~~an elder or an elder's~~ representative
 437 seeking information on long-term-care services contacts a local
 438 community service organization before ~~prior to~~ contacting the
 439 aging and disability resource center. The protocol shall be
 440 designed to ensure that persons ~~elders~~ and their families are
 441 able to access information and services in the most efficient
 442 and least cumbersome manner possible.

443 (b) Provide an initial screening of all clients who
 444 request long-term-care services to determine whether the person
 445 would be most appropriately served through any combination of
 446 federally funded programs, state-funded programs, locally funded
 447 or community volunteer programs, or private funding for
 448 services.

449 (c) Determine eligibility for the programs and services
 450 listed in subsection (9) for persons residing within the

ENROLLED

CS/HB 1121

2026 Legislature

451 geographic area served by the aging and disability resource
 452 center and determine a priority ranking for services which is
 453 based upon the potential recipient's frailty level and
 454 likelihood of institutional placement without such services.

455 (d) Place on and release from the pre-enrollment lists
 456 clients eligible for the Alzheimer's Disease Initiative,
 457 community care for the elderly, home care for the elderly, and
 458 the Statewide Medicaid Managed Care Long-term Care program.

459 (e)~~(d)~~ Manage the availability of financial resources for
 460 the programs and services listed in subsection (9) for persons
 461 residing within the geographic area served by the aging and
 462 disability resource center.

463 (f)~~(e)~~ When financial resources become available, refer a
 464 client to the most appropriate entity to begin receiving
 465 services. The aging and disability resource center shall make
 466 referrals to lead agencies for service provision that ensure
 467 that persons ~~individuals~~ who are vulnerable adults in need of
 468 services pursuant to s. 415.104(3)(b), or who are victims of
 469 abuse, neglect, or exploitation in need of immediate services to
 470 prevent further harm and are referred by the adult protective
 471 services program, are given priority ~~primary~~ consideration for
 472 receiving community-care-for-the-elderly services in compliance
 473 with the requirements of s. 430.205(5)(a) and that other
 474 referrals for services are in compliance with s. 430.205(5)(b).

475 ~~(f) Convene a work group to advise in the planning,~~

ENROLLED

CS/HB 1121

2026 Legislature

476 ~~implementation, and evaluation of the aging resource center. The~~
477 ~~work group shall be comprised of representatives of local~~
478 ~~service providers, Alzheimer's Association chapters, housing~~
479 ~~authorities, social service organizations, advocacy groups,~~
480 ~~representatives of clients receiving services through the aging~~
481 ~~resource center, and any other persons or groups as determined~~
482 ~~by the department. The aging resource center, in consultation~~
483 ~~with the work group, must develop annual program improvement~~
484 ~~plans that shall be submitted to the department for~~
485 ~~consideration. The department shall review each annual~~
486 ~~improvement plan and make recommendations on how to implement~~
487 ~~the components of the plan.~~

488 (g) Enhance the existing area agency on aging in each
489 planning and service area by integrating, either physically or
490 virtually, the staff and services of the area agency on aging
491 with the staff of the department's local CARES Medicaid
492 preadmission screening unit and a sufficient number of staff
493 from the Department of Children and Families' Economic Self-
494 Sufficiency Unit necessary to determine the financial
495 eligibility for all persons age 60 and older residing within the
496 area served by the aging and disability resource center that are
497 seeking Medicaid services, Supplemental Security Income, and
498 food assistance.

499 (h) Assist clients who request long-term care services in
500 being evaluated for eligibility for enrollment in the Medicaid

ENROLLED

CS/HB 1121

2026 Legislature

501 long-term care managed care program as eligible plans become
 502 available in each of the regions pursuant to s. 409.981(2).

503 ~~(i) Provide enrollment and coverage information to~~
 504 ~~Medicaid managed long-term care enrollees as qualified plans~~
 505 ~~become available in each of the regions pursuant to s.~~
 506 ~~409.981(2).~~

507 (i) ~~(j)~~ Assist Medicaid recipients enrolled in the Medicaid
 508 long-term care managed care program with informally resolving
 509 grievances with a managed care network and assist Medicaid
 510 recipients in accessing the managed care network's formal
 511 grievance process as eligible plans become available in each of
 512 the regions defined in s. 409.981(2).

513 (4) The department shall select the entities to become
 514 aging and disability resource centers based on each entity's
 515 readiness and ability to perform the duties listed in subsection
 516 (3) and the entity's:

517 (a) Expertise in the needs of each target population the
 518 center proposes to serve and a thorough knowledge of the
 519 providers that serve these populations.

520 (b) Strong connections to service providers, volunteer
 521 agencies, and community institutions.

522 (c) Expertise in information and referral activities.

523 (d) Knowledge of long-term-care resources, including
 524 resources designed to provide services in the least restrictive
 525 setting.

ENROLLED

CS/HB 1121

2026 Legislature

526 (e) Financial solvency and stability.

527 (f) Ability to collect, monitor, and analyze data in a
528 timely and accurate manner, along with systems that meet the
529 department's standards.

530 (g) Commitment to adequate staffing by qualified personnel
531 to effectively perform all functions.

532 (h) Ability to meet all performance standards established
533 by the department.

534 (5) The aging and disability resource center shall have a
535 governing body which shall be the same entity described in s.
536 20.41(7), and an executive director who may be the same person
537 as described in s. 20.41(7). The governing body shall annually
538 evaluate the performance of the executive director.

539 (6) The aging and disability resource center may not be a
540 provider of direct services other than information and referral
541 services, outreach, and screening, and intake. The aging and
542 disability resource center must receive a waiver from the
543 department to be the provider of any other direct services.

544 (7) The aging and disability resource center must agree to
545 allow the department to review any financial information the
546 department determines is necessary for monitoring or reporting
547 purposes, including financial relationships.

548 (8) The duties and responsibilities of the community care
549 for the elderly lead agencies within each area served by an
550 aging and disability resource center shall be to:

ENROLLED

CS/HB 1121

2026 Legislature

551 (a) Develop strong community partnerships to maximize the
 552 use of community resources for the purpose of assisting persons
 553 ~~elders~~ to remain in their community settings for as long as it
 554 is safely possible.

555 (b) Conduct comprehensive assessments of clients that have
 556 been determined eligible and develop a care plan consistent with
 557 established protocols that ensures that the unique needs of each
 558 client are met.

559 (9) The services to be administered through the aging and
 560 disability resource center shall include those funded by the
 561 following programs:

562 (a) Community care for the elderly.

563 (b) Home care for the elderly.

564 (c) Contracted services.

565 (d) Alzheimer's disease initiative.

566 (e) Older Americans Act.

567 (10) The department shall, before ~~prior to~~ designation of
 568 an aging and disability resource center, develop by rule
 569 operational and quality assurance standards and outcome measures
 570 to ensure that clients receiving services through all long-term-
 571 care programs administered through an aging and disability
 572 resource center are receiving the appropriate care they require
 573 and that contractors and subcontractors are adhering to the
 574 terms of their contracts and are acting in the best interests of
 575 the clients they are serving, consistent with the intent of the

ENROLLED

CS/HB 1121

2026 Legislature

576 Legislature to reduce the use of and cost of nursing home care.
 577 The department shall by rule provide operating procedures for
 578 aging and disability resource centers, which shall include:
 579 (a) Minimum standards for financial operation, including
 580 audit procedures.
 581 (b) Procedures for monitoring and sanctioning of service
 582 providers.
 583 (c) Minimum standards for technology utilized by the aging
 584 and disability resource center.
 585 (d) Minimum staff requirements which shall ensure that the
 586 aging and disability resource center employs sufficient quality
 587 and quantity of staff to adequately meet the needs of the elders
 588 residing within the area served by the aging and disability
 589 resource center.
 590 (e) Minimum accessibility standards, including hours of
 591 operation.
 592 (f) Minimum oversight standards for the governing body of
 593 the aging and disability resource center to ensure its
 594 continuous involvement in, and accountability for, all matters
 595 related to the development, implementation, staffing,
 596 administration, and operations of the aging and disability
 597 resource center.
 598 (g) Minimum education and experience requirements for
 599 executive directors and other executive staff positions of aging
 600 and disability resource centers.

ENROLLED

CS/HB 1121

2026 Legislature

601 (h) Minimum requirements regarding any executive staff
 602 positions that the aging and disability resource center must
 603 employ and minimum requirements that a candidate must meet in
 604 order to be eligible for appointment to such positions.

605 (11) In an area in which the department has designated an
 606 area agency on aging as an aging and disability resource center,
 607 the department and the agency may ~~shall~~ not make payments for
 608 the services listed in subsection (9) and the Statewide Medicaid
 609 Managed Care Long-term Care program ~~Long-Term Care Community~~
 610 ~~Diversion Project~~ for such persons who were not screened and
 611 enrolled through the aging and disability resource center. The
 612 department shall cease making payments for recipients in
 613 eligible plans as eligible plans become available in each of the
 614 regions defined in s. 409.981(2).

615 (12) Each aging and disability resource center shall enter
 616 into a memorandum of understanding with the department for
 617 collaboration with the CARES unit staff. The memorandum of
 618 understanding shall outline the staff person responsible for
 619 each function and shall provide the staffing levels necessary to
 620 carry out the functions of the aging and disability resource
 621 center.

622 (13) Each aging and disability resource center shall enter
 623 into a memorandum of understanding with the Department of
 624 Children and Families for collaboration with the Economic Self-
 625 Sufficiency Unit staff. The memorandum of understanding shall

ENROLLED

CS/HB 1121

2026 Legislature

626 outline which staff persons are responsible for which functions
627 and shall provide the staffing levels necessary to carry out the
628 functions of the aging and disability resource center.

629 (14) If any of the state activities described in this
630 section are outsourced, either in part or in whole, the contract
631 executing the outsourcing shall mandate that the contractor or
632 its subcontractors shall, either physically or virtually,
633 execute the provisions of the memorandum of understanding
634 instead of the state entity whose function the contractor or
635 subcontractor now performs.

636 ~~(15) In order to be eligible to begin transitioning to an~~
637 ~~aging resource center, an area agency on aging board must ensure~~
638 ~~that the area agency on aging which it oversees meets all of the~~
639 ~~minimum requirements set by law and in rule.~~

640 (15) (a) ~~(16) (a)~~ Once an aging resource center is
641 ~~operational~~, The department, in consultation with the aging and
642 disability resource center ~~agency~~, may develop capitation rates
643 for any of the programs administered through the agency ~~aging~~
644 ~~resource center~~. Capitation rates for programs shall be based on
645 the historical cost experience of the state in providing those
646 same services to the population age 60 or older residing within
647 each area served by an aging and disability resource center.
648 Each capitated rate may vary by geographic area as determined by
649 the department.

650 (b) The department and the agency may determine for each

ENROLLED

CS/HB 1121

2026 Legislature

651 area served by an aging and disability resource center whether
 652 it is appropriate, consistent with federal and state laws and
 653 regulations, to develop and pay separate capitated rates for
 654 each program administered through the aging and disability
 655 resource center or to develop and pay capitated rates for
 656 service packages which include more than one program or service
 657 administered through the aging and disability resource center.

658 (c) Once capitation rates have been developed and
 659 certified as actuarially sound, the department and the agency
 660 may pay service providers the capitated rates for services when
 661 appropriate.

662 (d) The department, in consultation with the agency, shall
 663 annually reevaluate and recertify the capitation rates,
 664 adjusting forward to account for inflation, programmatic
 665 changes.

666 ~~(16)(17)~~ This section does ~~shall~~ not ~~be construed to~~ allow
 667 an aging and disability resource center to restrict, manage, or
 668 impede the local fundraising activities of service providers.

669 Section 9. Subsection (3) of section 430.605, Florida
 670 Statutes, is amended to read:

671 430.605 Subsidy payments.—The department shall develop a
 672 schedule of subsidy payments to be made to persons providing
 673 home care, and to providers of goods and services, for certain
 674 eligible elderly persons. Payments must be based on the
 675 financial status of the person receiving care. Payments must

ENROLLED

CS/HB 1121

2026 Legislature

676 | include, but need not be limited to:

677 | (3) When necessary, special supplements to provide for any
678 | goods and services, food and nutritional supplements, and
679 | specialized care required to maintain the health, safety, and
680 | well-being of the elderly person. Extraordinary medical, dental,
681 | or pharmaceutical expenses may be paid as a special supplement.

682 | Section 10. Subsection (2) of section 430.901, Florida
683 | Statutes, is amended to read:

684 | 430.901 Multiservice senior center; definition; purpose.—A
685 | "multiservice senior center" is:

686 | (2) An entity that may partner with an aging and
687 | disability resource center to provide for easier access to long-
688 | term care services by seniors and their families who reside
689 | within the local community.

690 | Section 11. Subsection (1) and paragraph (e) of subsection
691 | (2) of section 744.2001, Florida Statutes, are amended to read:

692 | 744.2001 Office of Public and Professional Guardians.—
693 | There is created the Office of Public and Professional Guardians
694 | within the Department of Elderly Affairs.

695 | (1) The Secretary of Elderly Affairs shall appoint the
696 | executive director, who shall be the head of the Office of
697 | Public and Professional Guardians. The executive director must
698 | be ~~a member of The Florida Bar~~, knowledgeable of guardianship
699 | law and of the social services available to meet the needs of
700 | incapacitated persons, shall serve on a full-time basis, and

ENROLLED

CS/HB 1121

2026 Legislature

701 shall personally, or through a representative of the office,
 702 carry out the purposes and functions of the Office of Public and
 703 Professional Guardians in accordance with state and federal law.
 704 The executive director shall serve at the pleasure of and report
 705 to the secretary.

706 (2) The executive director shall, within available
 707 resources:

708 (e) Produce and make available information about
 709 alternatives to and types of guardianship for dissemination by
 710 area agencies on aging as defined in s. 430.203 and aging and
 711 disability resource centers as described in s. 430.2053.

712 Section 12. Subsection (3) of section 744.2003, Florida
 713 Statutes, is amended to read:

714 744.2003 Regulation of professional guardians;
 715 application; bond required; educational requirements.-

716 (3) Each professional guardian as defined in s.
 717 744.102(17) and public guardian must receive a minimum of 40
 718 hours of instruction and training. Each professional guardian
 719 must receive a minimum of 30 hours of continuing education every
 720 2 calendar years after the year in which the initial 40-hour
 721 educational requirement is met. The required continuing
 722 education must include at least 2 hours on fiduciary
 723 responsibilities; 2 hours on professional ethics; 1 hour on
 724 advance directives; 1 hour on Alzheimer's disease and related
 725 disorders; 3 hours on abuse, neglect, and exploitation; and 3 4

ENROLLED

CS/HB 1121

2026 Legislature

726 | hours on guardianship law. The instruction and education must be
 727 | completed through a course approved or offered by the Office of
 728 | Public and Professional Guardians. The expenses incurred to
 729 | satisfy the educational requirements prescribed in this section
 730 | may not be paid with the assets of any ward. This subsection
 731 | does not apply to any attorney licensed to practice law in this
 732 | state or an institution acting as guardian under s. 744.2002(7).

733 | Section 13. Subsection (2) of section 744.2004, Florida
 734 | Statutes, is amended to read:

735 | 744.2004 Complaints; disciplinary proceedings; penalties;
 736 | enforcement.—

737 | (2) The Office of Public and Professional Guardians shall
 738 | establish disciplinary proceedings, conduct hearings, and take
 739 | administrative action pursuant to chapter 120. Disciplinary
 740 | actions may include, but are not limited to, requiring a
 741 | professional guardian to participate in additional educational
 742 | courses provided or approved by the Office of Public and
 743 | Professional Guardians, imposing additional monitoring by the
 744 | Office of Public and Professional Guardians of the guardianships
 745 | to which the professional guardian is appointed, imposing a
 746 | fine, and suspension or revocation of a professional guardian's
 747 | registration.

748 | Section 14. Paragraph (f) of subsection (2) of section
 749 | 744.20041, Florida Statutes, is redesignated as paragraph (g),
 750 | and a new paragraph (f) is added to that subsection to read:

ENROLLED

CS/HB 1121

2026 Legislature

751 744.20041 Grounds for discipline; penalties; enforcement.—

752 (2) When the Office of Public and Professional Guardians
 753 finds a professional guardian guilty of violating subsection
 754 (1), it may enter an order imposing one or more of the following
 755 penalties:

756 (f) Requirement that the professional guardian pay a fine,
 757 not to exceed \$500 per violation.

758 Section 15. Subsection (2) of section 744.2104, Florida
 759 Statutes, is renumbered as subsection (4), and new subsections
 760 (2) and (3) are added to that section to read:

761 744.2104 Access to records by the Office of Public and
 762 Professional Guardians; confidentiality.—

763 (2) In conducting an investigation, the Office of Public
 764 and Professional Guardians may issue subpoenas duces tecum to
 765 financial institutions, insurance companies, the ward's
 766 caregivers, any facility at which the ward resides or has
 767 resided, and the professional guardian or employees to compel
 768 the production of records relevant to the investigation
 769 conducted by the office.

770 (3) If there is substantial noncompliance with a subpoena
 771 duces tecum issued by the office, the office may petition the
 772 court in the county in which the person resides or has resided
 773 or his place of business for an order requiring the person to
 774 produce such records as specified in the subpoena duces tecum.

775 Section 16. Subsection (4) of section 744.3701, Florida

ENROLLED

CS/HB 1121

2026 Legislature

776 Statutes, is amended to read:

777 744.3701 Confidentiality.—

778 (4) The clerk may disclose confidential information to the
779 Department of Children and Families, the Department of Elderly
780 Affairs, or law enforcement agencies for other purposes as
781 provided by court order.

782 Section 17. Consistent with s. 11.0431(2), Florida
783 Statutes, the Department of Elderly Affairs shall submit all of
784 the following unredacted Office of Public and Professional
785 Guardians records to the President of the Senate and the Speaker
786 of the House of Representatives by August 1, 2026:

787 (1) For all complaints received during calendar year 2025
788 that were dismissed pursuant to s. 744.2004(1)(f), Florida
789 Statutes:

790 (a) The original complaint.

791 (b) The final investigation report.

792 (c) The dismissal letter issued to the complainant and
793 guardian as required by s. 744.2004(1)(g), Florida Statutes.

794 (2) For all complaints received during calendar year 2025
795 that resulted in the issuance of a letter of concern, notice of
796 noncompliance, or other written cautionary communication
797 concerning the complaint that was not a dismissal letter sent
798 pursuant to s. 744.2004(1)(g), Florida Statutes:

799 (a) The original complaint.

800 (b) The final investigation report.

ENROLLED

CS/HB 1121

2026 Legislature

801 (c) The letter of concern, notice of noncompliance, or
802 other written communication or notice provided to the guardian.
803 (d) The letter or notice provided to the complainant.
804 Section 18. This act shall take effect July 1, 2026.