

House Bill No. 1559

An act relating to respite care; creating s. 400.4071, F.S.; creating an intergenerational respite care assisted living facility pilot program; providing legislative intent; providing duties of the Agency for Health Care Administration with respect to the program; providing requirements and standards for the program; providing for rules; requiring a report to the Legislature; providing an effective date.

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

Section 1. Section 400.4071, Florida Statutes, is created to read:

400.4071 Intergenerational respite care assisted living facility pilot program.—

(1) It is the intent of the Legislature to establish a pilot program to:

(a) Facilitate the receipt of in-home, family-based care by minors and adults with disabilities and elderly persons with special needs through respite care for up to 14 days.

(b) Prevent caregiver “burnout,” in which the caregiver’s health declines and he or she is unable to continue to provide care so that the only option for the person with disabilities or special needs is to receive institutional care.

(c) Foster the development of intergenerational respite care assisted living facilities to temporarily care for minors and adults with disabilities and elderly persons with special needs in the same facility and to give caregivers the time they need for rejuvenation and healing.

(2) The Agency for Health Care Administration shall establish a 5-year pilot program, which shall license an intergenerational respite care assisted living facility that will provide temporary personal, respite, and custodial care to minors and adults with disabilities and elderly persons with special needs who do not require 24-hour nursing services. The intergenerational respite care assisted living facility must:

(a) Meet all applicable requirements and standards contained in part III of chapter 400, except that, for purposes of this section, the term “resident” means a person of any age temporarily residing in and receiving care from the facility.

(b) Provide respite care services for minors and adults with disabilities and elderly persons with special needs for a period of at least 24 hours but not for more than 14 consecutive days.

(c) Provide a facility or facilities in which minors and adults reside in distinct and separate living units.

(d) Provide a facility that has a maximum of 48 beds, is located in Miami-Dade County, and is operated by a not-for-profit entity.

(3) The agency may establish policies necessary to achieve the objectives specific to the pilot program and may adopt rules necessary to implement the program.

(4) After 4 years, the agency shall present its report on the effectiveness of the pilot program to the President of the Senate and the Speaker of the House of Representatives and its recommendation as to whether the Legislature should make the program permanent.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 14, 2005.

Filed in Office Secretary of State June 14, 2005.