

1 A bill to be entitled
2 An act relating to emergencies; amending s. 215.559,
3 F.S.; revising the units of government given certain
4 funding priority; amending s. 250.375, F.S.;
5 authorizing certain servicemembers to provide medical
6 care in specified circumstances; amending s. 252.32,
7 F.S.; authorizing the Division of Emergency Management
8 to create certain local organizations in
9 constitutional offices; providing that constitutional
10 offices have specified emergency powers; s. 252.34,
11 F.S.; revising the definition of "political
12 subdivision"; amending s. 252.35, F.S.; providing that
13 the division has command and control of specified
14 efforts; providing requirements for such efforts;
15 revising duties of the division; authorizing the
16 division to create new debris management sites in
17 certain circumstances; creating s. 252.352, F.S.;
18 requiring certain political subdivisions to publish
19 specified information on publicly available websites;
20 requiring such websites be available for a specified
21 period of time; requiring certain county governments
22 to provide to the county's legislative delegation
23 specified office space, information, and contact;
24 amending s. 252.355, F.S.; revising the name of the
25 registry of persons with special needs and special

26 | needs shelters; requiring special needs shelters to
27 | include individuals with functional needs; authorizing
28 | the Department of Veterans' Affairs to provide certain
29 | information to specified clients; amending s. 252.357,
30 | F.S.; requiring a specified plan to authorize a
31 | certain agency to contact senior living facilities in
32 | a disaster area; amending s. 252.359, F.S.; revising
33 | the manner in which the Division of Emergency
34 | Management facilitates transportation of essentials
35 | before and after an emergency; requiring local law
36 | enforcement to cooperate with the division to ensure
37 | the availability of essentials; specifying the
38 | entities that determine state roadways; amending s.
39 | 252.365, F.S.; revising the responsibilities of the
40 | emergency coordination officer; requiring the head of
41 | each agency to make specified notifications annually;
42 | amending s. 252.373, F.S.; authorizing the division to
43 | use certain funds for administration; amending s.
44 | 252.385, F.S.; revising reporting requirements for the
45 | division; revising requirements for a specified list;
46 | amending s. 282.201, F.S.; revising the division's
47 | temporary exemption from required use of the state
48 | data center; amending s. 403.7071, F.S.; revising the
49 | time period during which specified providers are not
50 | required to collect certain trash; requiring specified

51 entities to take certain actions regarding the
 52 creation, authorization, preauthorization, and
 53 management of debris management sites; providing that
 54 such sites do not need to be inspected if certain
 55 conditions are met; amending s. 526.141, F.S.;
 56 requiring certain gasoline stations be equipped with
 57 an alternate power source; amending ss. 252.356,
 58 381.0011, 381.0303, 400.492, 400.506, 400.610,
 59 400.934, and 401.273, F.S.; conforming provisions to
 60 changes made by the act; providing an effective date.

61

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

63

64 **Section 1. Paragraph (b) of subsection (1) of section**
 65 **215.559, Florida Statutes, is amended to read:**

66 215.559 Hurricane Loss Mitigation Program.—A Hurricane
 67 Loss Mitigation Program is established in the Division of
 68 Emergency Management.

69 (1) The Legislature shall annually appropriate \$10 million
 70 of the moneys authorized for appropriation under s.
 71 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the
 72 division for the purposes set forth in this section. Of the
 73 amount:

74 (b) Three million dollars in funds shall be used to
 75 construct or retrofit facilities used as public hurricane

76 shelters. Each year the division shall prioritize the use of
 77 these funds for projects included in the annual report of the
 78 Shelter Development Report prepared in accordance with s.
 79 252.385(3). The division must give funding priority to projects
 80 in counties ~~regional planning council~~ regions that have shelter
 81 deficits and to projects that maximize the use of state funds.

82 **Section 2. Section 250.375, Florida Statutes, is amended**
 83 **to read:**

84 250.375 Medical officer authorization.—A servicemember
 85 trained to provide medical care who is assigned to a military
 86 duty position and authorized by the Florida National Guard to
 87 provide medical care by virtue of such duty position may provide
 88 such medical care to military personnel and civilians within the
 89 state ~~physician who holds an active license to practice medicine~~
 90 ~~in any state, a United States territory, or the District of~~
 91 ~~Columbia,~~ while serving ~~as a medical officer~~ with or in support
 92 of the Florida National Guard, pursuant to federal or state
 93 orders, ~~may practice medicine on military personnel or civilians~~
 94 during an emergency or declared disaster ~~or during federal~~
 95 ~~military training.~~

96 **Section 3. Paragraphs (a) and (b) of subsection (1) of**
 97 **section 252.32, Florida Statutes, are amended to read:**

98 252.32 Policy and purpose.—

99 (1) Because of the existing and continuing possibility of
 100 the occurrence of emergencies and disasters resulting from

101 natural, technological, or manmade causes; in order to ensure
102 that preparations of this state will be adequate to deal with,
103 reduce vulnerability to, and recover from such emergencies and
104 disasters; to provide for the common defense and to protect the
105 public peace, health, and safety; and to preserve the lives and
106 property of the people of the state, it is hereby found and
107 declared to be necessary:

108 (a) To create a state emergency management agency to be
109 known as the "Division of Emergency Management," to authorize
110 the creation of local organizations for emergency management in
111 the political subdivisions and county constitutional offices of
112 the state, and to authorize cooperation with the Federal
113 Government and the governments of other states.

114 (b) To confer upon the Governor, the Division of Emergency
115 Management, and the governing body of each political subdivision
116 and county constitutional office of the state the emergency
117 powers provided herein.

118 **Section 4. Subsection (10) of section 252.34, Florida**
119 **Statutes, is amended to read:**

120 252.34 Definitions.—As used in this part, the term:

121 (10) "Political subdivision" means a separate agency or
122 unit of local government created or established by law or
123 ordinance and the officers thereof. The term includes, but is
124 not limited to, a county, municipality, department, commission,
125 authority, school district, taxing district, water management

126 district, board, public corporation, institution of higher
127 education, and any other public agency or body thereof any
128 ~~county or municipality created pursuant to law.~~

129 **Section 5. Paragraphs (y) through (dd) of subsection (2)**
130 **of section 252.35, Florida Statutes, are redesignated as**
131 **paragraphs (x) through (cc), respectively, subsection (1) and**
132 **paragraphs (a), (c), (i), (k), (n), and (s) and present**
133 **paragraph (x) of subsection (2) are amended, and a new paragraph**
134 **(dd) is added to subsection (2) of that section, to read:**

135 252.35 Emergency management powers; Division of Emergency
136 Management.—

137 (1) The division is responsible for maintaining a
138 comprehensive statewide program of emergency management. The
139 division is responsible for coordination with and command and
140 control of ~~with~~ efforts of the Federal Government and ~~with~~ other
141 departments and cabinet agencies, ~~and~~ agencies of state
142 government, ~~with~~ county and municipal governments and school
143 boards, and ~~with~~ private agencies that have a role in emergency
144 management.

145 (2) The division is responsible for carrying out the
146 provisions of ss. 252.31-252.90. In performing its duties, the
147 division shall:

148 (a) Prepare a state comprehensive emergency management
149 plan, which shall be integrated into and coordinated with the
150 emergency management plans and programs of the Federal

151 Government. The division shall adopt the plan as a rule in
152 accordance with chapter 120. The plan must be implemented by a
153 continuous, integrated comprehensive emergency management
154 program. The plan must contain provisions to ensure that the
155 state is prepared for emergencies and minor, major, and
156 catastrophic disasters, and the division shall work closely with
157 local governments and agencies and organizations with emergency
158 management responsibilities in preparing and maintaining the
159 plan. The state comprehensive emergency management plan must be
160 operations oriented and:

161 1. Include an evacuation component that includes specific
162 regional and interregional planning provisions and promotes
163 intergovernmental coordination of evacuation activities. This
164 component must, at a minimum: contain guidelines for lifting
165 tolls on state highways; ensure coordination pertaining to
166 evacuees crossing county lines; set forth procedures for
167 directing people caught on evacuation routes to safe shelter;
168 establish strategies for ensuring sufficient, reasonably priced
169 fueling locations along evacuation routes; and establish
170 policies and strategies for emergency medical evacuations.

171 2. Include a shelter component that includes specific
172 regional and interregional planning provisions and promotes
173 coordination of shelter activities between the public, private,
174 and nonprofit sectors. This component must, at a minimum:
175 contain strategies to ensure the availability of adequate public

176 shelter space in each county ~~region~~ of the state; establish
177 strategies for refuge-of-last-resort programs; provide
178 strategies to assist local emergency management efforts to
179 ensure that adequate staffing plans exist for all shelters,
180 including medical and security personnel; provide for a
181 postdisaster communications system for public shelters;
182 establish model shelter guidelines for operations, registration,
183 inventory, power generation capability, information management,
184 and staffing; and set forth policy guidance for sheltering
185 people with special and functional needs.

186 3. Include a postdisaster response and recovery component
187 that includes specific regional and interregional planning
188 provisions and promotes intergovernmental coordination of
189 postdisaster response and recovery activities. This component
190 must provide for postdisaster response and recovery strategies
191 according to whether a disaster is minor, major, or
192 catastrophic. The postdisaster response and recovery component
193 must, at a minimum: establish the structure of the state's
194 postdisaster response and recovery organization; establish
195 procedures for activating the state's plan; set forth policies
196 used to guide postdisaster response and recovery activities;
197 describe the chain of command during the postdisaster response
198 and recovery period; describe initial and continuous
199 postdisaster response and recovery actions; identify the roles
200 and responsibilities of each involved agency and organization;

201 provide for a comprehensive communications plan; establish
202 procedures for monitoring and coordinating mutual aid
203 agreements; provide for rapid impact assessment teams; ensure
204 the availability of an effective statewide urban search and
205 rescue program coordinated with the fire services; ensure the
206 existence of a comprehensive statewide medical care and relief
207 plan administered by the Department of Health; and establish
208 systems for coordinating volunteers and accepting and
209 distributing donated funds and goods.

210 4. Include additional provisions addressing aspects of
211 preparedness, response, recovery, and mitigation as determined
212 necessary by the division.

213 5. Address the need for coordinated and expeditious
214 deployment of state resources, including the Florida State Guard
215 and Florida National Guard. In the case of an imminent major
216 disaster, procedures should address predeployment of the Florida
217 National Guard, and, in the case of an imminent catastrophic
218 disaster, procedures should address predeployment of the Florida
219 National Guard and the United States Armed Forces. Such
220 procedures must include the facilitation of annual training
221 initiatives supporting the education of emergency management
222 officials, elected and appointed officials, and stakeholders.

223 6. Establish a system of communications and warning to
224 ensure that the state's population and emergency management
225 agencies are warned of developing emergency situations,

226 including public health emergencies, and can communicate
227 emergency response decisions.

228 7. Establish guidelines and schedules for annual exercises
229 that evaluate the ability of the state and its political
230 subdivisions to respond to minor, major, and catastrophic
231 disasters and support local emergency management agencies. Such
232 exercises shall be coordinated with local governments and, to
233 the extent possible, the Federal Government.

234 8. Assign lead and support responsibilities to state
235 agencies and personnel for emergency support functions and other
236 support activities.

237 9. Include the public health emergency plan developed by
238 the Department of Health pursuant to s. 381.00315.

239 10. Include an update on the status of the emergency
240 management capabilities of the state and its political
241 subdivisions.

242
243 The complete state comprehensive emergency management plan must
244 be submitted to the President of the Senate, the Speaker of the
245 House of Representatives, and the Governor on February 1 of
246 every even-numbered year.

247 (c) Assist political subdivisions in preparing and
248 maintaining emergency management plans by developing a template
249 for comprehensive emergency management plans, including natural
250 disasters and cyberattacks.

251 (i) Institute statewide public awareness programs,
252 including an intensive public educational campaign on emergency
253 preparedness issues. Such programs must include, but need not be
254 limited to, the personal responsibility of individual residents
255 to be self-sufficient for up to 120 ~~72~~ hours following a natural
256 or manmade disaster or a public health emergency. The public
257 educational campaign must include relevant information on public
258 health emergency mitigation, statewide disaster plans,
259 evacuation routes, fuel suppliers, and shelters. All educational
260 materials must be available in alternative formats and mediums
261 to ensure that they are available to persons with disabilities.

262 (k)1. Prepare and distribute to appropriate state and
263 local officials catalogs of federal, state, and private
264 assistance programs.

265 2. In order to expedite and maximize the amount of federal
266 assistance available, the division shall standardize and
267 streamline the Federal Emergency Management Agency's Public
268 Assistance Program application process. This includes assisting
269 applicants in identifying risks in their organizations and
270 developing a clear action plan to abate those risks.

271 (n) Subject to available funding, implement annual
272 training programs to maintain Florida's status as a national
273 leader in emergency management, improve the ability of state and
274 local emergency management personnel to prepare and implement
275 emergency management plans and programs, and facilitate

276 coordination between all emergency management stakeholders. This
277 shall include a continuous training program for agencies and
278 individuals that will be called on to perform key roles in state
279 and local postdisaster response and recovery efforts and for
280 local government personnel on federal and state postdisaster
281 response and recovery strategies and procedures.

282 (s) Complete an inventory of disaster response equipment,
283 including portable generators owned by the state and local
284 governments which are capable of operating during a major
285 disaster. The inventory must identify, at a minimum, the
286 location of each generator, the number of generators stored at
287 each specific location, the agency to which each generator
288 belongs, the primary use of the generator by the owner agency,
289 and the names, addresses, and telephone numbers of persons
290 having the authority to loan the stored generators as authorized
291 by the division during a declared emergency.

292 ~~(x) Report biennially to the President of the Senate, the~~
293 ~~Speaker of the House of Representatives, the Chief Justice of~~
294 ~~the Supreme Court, and the Governor, no later than February 1 of~~
295 ~~every odd-numbered year, the status of the emergency management~~
296 ~~capabilities of the state and its political subdivisions. This~~
297 ~~report must include the emergency management capabilities~~
298 ~~related to public health emergencies, as determined in~~
299 ~~collaboration with the Department of Health.~~

300 (dd) During a natural disaster for which an emergency has

301 been declared by the Governor or the President of the United
302 States, authorize new debris management sites. Such sites must
303 meet all practices in accordance with debris management sites
304 authorized under s. 403.7071.

305 **Section 6. Section 252.352, Florida Statutes, is created**
306 **to read:**

307 252.352 Postdisaster duties of political subdivisions.—
308 Following the declaration of a state of emergency issued by the
309 Governor for a natural emergency:

310 (1) A political subdivision that has been impacted by a
311 natural emergency must publish on a publicly available website
312 all applicable local, state, and federal laws related to
313 building and housing codes, including all limitations,
314 definitions, guidelines, and statutory emergency management
315 expectations. This information must be available within 5 days
316 after the declaration of a state of emergency and must remain
317 available for at least 3 years after such declaration, unless
318 recovery from the natural disaster is completed earlier.

319 (2) A county that has experienced a direct impact from a
320 natural disaster must provide the county's legislative
321 delegation with:

322 (a) Emergency office space.

323 (b) Information on the county's emergency response.

324 (c) A direct point of contact trained in disaster recovery
325 who will answer questions and listen to concerns related to

326 county emergency management. A member of the delegation may
327 direct residents to this point of contact.

328 **Section 7. Section 252.355, Florida Statutes, is amended**
329 **to read:**

330 252.355 Registry of persons with special needs and
331 functional limitations; notice; registration program.—

332 (1) In order to meet the special and functional needs of
333 persons who would need assistance during evacuations and
334 sheltering because of physical, mental, cognitive impairment, or
335 sensory disabilities, the division, in coordination with each
336 local emergency management agency in the state, shall maintain a
337 registry of persons with special needs or functional limitations
338 located within the jurisdiction of the local agency. The
339 registration shall identify those persons in need of assistance
340 and plan for resource allocation to meet those identified needs.

341 (2) In order to ensure that all persons with special needs
342 or functional limitations may register, the division shall
343 develop and maintain a special needs and functional limitations
344 shelter registration program. During a public health emergency
345 in which physical distancing is necessary, as determined by the
346 State Health Officer, the division must maintain information on
347 special needs and functional limitations shelter options that
348 mitigate the threat of the spread of infectious diseases.

349 (a) The registration program shall include, at a minimum,
350 a uniform electronic registration form and a database for

351 uploading and storing submitted registration forms that may be
352 accessed by the appropriate local emergency management agency.
353 The link to the registration form shall be easily accessible on
354 each local emergency management agency's website. Upon receipt
355 of a paper registration form, the local emergency management
356 agency shall enter the person's registration information into
357 the database.

358 (b) To assist in identifying persons with special needs or
359 functional limitations, home health agencies, hospices, nurse
360 registries, home medical equipment providers, the Department of
361 Children and Families, the Department of Health, the Agency for
362 Health Care Administration, the Department of Education, the
363 Agency for Persons with Disabilities, the Department of Elderly
364 Affairs, the Department of Veterans' Affairs, and memory
365 disorder clinics shall, and any physician licensed under chapter
366 458 or chapter 459 and any pharmacy licensed under chapter 465
367 may, annually provide registration information to all of their
368 clients with special needs or functional limitations ~~clients~~ or
369 their caregivers. The division shall develop a brochure that
370 provides information regarding special needs and functional
371 limitations shelter registration procedures. The brochure must
372 be easily accessible on the division's website. All appropriate
373 agencies and community-based service providers, including aging
374 and disability resource centers, memory disorder clinics, home
375 health care providers, hospices, nurse registries, and home

376 | medical equipment providers, shall, and any physician licensed
377 | under chapter 458 or chapter 459 may, assist emergency
378 | management agencies by annually registering persons with special
379 | needs or functional limitations for special needs and functional
380 | limitations shelters, collecting registration information for
381 | persons with special needs or functional limitations as part of
382 | the program intake process, and establishing programs to educate
383 | clients about the registration process and disaster preparedness
384 | safety procedures. A client of a state-funded or federally
385 | funded service program who has a physical, mental, or cognitive
386 | impairment or sensory disability and who needs assistance in
387 | evacuating, or when in a shelter, must register as a person with
388 | special needs or functional limitations. The registration
389 | program shall give persons with special needs or functional
390 | limitations the option of preauthorizing emergency response
391 | personnel to enter their homes during search and rescue
392 | operations if necessary to ensure their safety and welfare
393 | following disasters.

394 | (c) The division shall be the designated lead agency
395 | responsible for community education and outreach to the public,
396 | including clients with special needs and functional limitations
397 | ~~clients~~, regarding registration and special needs and functional
398 | limitations shelters and general information regarding shelter
399 | stays.

400 | (d) On or before May 31 of each year, each electric

401 utility in the state shall annually notify residential customers
402 in its service area of the availability of the registration
403 program available through their local emergency management
404 agency by:

405 1. An initial notification upon the activation of new
406 residential service with the electric utility, followed by one
407 annual notification between January 1 and May 31; or

408 2. Two separate annual notifications between January 1 and
409 May 31.

410

411 The notification may be made by any available means, including,
412 but not limited to, written, electronic, or verbal notification,
413 and may be made concurrently with any other notification to
414 residential customers required by law or rule.

415 (3) A person with special needs or functional limitations
416 must be allowed to bring his or her service animal into a
417 special needs and functional limitations shelter in accordance
418 with s. 413.08.

419 (4) All records, data, information, correspondence, and
420 communications relating to the registration of persons with
421 special needs or functional limitations as provided in
422 subsection (1) are confidential and exempt from s. 119.07(1),
423 except that such information shall be available to other
424 emergency response agencies, as determined by the local
425 emergency management director. Local law enforcement agencies

426 shall be given complete shelter roster information upon request.

427 **Section 8. Section 252.357, Florida Statutes, is amended**
 428 **to read:**

429 252.357 Monitoring of nursing homes and assisted living
 430 facilities during disaster.—The Florida Comprehensive Emergency
 431 Management Plan shall permit the Agency for Health Care
 432 Administration, working from the agency's offices or in the
 433 Emergency Operations Center, ESF-8, to make initial contact with
 434 each nursing home, independent living facility, and assisted
 435 living facility in the disaster area. The agency, by July 15,
 436 annually, shall publish on the Internet an emergency telephone
 437 number that may be used by nursing homes and assisted living
 438 facilities to contact the agency on a schedule established by
 439 the agency to report requests for assistance. The agency may
 440 also provide the telephone number to each facility when it makes
 441 the initial facility call.

442 **Section 9. Section 252.359, Florida Statutes, is amended**
 443 **to read:**

444 252.359 Ensuring availability of emergency supplies.—

445 (1) In order to meet the needs of residents affected
 446 during a declared emergency and to ensure the continuing
 447 economic resilience of communities impacted by disaster, the
 448 division shall establish a statewide system to facilitate the
 449 transport and distribution of essentials in commerce.

450 (2) As used in this section, the term "essentials" means

451 goods that are consumed or used as a direct result of a declared
452 emergency, or that are consumed or used to preserve, protect, or
453 sustain life, health, safety, or economic well-being. The term
454 includes, but is not limited to, personal protective equipment
455 used in the event of a public health emergency.

456 (3) The division, as a function of emergency preparation,
457 response, and recovery, may facilitate ~~shall develop a system to~~
458 ~~certify each person who facilitates~~ the transport or
459 distribution of essentials in commerce. The division ~~may not~~
460 ~~certify a person other than a person who routinely transports or~~
461 ~~distributes essentials. In developing the system, the division:~~

462 (a) ~~May provide for a preemergency or postemergency~~
463 transportation of essentials ~~declaration certification.~~

464 (b) ~~Shall allow the certification of an employer, if~~
465 ~~requested by the employer, to constitute a certification of the~~
466 ~~employer's employees.~~

467 (c) ~~Shall create an easily recognizable indicium of~~
468 ~~certification to assist local officials' efforts in determining~~
469 ~~which persons have been certified under this subsection.~~

470 (d) ~~Shall limit the duration of each certificate to no~~
471 ~~more than 1 year. Each certificate may be renewed so long as the~~
472 ~~criteria for certification are met.~~

473 (4) A person authorized to transport essentials ~~or~~
474 ~~employer certified~~ under subsection (3) is not required to
475 obtain any additional certification or fulfill any additional

476 requirement to transport or distribute essentials.

477 (5) Notwithstanding any curfew, restriction, road block,
478 quarantine, or other limitation on access to an area, a person
479 authorized ~~or employer certified~~ under subsection (3) to deliver
480 essentials may enter or remain in the restricted ~~curfew~~ area for
481 the limited purpose of facilitating the transport or
482 distribution of essentials and may provide service that exceeds
483 otherwise applicable hours of service maximums to the extent
484 authorized by a duly executed declaration of a state of
485 emergency. Local law enforcement shall cooperate with the
486 division to ensure the availability of essentials under this
487 section.

488 (6) This section does not prohibit a law enforcement
489 officer from specifying the permissible route of ingress or
490 egress for a person authorized ~~certified~~ under subsection (3).
491 Notwithstanding this section, all state roadways are determined
492 by the Florida Highway Patrol in coordination with the
493 Department of Transportation.

494 **Section 10. Subsections (2) and (4) of section 252.365,**
495 **Florida Statutes, are amended to read:**

496 252.365 Emergency coordination officers; disaster-
497 preparedness plans.—

498 (2) The emergency coordination officer is responsible for
499 coordinating with the division on emergency preparedness issues
500 and long-term recovery priorities, preparing and maintaining

501 emergency preparedness and postdisaster response and recovery
 502 plans for such agency, maintaining rosters of personnel to
 503 assist in disaster response and recovery operations, and
 504 coordinating appropriate training for agency personnel.

505 (4) On or before May 1 of each year, the head of each
 506 agency shall notify the Governor and the division in writing of
 507 the person ~~initially~~ designated as the emergency coordination
 508 officer for such agency and her or his alternate and of any
 509 changes in persons so designated thereafter.

510 **Section 11. Subsection (4) is added to section 252.373,**
 511 **Florida Statutes, to read:**

512 252.373 Allocation of funds; rules.—

513 (4) The division may use up to 1 percent of the total
 514 amount within the fund to administer this section.

515 **Section 12. Subsections (2) and (3) of section 252.385,**
 516 **Florida Statutes, are amended to read:**

517 252.385 Public shelter space; public records exemption.—

518 (2)~~(a)~~ The division shall administer a program to survey
 519 existing schools, universities, community colleges, and other
 520 state-owned, municipally owned, and county-owned public
 521 buildings and any private facility that the owner, in writing,
 522 agrees to provide for use as a public hurricane evacuation
 523 shelter to identify those that are appropriately designed and
 524 located to serve as such shelters. The owners of the facilities
 525 must be given the opportunity to participate in the surveys. The

526 state university boards of trustees, district school boards,
527 community college boards of trustees, and the Department of
528 Education are responsible for coordinating and implementing the
529 survey of public schools, universities, and community colleges
530 with the division or the local emergency management agency.

531 ~~(b) By January 31 of each even-numbered year, the division~~
532 ~~shall prepare and submit a statewide emergency shelter plan to~~
533 ~~the Governor and Cabinet for approval, subject to the~~
534 ~~requirements for approval in s. 1013.37(2). The emergency~~
535 ~~shelter plan must project, for each of the next 5 years, the~~
536 ~~hurricane shelter needs of the state, including periods of time~~
537 ~~during which a concurrent public health emergency may~~
538 ~~necessitate more space for each individual to accommodate~~
539 ~~physical distancing. In addition to information on the general~~
540 ~~shelter needs throughout this state, the plan must identify the~~
541 ~~general location and square footage of special needs shelters,~~
542 ~~by regional planning council region. The plan must also include~~
543 ~~information on the availability of shelters that accept pets.~~
544 ~~The Department of Health shall assist the division in~~
545 ~~determining the estimated need for special needs shelter space~~
546 ~~and the adequacy of facilities to meet the needs of persons with~~
547 ~~special needs based on information from the registries of~~
548 ~~persons with special needs and other information.~~

549 (3)(a) The division shall annually provide to the
550 President of the Senate, the Speaker of the House of

551 Representatives, and the Governor a list of facilities
552 recommended to be retrofitted using state funds. State funds
553 should be maximized and targeted to counties ~~regional planning~~
554 ~~council regions~~ with hurricane evacuation shelter deficits. The
555 owner or lessee of a public hurricane evacuation shelter that is
556 included on the list of facilities recommended for retrofitting
557 is not required to perform any recommended improvements.

558 (b) The list required in paragraph (a) must include a
559 statewide emergency shelter plan that must project, for each of
560 the next 5 years, the hurricane shelter needs of the state. In
561 addition to information on the general shelter needs throughout
562 this state, the plan must identify, by county, the general
563 location and square footage of special needs and functional
564 limitations shelters. The plan must also include information on
565 the availability of shelters that accept pets. The Department of
566 Health shall assist the division in determining the estimated
567 need for special needs and functional limitations shelter space
568 and the adequacy of facilities to meet the needs of persons with
569 special needs and functional limitations based on information
570 from the registries of persons with special needs and functional
571 limitations and other information.

572 **Section 13. Subsection (2) of section 282.201, Florida**
573 **Statutes, is amended to read:**

574 282.201 State data center.—The state data center is
575 established within the department. The provision of data center

576 services must comply with applicable state and federal laws,
577 regulations, and policies, including all applicable security,
578 privacy, and auditing requirements. The department shall appoint
579 a director of the state data center who has experience in
580 leading data center facilities and has expertise in cloud-
581 computing management.

582 (2) USE OF THE STATE DATA CENTER.—

583 ~~(a)~~ The following are exempt from the use of the state
584 data center: the Department of Law Enforcement, the Florida
585 Division of Emergency Management, the Department of the
586 Lottery's Gaming System, Systems Design and Development in the
587 Office of Policy and Budget, the regional traffic management
588 centers as described in s. 335.14(2) and the Office of Toll
589 Operations of the Department of Transportation, the State Board
590 of Administration, state attorneys, public defenders, criminal
591 conflict and civil regional counsel, capital collateral regional
592 counsel, and the Florida Housing Finance Corporation.

593 ~~(b) The Division of Emergency Management is exempt from~~
594 ~~the use of the state data center. This paragraph expires July 1,~~
595 ~~2025.~~

596 **Section 14. Subsection (7) of section 403.7071, Florida**
597 **Statutes, is amended, and subsection (8) is added to that**
598 **section, to read:**

599 403.7071 Management of storm-generated debris.—Solid waste
600 generated as a result of a storm event that is the subject of an

601 emergency order issued by the department may be managed as
602 follows:

603 (7) Unless otherwise specified in a contract or franchise
604 agreement between a local government and a private solid waste
605 or debris management service provider, a private solid waste or
606 debris management service provider is not required to collect
607 storm-generated yard trash during the first 90 days after an
608 emergency order is issued by the department. Local governments
609 are authorized and encouraged to add an addendum to existing
610 contracts or franchise agreements to perform collection of
611 storm-generated debris.

612 (8) (a) Each county, municipality, community development
613 district, and political subdivision must authorize at least one
614 debris management site and annually complete preauthorization
615 for previously approved debris management sites through the
616 department. For the purposes of this paragraph, a debris site
617 designated by the Division of Emergency Management pursuant to
618 s. 252.35(2) (dd), is considered a previously approved debris
619 management site.

620 (b) A municipality, community development district, or
621 political subdivision with a population of less than 5,000 may
622 jointly preauthorize at least one debris management site with at
623 least one adjacent municipality, if the parties develop and
624 approve a memorandum of understanding. Such memorandum must
625 clearly outline the capacity of the debris management site and

626 location of the site relative to each party. The memorandum of
627 understanding must be developed and approved annually as part of
628 the preauthorization process described in paragraph (a).

629 (c) A preauthorized debris management site shall not
630 require additional inspection or review by the department before
631 being used during a natural disaster if the approval process has
632 been fully completed and all practices are allowed under
633 department rules.

634

635 **Section 15. Subsection (8) of section 526.141, Florida**
636 **Statutes, is renumbered as subsection (9), and a new subsection**
637 **(8) is added to that section, to read:**

638 526.141 Self-service gasoline stations; attendants;
639 regulations.—

640 (8) A self-service gasoline station must be equipped with
641 an alternate power source, such as a generator.

642 **Section 16. Subsection (4) of section 252.356, Florida**
643 **Statutes, is amended to read:**

644 252.356 Emergency and disaster planning provisions to
645 assist persons with disabilities or limitations.—State agencies
646 that contract with providers for the care of persons with
647 disabilities or limitations that make such persons dependent
648 upon the care of others shall include emergency and disaster
649 planning provisions in such contracts at the time the contracts
650 are initiated or upon renewal. These provisions shall include,

651 but shall not be limited to:

652 (4) A procedure to dispatch the emergency coordinating
653 officer or other staff members to special needs and functional
654 limitations shelters to assist clients with special needs and
655 functional limitations, if necessary.

656 **Section 17. Subsection (7) of section 381.0011, Florida**
657 **Statutes, is amended to read:**

658 381.0011 Duties and powers of the Department of Health.—It
659 is the duty of the Department of Health to:

660 (7) Manage and coordinate emergency preparedness and
661 disaster response functions to: investigate and control the
662 spread of disease; coordinate the availability and staffing of
663 special needs and functional limitations shelters; support
664 patient evacuation; ensure the safety of food and drugs; provide
665 critical incident stress debriefing; and provide surveillance
666 and control of radiological, chemical, biological, and other
667 environmental hazards.

668 **Section 18. Section 381.0303, Florida Statutes, is amended**
669 **to read:**

670 381.0303 Special needs and functional limitations
671 shelters.—

672 (1) PURPOSE.—The purpose of this section is to provide for
673 the operation and closure of special needs and functional
674 limitations shelters and to designate the Department of Health,
675 through its county health departments, as the lead agency for

676 coordination of the recruitment of health care practitioners, as
677 defined in s. 456.001(4), to staff special needs and functional
678 limitations shelters in times of emergency or disaster and to
679 provide resources to the department to carry out this
680 responsibility. However, nothing in this section prohibits a
681 county health department from entering into an agreement with a
682 local emergency management agency to assume the lead
683 responsibility for recruiting health care practitioners.

684 (2) SPECIAL NEEDS AND FUNCTIONAL LIMITATIONS SHELTER PLAN;
685 STAFFING; STATE AGENCY ASSISTANCE.—If funds have been
686 appropriated to support disaster coordinator positions in county
687 health departments:

688 (a) The department shall assume lead responsibility for
689 the coordination of local medical and health care providers, the
690 American Red Cross, and other interested parties in developing a
691 plan for the staffing and medical management of special needs
692 and functional limitations shelters and pediatric special needs
693 and functional limitations shelters. Plans must conform to the
694 local comprehensive emergency management plan.

695 (b) County health departments shall, in conjunction with
696 the local emergency management agencies, have the lead
697 responsibility for coordination of the recruitment of health
698 care practitioners to staff local special needs and functional
699 limitations shelters. County health departments shall assign
700 their employees to work in special needs and functional

701 limitations shelters when those employees are needed to protect
702 the health and safety of persons with special needs and
703 functional limitations. County governments shall assist the
704 department with nonmedical staffing and the operation of special
705 needs and functional limitations shelters. The local health
706 department and emergency management agency shall coordinate
707 these efforts to ensure appropriate staffing in special needs
708 and functional limitations shelters, including a staff member
709 who is familiar with the needs of persons with Alzheimer's
710 disease.

711 (c) The appropriate county health department and local
712 emergency management agency shall jointly decide who has
713 responsibility for medical supervision in each special needs and
714 functional limitations shelter.

715 (d) Local emergency management agencies shall be
716 responsible for the designation and operation of special needs
717 and functional limitations shelters during times of emergency or
718 disaster and the closure of the facilities following an
719 emergency or disaster. The local health department and emergency
720 management agency shall coordinate these efforts to ensure the
721 appropriate designation and operation of special needs and
722 functional limitations shelters. County health departments shall
723 assist the local emergency management agency with regard to the
724 management of medical services in special needs and functional
725 limitations shelters.

726 (e) The Secretary of Elderly Affairs, or his or her
727 designee, shall convene, at any time that he or she deems
728 appropriate and necessary, a multiagency special needs and
729 functional limitations shelter discharge planning team to assist
730 local areas that are severely impacted by a natural or manmade
731 disaster that requires the use of special needs and functional
732 limitations shelters. Multiagency special needs and functional
733 limitations shelter discharge planning teams shall provide
734 assistance to local emergency management agencies with the
735 continued operation or closure of the shelters, as well as with
736 the discharge of clients with special needs or functional
737 limitations ~~clients~~ to alternate facilities if necessary. Local
738 emergency management agencies may request the assistance of a
739 multiagency special needs and functional limitations shelter
740 discharge planning team by alerting statewide emergency
741 management officials of the necessity for additional assistance
742 in their area. The Secretary of Elderly Affairs is encouraged to
743 proactively work with other state agencies prior to any natural
744 disasters for which warnings are provided to ensure that
745 multiagency special needs and functional limitations shelter
746 discharge planning teams are ready to assemble and deploy
747 rapidly upon a determination by state emergency management
748 officials that a disaster area requires additional assistance.
749 The Secretary of Elderly Affairs may call upon any state agency
750 or office to provide staff to assist a multiagency special needs

751 and functional limitations shelter discharge planning team.
752 Unless the secretary determines that the nature or circumstances
753 surrounding the disaster do not warrant participation from a
754 particular agency's staff, each multiagency special needs and
755 functional limitations shelter discharge planning team shall
756 include at least one representative from each of the following
757 state agencies:

- 758 1. Department of Elderly Affairs.
- 759 2. Department of Health.
- 760 3. Department of Children and Families.
- 761 4. Department of Veterans' Affairs.
- 762 5. Division of Emergency Management.
- 763 6. Agency for Health Care Administration.
- 764 7. Agency for Persons with Disabilities.

765 (3) SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR
766 RELATED FORMS OF DEMENTIA.—All special needs and functional
767 limitations shelters must establish designated shelter areas for
768 persons with Alzheimer's disease or related forms of dementia to
769 enable those persons to maintain their normal habits and
770 routines to the greatest extent possible.

771 (4) REIMBURSEMENT TO HEALTH CARE PRACTITIONERS AND
772 FACILITIES.—

773 (a) The department shall, upon request, reimburse in
774 accordance with paragraph (b):

- 775 1. Health care practitioners, as defined in s. 456.001,

776 provided the practitioner is not providing care to a patient
777 under an existing contract, and emergency medical technicians
778 and paramedics licensed under chapter 401 for medical care
779 provided at the request of the department in special needs and
780 functional limitations shelters or at other locations during
781 times of emergency or a declared disaster. Reimbursement for
782 health care practitioners, except for physicians licensed under
783 chapter 458 or chapter 459, shall be based on the average hourly
784 rate that such practitioners were paid according to the most
785 recent survey of Florida hospitals conducted by the Florida
786 Hospital Association or other nationally recognized or state-
787 recognized data source.

788 2. Health care facilities, such as hospitals, nursing
789 homes, assisted living facilities, and community residential
790 homes, if, upon closure of a special needs and functional
791 limitations shelter, a multiagency special needs and functional
792 limitations shelter discharge planning team determines that it
793 is necessary to discharge persons with special needs or
794 functional limitations to other health care facilities. The
795 receiving facilities are eligible for reimbursement for services
796 provided to the individuals for up to 90 days. A facility must
797 show proof of a written request from a representative of an
798 agency serving on the multiagency special needs and functional
799 limitations shelter discharge planning team that the individual
800 for whom the facility is seeking reimbursement for services

801 rendered was referred to that facility from a special needs and
802 functional limitations shelter. The department shall specify by
803 rule which expenses are reimbursable and the rate of
804 reimbursement for each service.

805 (b) Reimbursement is subject to the availability of
806 federal funds and shall be requested on forms prepared by the
807 department. If a Presidential Disaster Declaration has been
808 issued, the department shall request federal reimbursement of
809 eligible expenditures. The department may not provide
810 reimbursement to facilities under this subsection for services
811 provided to a person with special needs or functional
812 limitations if, during the period of time in which the services
813 were provided, the individual was enrolled in another state-
814 funded program, such as Medicaid or another similar program, was
815 covered under a policy of health insurance as defined in s.
816 624.603, or was a member of a health maintenance organization or
817 prepaid health clinic as defined in chapter 641, which would
818 otherwise pay for the same services. Travel expense and per diem
819 costs shall be reimbursed pursuant to s. 112.061.

820 (5) HEALTH CARE PRACTITIONER REGISTRY.—The department may
821 use the registries established in ss. 401.273 and 456.38 when
822 health care practitioners are needed to staff special needs and
823 functional limitations shelters or to assist with other
824 disaster-related activities.

825 (6) SPECIAL NEEDS AND FUNCTIONAL LIMITATIONS SHELTER

826 INTERAGENCY COMMITTEE.—The State Surgeon General may establish a
827 special needs and functional limitations shelter interagency
828 committee and serve as, or appoint a designee to serve as, the
829 committee's chair. The department shall provide any necessary
830 staff and resources to support the committee in the performance
831 of its duties. The committee shall address and resolve problems
832 related to special needs and functional limitations shelters not
833 addressed in the state comprehensive emergency medical plan and
834 shall consult on the planning and operation of special needs and
835 functional limitations shelters.

836 (a) The committee shall develop, negotiate, and regularly
837 review any necessary interagency agreements, and undertake other
838 such activities as the department deems necessary to facilitate
839 the implementation of this section.

840 (b) The special needs and functional limitations shelter
841 interagency committee shall be composed of representatives of
842 emergency management, health, medical, and social services
843 organizations. Membership shall include, but shall not be
844 limited to, representatives of the Departments of Health,
845 Children and Families, Elderly Affairs, and Education; the
846 Agency for Health Care Administration; the Division of Emergency
847 Management; the Florida Medical Association; the Florida
848 Osteopathic Medical Association; Associated Home Health
849 Industries of Florida, Inc.; the Florida Nurses Association; the
850 Florida Health Care Association; the Florida Assisted Living

851 Affiliation; the Florida Hospital Association; the Florida
852 Statutory Teaching Hospital Council; the Florida Association of
853 Homes for the Aging; the Florida Emergency Preparedness
854 Association; the American Red Cross; Florida Hospices and
855 Palliative Care, Inc.; the Association of Community Hospitals
856 and Health Systems; the Florida Association of Health
857 Maintenance Organizations; the Florida League of Health Systems;
858 the Private Care Association; the Salvation Army; the Florida
859 Association of Aging Services Providers; the AARP; and the
860 Florida Renal Coalition.

861 (c) Meetings of the committee shall be held in
862 Tallahassee, and members of the committee shall serve at the
863 expense of the agencies or organizations they represent. The
864 committee shall make every effort to use teleconference or video
865 conference capabilities in order to ensure statewide input and
866 participation.

867 (7) RULES.—The department, in coordination with the
868 Division of Emergency Management, has the authority to adopt
869 rules necessary to implement this section. Rules shall include:

870 (a) The definition of a "person with special needs or
871 functional limitations," including eligibility criteria for
872 individuals with physical, mental, cognitive impairment, or
873 sensory disabilities and the services a person with special
874 needs or functional limitations can expect to receive in a
875 special needs and functional limitations shelter.

876 (b) The process for special needs and functional
877 limitations shelter health care practitioners and facility
878 reimbursement for services provided in a disaster.

879 (c) Guidelines for special needs and functional
880 limitations shelter staffing levels to provide services.

881 (d) The definition of and standards for special needs and
882 functional limitations shelter supplies and equipment, including
883 durable medical equipment.

884 (e) Standards for the special needs and functional
885 limitations shelter registration program, including all
886 necessary forms and guidelines for addressing the needs of
887 unregistered persons in need of a special needs and functional
888 limitations shelter.

889 (f) Standards for addressing the needs of families where
890 only one dependent is eligible for admission to a special needs
891 and functional limitations shelter and the needs of adults with
892 special needs and functional limitations who are caregivers for
893 individuals without special needs or functional limitations.

894 (g) The requirement of the county health departments to
895 seek the participation of hospitals, nursing homes, assisted
896 living facilities, home health agencies, hospice providers,
897 nurse registries, home medical equipment providers, dialysis
898 centers, and other health and medical emergency preparedness
899 stakeholders in pre-event planning activities.

900 (8) EMERGENCY MANAGEMENT PLANS.—The submission of

901 emergency management plans to county health departments by home
 902 health agencies, nurse registries, hospice programs, and home
 903 medical equipment providers is conditional upon receipt of an
 904 appropriation by the department to establish disaster
 905 coordinator positions in county health departments unless the
 906 State Surgeon General and a local county commission jointly
 907 determine to require that such plans be submitted based on a
 908 determination that there is a special need to protect public
 909 health in the local area during an emergency.

910 **Section 19. Section 400.492, Florida Statutes, is amended**
 911 **to read:**

912 400.492 Provision of services during an emergency.—Each
 913 home health agency shall prepare and maintain a comprehensive
 914 emergency management plan that is consistent with the standards
 915 adopted by national or state accreditation organizations and
 916 consistent with the local special needs plan. The plan shall be
 917 updated annually and shall provide for continuing home health
 918 services during an emergency that interrupts patient care or
 919 services in the patient's home. The plan shall include the means
 920 by which the home health agency will continue to provide staff
 921 to perform the same type and quantity of services to their
 922 patients who evacuate to special needs and functional
 923 limitations shelters that were being provided to those patients
 924 prior to evacuation. The plan shall describe how the home health
 925 agency establishes and maintains an effective response to

926 emergencies and disasters, including: notifying staff when
927 emergency response measures are initiated; providing for
928 communication between staff members, county health departments,
929 and local emergency management agencies, including a backup
930 system; identifying resources necessary to continue essential
931 care or services or referrals to other health care providers
932 subject to written agreement; and prioritizing and contacting
933 patients who need continued care or services.

934 (1) Each patient record for patients who are listed in the
935 registry established pursuant to s. 252.355 shall include a
936 description of how care or services will be continued in the
937 event of an emergency or disaster. The home health agency shall
938 discuss the emergency provisions with the patient and the
939 patient's caregivers, including where and how the patient is to
940 evacuate, procedures for notifying the home health agency in the
941 event that the patient evacuates to a location other than the
942 shelter identified in the patient record, and a list of
943 medications and equipment which must either accompany the
944 patient or will be needed by the patient in the event of an
945 evacuation.

946 (2) Each home health agency shall maintain a current
947 prioritized list of patients who need continued services during
948 an emergency. The list shall indicate how services shall be
949 continued in the event of an emergency or disaster for each
950 patient and if the patient is to be transported to a special

951 needs and functional limitations shelter, and shall indicate if
952 the patient is receiving skilled nursing services and the
953 patient's medication and equipment needs. The list shall be
954 furnished to county health departments and to local emergency
955 management agencies, upon request.

956 (3) Home health agencies shall not be required to continue
957 to provide care to patients in emergency situations that are
958 beyond their control and that make it impossible to provide
959 services, such as when roads are impassable or when patients do
960 not go to the location specified in their patient records. Home
961 health agencies may establish links to local emergency
962 operations centers to determine a mechanism by which to approach
963 specific areas within a disaster area in order for the agency to
964 reach its clients. Home health agencies shall demonstrate a good
965 faith effort to comply with the requirements of this subsection
966 by documenting attempts of staff to follow procedures outlined
967 in the home health agency's comprehensive emergency management
968 plan, and by the patient's record, which support a finding that
969 the provision of continuing care has been attempted for those
970 patients who have been identified as needing care by the home
971 health agency and registered under s. 252.355, in the event of
972 an emergency or disaster under subsection (1).

973 (4) Notwithstanding the provisions of s. 400.464(2) or any
974 other provision of law to the contrary, a home health agency may
975 provide services in a special needs and functional limitations

976 | shelter located in any county.

977 | **Section 20. Subsection (12) of section 400.506, Florida**
 978 | **Statutes, is amended to read:**

979 | 400.506 Licensure of nurse registries; requirements;
 980 | penalties.—

981 | (12) Each nurse registry shall prepare and maintain a
 982 | comprehensive emergency management plan that is consistent with
 983 | the criteria in this subsection and with the local special needs
 984 | plan. The plan shall be updated annually. The plan shall include
 985 | the means by which the nurse registry will continue to provide
 986 | the same type and quantity of services to its patients who
 987 | evacuate to special needs and functional limitations shelters
 988 | which were being provided to those patients prior to evacuation.
 989 | The plan shall specify how the nurse registry shall facilitate
 990 | the provision of continuous care by persons referred for
 991 | contract to persons who are registered pursuant to s. 252.355
 992 | during an emergency that interrupts the provision of care or
 993 | services in private residences. Nurse registries may establish
 994 | links to local emergency operations centers to determine a
 995 | mechanism by which to approach specific areas within a disaster
 996 | area in order for a provider to reach its clients. Nurse
 997 | registries shall demonstrate a good faith effort to comply with
 998 | the requirements of this subsection by documenting attempts of
 999 | staff to follow procedures outlined in the nurse registry's
 1000 | comprehensive emergency management plan which support a finding

1001 that the provision of continuing care has been attempted for
1002 patients identified as needing care by the nurse registry and
1003 registered under s. 252.355 in the event of an emergency under
1004 this subsection.

1005 (a) All persons referred for contract who care for persons
1006 registered pursuant to s. 252.355 must include in the patient
1007 record a description of how care will be continued during a
1008 disaster or emergency that interrupts the provision of care in
1009 the patient's home. It shall be the responsibility of the person
1010 referred for contract to ensure that continuous care is
1011 provided.

1012 (b) Each nurse registry shall maintain a current
1013 prioritized list of patients in private residences who are
1014 registered pursuant to s. 252.355 and are under the care of
1015 persons referred for contract and who need continued services
1016 during an emergency. This list shall indicate, for each patient,
1017 if the client is to be transported to a special needs and
1018 functional limitations shelter and if the patient is receiving
1019 skilled nursing services. Nurse registries shall make this list
1020 available to county health departments and to local emergency
1021 management agencies upon request.

1022 (c) Each person referred for contract who is caring for a
1023 patient who is registered pursuant to s. 252.355 shall provide a
1024 list of the patient's medication and equipment needs to the
1025 nurse registry. Each person referred for contract shall make

1026 | this information available to county health departments and to
1027 | local emergency management agencies upon request.

1028 | (d) Each person referred for contract shall not be
1029 | required to continue to provide care to patients in emergency
1030 | situations that are beyond the person's control and that make it
1031 | impossible to provide services, such as when roads are
1032 | impassable or when patients do not go to the location specified
1033 | in their patient records.

1034 | (e) The comprehensive emergency management plan required
1035 | by this subsection is subject to review and approval by the
1036 | county health department. During its review, the county health
1037 | department shall contact state and local health and medical
1038 | stakeholders when necessary. The county health department shall
1039 | complete its review to ensure that the plan complies with the
1040 | criteria in the Agency for Health Care Administration rules
1041 | within 90 days after receipt of the plan and shall either
1042 | approve the plan or advise the nurse registry of necessary
1043 | revisions. If a nurse registry fails to submit a plan or fails
1044 | to submit requested information or revisions to the county
1045 | health department within 30 days after written notification from
1046 | the county health department, the county health department shall
1047 | notify the Agency for Health Care Administration. The agency
1048 | shall notify the nurse registry that its failure constitutes a
1049 | deficiency, subject to a fine of \$5,000 per occurrence. If the
1050 | plan is not submitted, information is not provided, or revisions

1051 are not made as requested, the agency may impose the fine.

1052 (f) The Agency for Health Care Administration shall adopt
 1053 rules establishing minimum criteria for the comprehensive
 1054 emergency management plan and plan updates required by this
 1055 subsection, with the concurrence of the Department of Health and
 1056 in consultation with the Division of Emergency Management.

1057 **Section 21. Paragraph (b) of subsection (1) of section**
 1058 **400.610, Florida Statutes, is amended to read:**

1059 400.610 Administration and management of a hospice.—

1060 (1) A hospice shall have a clearly defined organized
 1061 governing body, consisting of a minimum of seven persons who are
 1062 representative of the general population of the community
 1063 served. The governing body shall have autonomous authority and
 1064 responsibility for the operation of the hospice and shall meet
 1065 at least quarterly. The governing body shall:

1066 (b)1. Prepare and maintain a comprehensive emergency
 1067 management plan that provides for continuing hospice services in
 1068 the event of an emergency that is consistent with local special
 1069 needs plans. The plan shall include provisions for ensuring
 1070 continuing care to hospice patients who go to special needs and
 1071 functional limitations shelters. The plan shall include the
 1072 means by which the hospice provider will continue to provide
 1073 staff to provide the same type and quantity of services to their
 1074 patients who evacuate to special needs and functional
 1075 limitations shelters which were being provided to those patients

1076 prior to evacuation. The plan is subject to review and approval
1077 by the county health department, except as provided in
1078 subparagraph 2. During its review, the county health department
1079 shall contact state and local health and medical stakeholders
1080 when necessary. The county health department shall complete its
1081 review to ensure that the plan complies with criteria in rules
1082 of the agency within 90 days after receipt of the plan and shall
1083 either approve the plan or advise the hospice of necessary
1084 revisions. Hospice providers may establish links to local
1085 emergency operations centers to determine a mechanism by which
1086 to approach specific areas within a disaster area in order for
1087 the provider to reach its clients. A hospice shall demonstrate a
1088 good faith effort to comply with the requirements of this
1089 paragraph by documenting attempts of staff to follow procedures
1090 as outlined in the hospice's comprehensive emergency management
1091 plan and to provide continuing care for those hospice clients
1092 who have been identified as needing alternative caregiver
1093 services in the event of an emergency.

1094 2. For any hospice that operates in more than one county,
1095 the Department of Health during its review shall contact state
1096 and local health and medical stakeholders when necessary. The
1097 Department of Health shall complete its review to ensure that
1098 the plan complies with criteria in rules of the agency within 90
1099 days after receipt of the plan and shall approve the plan or
1100 advise the hospice of necessary revisions. The Department of

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1101 Health shall make every effort to avoid imposing differing
1102 requirements on a hospice that operates in more than one county
1103 as a result of differing or conflicting comprehensive plan
1104 requirements of the counties in which the hospice operates.

1105 **Section 22. Paragraph (a) of subsection (20) and**
1106 **subsection (21) of section 400.934, Florida Statutes, is amended**
1107 **to read:**

1108 400.934 Minimum standards.—As a requirement of licensure,
1109 home medical equipment providers shall:

1110 (20) (a) Prepare and maintain a comprehensive emergency
1111 management plan that meets minimum criteria established by
1112 agency rule under s. 400.935. The plan shall be updated annually
1113 and shall provide for continuing home medical equipment services
1114 for life-supporting or life-sustaining equipment, as defined in
1115 s. 400.925, during an emergency that interrupts home medical
1116 equipment services in a patient's home. The plan shall include:

1117 1. The means by which the home medical equipment provider
1118 will continue to provide equipment to perform the same type and
1119 quantity of services to its patients who evacuate to special
1120 needs and functional limitations shelters which were being
1121 provided to those patients prior to evacuation.

1122 2. The means by which the home medical equipment provider
1123 establishes and maintains an effective response to emergencies
1124 and disasters, including plans for:

1125 a. Notification of staff when emergency response measures

1126 are initiated.

1127 b. Communication between staff members, county health
1128 departments, and local emergency management agencies, which
1129 includes provisions for a backup communications system.

1130 c. Identification of resources necessary to continue
1131 essential care or services or referrals to other organizations
1132 subject to written agreement.

1133 d. Contacting and prioritizing patients in need of
1134 continued medical equipment services and supplies.

1135 (21) Each home medical equipment provider shall maintain a
1136 current prioritized list of patients who need continued services
1137 during an emergency. The list shall indicate the means by which
1138 services shall be continued for each patient in the event of an
1139 emergency or disaster, whether the patient is to be transported
1140 to a special needs and functional limitations shelter, and
1141 whether the patient has life-supporting or life-sustaining
1142 equipment, including the specific type of equipment and related
1143 supplies. The list shall be furnished to county health
1144 departments and local emergency management agencies upon
1145 request.

1146 **Section 23. Subsection (2) of section 401.273, Florida**
1147 **Statutes, is amended to read:**

1148 401.273 Emergency medical technician and paramedic
1149 registry for disasters and emergencies.—

1150 (2) A certificateholder may perform the functions of an

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1151 emergency medical technician or paramedic in a special needs and
1152 functional limitations shelter or as a member of a disaster
1153 medical assistance team, provided that such functions are
1154 performed only under the medical direction of a physician who is
1155 licensed under chapter 458 or chapter 459 and who has complied
1156 with the formal supervision requirements of s. 458.348.

1157 **Section 24.** This act shall take effect July 1, 2025.