

By Senator Burton

12-01086-26

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A bill to be entitled

An act relating to memory care; amending s. 429.177, F.S.; defining the term "memory care services"; requiring facilities claiming to provide memory care services to meet specified standards of operation in providing such services; providing applicability; specifying requirements for resident contracts; specifying requirements for facilities with a resident who experiences certain changes of condition; specifying staffing requirements for facilities providing memory care services; repealing s. 429.178, F.S., relating to special care for persons with Alzheimer's disease or other related disorders; creating s. 430.71, F.S.; providing the purpose of the Florida Alzheimer's Center of Excellence; defining terms; creating the center within the Department of Elderly Affairs; authorizing the center to contract for services; providing duties of the center; requiring the center to submit an annual report to the Governor and the Legislature by a specified date; specifying requirements for the report; specifying eligibility requirements for services; authorizing the center to provide assistance to qualified persons, subject to the availability of funds and resources; providing effective dates.

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

Section 1. Effective January 1, 2027, section 429.177,

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Florida Statutes, is amended to read:

429.177 Patients with Alzheimer's disease, dementia, or other memory ~~related~~ disorders; certain disclosures; minimum standards.—

(1) As used in this section, the term "memory care services" means specialized or focused care and services designed to address health or behavioral issues resulting from Alzheimer's disease, dementia, or other memory disorders.

(2)(a) A facility that advertises itself as a memory care provider or otherwise claims that the facility provides memory care services, including, but not limited to, services for residents with Alzheimer's disease, dementia, or other memory disorders, must:

1. Develop and implement policies and procedures addressing all of the following:

a. Admittance criteria.

b. Care and services necessary to address the needs of persons admitted for memory care services;

2. Offer activities specifically designed for persons admitted for memory care services; and

3. Maintain a current and accurate log of residents admitted for the purpose of receiving memory care services.

(b) The standards in paragraph (a) apply to any unit designated for the provision of memory care services or to a facility that provides memory care services to any resident admitted and requiring such services.

(3) In addition to the requirements of s. 429.24, resident contracts must specify all memory care services to be provided and any costs related to such services which exceed standard

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room and board.

(4) In addition to the requirements of s. 429.26(7), for persons residing in facilities providing memory care services who exhibit a change of condition, the facility shall:

(a) Notify a licensed physician to ensure that appropriate care is provided to the resident. The notification must occur within 30 days after the acknowledgment of such changes in condition by facility staff.

(b) Notify the resident's representative or designee and assist in making appointments for the necessary care and services for treatment of the change in condition.

(c) If the resident does not have a representative or designee, or if the resident's representative or designee cannot be located or is unresponsive, arrange with the appropriate health care provider for the necessary care and services for treatment of the change in condition.

(5) (a) A facility providing memory care services, or a specific unit of a health care facility which is designated for memory care services, must have at least one staff member present to provide care and services at all times. The staff member shall:

1. Stay awake at all times.

2. Meet any training required as defined by statute or rule for assisted living facilities, including the training and continuing education requirements of s. 430.5025.

3. Be certified in first aid and cardiopulmonary resuscitation.

(b) A staff member administering medication or providing assistance with the self-administration of medication does not

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count toward the staffing requirement specified in paragraph (a) when he or she is engaged in such tasks.

(6) A facility licensed under this part which claims that it provides special care for persons who have Alzheimer's disease, dementia, or other memory ~~related~~ disorders must disclose in its advertisements or in a separate document those services that distinguish the care as being especially applicable to, or suitable for, such persons. The facility must give a copy of all such advertisements or a copy of the document to each person who requests information about programs and services for persons with Alzheimer's disease, dementia, or other memory ~~related~~ disorders offered by the facility and must maintain a copy of all such advertisements and documents in its records. The agency shall examine all such advertisements and documents in the facility's records as part of the license renewal procedure.

Section 2. Effective January 1, 2027, section 429.178, Florida Statutes, is repealed.

Section 3. Section 430.71, Florida Statutes, is created to read:

430.71 Florida Alzheimer's Center of Excellence.-

(1) PURPOSE AND INTENT.-The purpose of this section is to assist and support persons with Alzheimer's disease or related forms of dementia and their caregivers by connecting them with resources in their communities to address the following goals:

(a) To allow residents of this state living with Alzheimer's disease or related forms of dementia to age in place.

(b) To empower family caregivers to improve their own well-

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being.

(2) DEFINITIONS.-As used in this section, the term:

(a) "Center" means the Florida Alzheimer's Center of Excellence.

(b) "Department" means the Department of Elderly Affairs.

(3) POWERS AND DUTIES.-

(a) There is created within the department the Florida Alzheimer's Center of Excellence, which shall assist in improving the quality of care for persons living with Alzheimer's disease or related forms of dementia and improving the quality of life for family caregivers. The center may contract for services necessary to implement this section. The center shall do all of the following:

1. Conduct caregiver assessments to measure caregiver burden.

2. Create personalized plans that guide caregivers to community resources, empowering them with the skills, education, support, and planning necessary for effective caregiving, including addressing any medical, emotional, social, legal, or financial challenges experienced by the person with Alzheimer's disease or a related form of dementia.

3. Educate and assist caregivers with strategies for caregiving for someone with Alzheimer's disease or a related form of dementia and provide guidance on all aspects of home-based care, including home safety, physical and mental health, legal and financial preparedness, communication skills, and hands-on care techniques.

4. Provide online educational resources for caregivers.

5. Track outcomes, including, but not limited to, decreased

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hospitalizations, reduced emergency department visits, reduction in falls, and reduction in caregiver burnout.

6. By December 1 of each year, submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which addresses the number of families served, the types of services provided, and the outcomes achieved.

(b) The center shall work with area agencies on aging as defined in s. 430.203; the Alzheimer's Disease Advisory Committee established under s. 430.501; the Alzheimer's Disease Initiative established under ss. 430.501-430.504; the state-funded memory disorder clinics established under s. 430.502; the department's Dementia Care and Cure Initiative task forces; universities; hospitals; and other available community resources to ensure full use of the state's infrastructure.

(4) ELIGIBILITY FOR SERVICES.—

(a) To qualify for assistance from the center, an individual or a caregiver must meet all of the following criteria:

1. At least one person in the household is a caregiver for a person diagnosed with, or suspected to have, Alzheimer's disease or a related form of dementia.

2. The caregiver or the person diagnosed with, or suspected to have, Alzheimer's disease or a related form of dementia is a resident of this state.

3. The person seeking assistance has the goal of providing in-home care for the person diagnosed with, or suspected to have, Alzheimer's disease or a related form of dementia.

(b) If the person seeking assistance meets the criteria in

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175 paragraph (a), the center may provide assistance to the
176 caregiving family, subject to the availability of funds and
177 resources.

178 Section 4. Except as otherwise expressly provided in this
179 act, this act shall take effect July 1, 2026.