A bill to be entitled
An act relating to senior advocates; creating s.
744.2113, F.S.; establishing the Senior Advocate
Program in the Office of Public and Professional
Guardians within the Department of Elderly Affairs;
providing the purpose of the program; specifying
persons and entities that senior advocates may
collaborate with in order to resolve concerns
regarding vulnerable seniors and improve their quality
of life; authorizing the department secretary to
appoint senior advocates to advocate for certain
seniors; providing requirements for senior advocates;
requiring the department to recruit and train senior
advocates in each of the department’s service areas;
requiring agencies to allow the senior advocate to
inspect and copy records related to the senior;
requiring the senior advocate to maintain the
confidential or exempt status of any records shared by
an agency; authorizing a person or certain
organizations to allow the senior advocate to inspect
and copy any records related to the best interests of
the senior; specifying the records that are included
within the definition of the term “records related to
the best interests of the senior”; authorizing a
senior advocate to enter any long-term care facility
without notice or first obtaining a warrant; providing
an appropriation, positions, and salary rate to the
department to implement the program; providing an
effective date.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 744.2113, Florida Statutes, is created to read:

744.2113 Senior Advocate Program.—
(1) The Senior Advocate Program is established in the Office of Public and Professional Guardians within the Department of Elderly Affairs. The purpose of the program is intended to strengthen and secure the legal rights, dignity, autonomy, quality of life, and quality of care of vulnerable seniors by providing volunteer advocates for vulnerable seniors age 60 years and older.

(2) In order to resolve concerns regarding vulnerable seniors and improve their quality of life, senior advocates may collaborate with family members of vulnerable seniors, local social and health care service providers, behavioral health care providers, legal aid organizations, long-term care ombudsmen, religious organizations, food banks, area agencies on aging, appropriate state agencies, local and state law enforcement agencies, and others.

(3) The secretary of the department may appoint senior advocates to advocate for seniors residing in the community and in mental health and health care facilities.

(a) Senior advocates must be 18 years of age or older and meet background screening requirements pursuant to s. 430.0402 and chapter 435 and must receive training from the department before working with seniors.

(b) The department shall recruit and train senior advocates
in each service area.

(c) An agency, as defined in s. 119.011, shall allow a senior advocate to inspect and copy records related to the senior, including, but not limited to, records made confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of the State Constitution. A senior advocate shall maintain the confidential or exempt status of any records shared by an agency under this paragraph.

(d) A person or organization other than an agency shall allow a senior advocate to inspect and copy any records related to the best interests of the senior. For the purposes of this paragraph, the term “records related to the best interests of the senior” includes, but is not limited to, medical, mental health, substance abuse, law enforcement, court, social services, and financial records.

(4) In performing the duties specified in this section, a senior advocate may enter a long-term care facility without notice and without first obtaining a warrant.

Section 2. For the 2018-2019 fiscal year, the sums of $660,000 in recurring funds and $13,200 in nonrecurring funds are appropriated from the General Revenue Fund to the Department of Elderly Affairs, and 11 full-time positions are established in the Department of Elderly Affairs with an associated salary rate of 486,420, for the purpose of implementing this act.

Section 3. This act shall take effect July 1, 2018.