

Committee Substitute for
Committee Substitute for Senate Bill No. 1916

An act relating to assisted living facilities and adult day care centers; amending s. 429.52, F.S.; requiring the Department of Elderly Affairs to develop a staff training curriculum; requiring trainers to be registered with the department; requiring trainers to document experience and credentials; requiring the adoption of rules; amending s. 429.907, F.S.; providing for operation of adult day care centers in temporary locations in the event of disaster or emergency; providing notification requirements when adult day care centers relocate; providing an effective date.

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

Section 1. Subsection (8) of section 429.52, Florida Statutes, is amended, and subsections (9), (10), and (11) are added to that section, to read:

429.52 Staff training and educational programs; core educational requirement.—

(8) The department shall adopt rules related to these training requirements, the competency test, necessary procedures, and competency test fees and shall adopt or contract with another entity to develop a curriculum, which shall be used as the minimum core training requirements. The department shall consult with representatives of stakeholder associations and agencies in the development of the curriculum.

(9) The training required by this section shall be conducted by persons registered with the department as having the requisite experience and credentials to conduct the training. A person seeking to register as a trainer must provide the department with proof of completion of the minimum core training education requirements, successful passage of the competency test established under this section, and proof of compliance with the continuing education requirement in subsection (4).

(10) A person seeking to register as a trainer must also:

(a) Provide proof of completion of a 4-year degree from an accredited college or university and must have worked in a management position in an assisted living facility for 3 years after being core certified;

(b) Have worked in a management position in an assisted living facility for 5 years after being core certified and have 1 year of teaching experience as an educator or staff trainer for persons who work in assisted living facilities or other long-term care settings;

(c) Have been previously employed as a core trainer for the department;
or

(d) Meet other qualification criteria as defined in rule, which the department is authorized to adopt.

(11) The department shall adopt rules to establish trainer registration requirements.

Section 2. Subsection (2) of section 429.907, Florida Statutes, is amended to read:

429.907 License requirement; fee; exemption; display.—

(2)(a) Except as otherwise provided in this subsection, separate licenses are required for centers operated on separate premises, even though operated under the same management. Separate licenses are not required for separate buildings on the same premises.

(b) In the event a licensed center becomes wholly or substantially unusable due to a disaster as defined in s. 252.34(1) or due to an emergency as defined in s. 252.34(3):

1. The licensee may continue to operate under its current license in a premise or premises separate from that authorized under the license if the licensee has:

a. Specified the location of the premise or premises in its comprehensive emergency management plan submitted to and approved by the applicable county emergency management authority; and

b. Notified the agency and the county emergency management authority within 24 hours of operating in the separate premise or premises.

2. The licensee shall operate the separate premise or premises only while the licensed center's original location is substantially unusable and for no longer than 180 days. The agency may extend use of the alternate premise or premises beyond the initial 180 days. The agency may also review the operation of the disaster premise or premises quarterly.

Section 3. This act shall take effect July 1, 2007.

Approved by the Governor June 26, 2007.

Filed in Office Secretary of State June 26, 2007.