

Florida Department of Elder Affairs

Statement of Organization and Operation

General Information

The Florida Department of Elder Affairs (Department) works to help Florida's elders remain healthy, safe, and independent. The Department was constitutionally designated by Florida voters to "serve as the primary state agency responsible for administering human services programs for the elderly and for developing policy recommendations for long-term care." See §430.03, Florida Statutes.

The Department began operation in January 1992 and is also responsible for combating ageism, creating public awareness of aging issues, understanding the contributions and needs of elders, advocating on behalf of elders, and serving as an information clearinghouse.

MISSION

TO HELP FLORIDA'S ELDERS REMAIN
HEALTHY, SAFE, AND INDEPENDENT.

VISION

ALL FLORIDIANS AGING WITH DIGNITY,
PURPOSE, AND INDEPENDENCE.

Agency Responsibilities

The Department shall plan and administer its programs and services through planning and service areas as designated by the Department. See §20.41(2), F.S. The Department shall designate and contract with area agencies on aging in each of the Department's planning and service areas. See §20.41(6), F.S.

Area Agencies on Aging (AAAs) are the designated private non-profit entities that advocate, plan, coordinate, and fund a system of elder support services in their respective Planning and Service Areas (PSAs). Each of the 11 Area Agencies on Aging also operates as an Aging and Disability Resource Center (ADRC). ADRCs function as a single, coordinated system for information and access to services for all Floridians seeking long-term care resources. The ADRCs provide information and assistance about state and federal benefits, as well as available local programs and services. Each AAA in turn contracts with one or more Community Care for the Elderly (CCE) Lead Agencies that provide and coordinate services for elders throughout the state. The AAAs also operate a statewide network of 11 Elder Helplines. Individuals and community agencies seeking accurate, unbiased information about federal, state, or local social and health and human services can access Florida's Elder Helpline by calling toll-free 1-800-96-ELDER (1-800-963-5337).

The Department shall administer the State Long-Term Care Ombudsman Program. See §20.41(4), F.S.

The Long-Term Care Ombudsman Program (LTCOP) independently advocates on behalf of residents of long-term care facilities through a statewide system of 14 districts comprised of volunteer ombudsmen located throughout the state. Ombudsmen independently identify, investigate, and resolve complaints made by or on behalf of residents of nursing homes, assisted living facilities, adult family care homes, and continuing care retirement communities. Ombudsmen also conduct annual resident-centered administrative assessments that focus on quality-of-life issues in long-term care facilities.

The Department shall be the state unit on aging as defined in the federal Older Americans Act of 1965, as amended, and shall exercise all responsibilities pursuant to that act. See §20.41(5), F.S.

The Department is the designated State Unit on Aging, in accordance with the federal Older Americans Act and Chapter 430, Florida Statutes. The Department works in concert with other federal, state, local, and community-based public and private agencies and organizations to represent the interests of older Floridians, their caregivers, and elder advocates. The organizations and providers that help create a better life for Florida's 5.2 million seniors make up Florida's aging network.

Agency Head and Agency Organization

The head of the Department is the Secretary of Elderly Affairs, who is responsible for administering the affairs of the Department and charting the overall direction of the Department. The Secretary must be appointed by the Governor, subject to confirmation by the Senate. The Secretary serves at the pleasure of the Governor. See §20.41(1), F.S. The Secretary represents the Governor on matters relating to Florida's elder population and serves as an advocate regarding issues and programs that affect the Department and the elders it serves.

The Office of the Secretary is the focal point for management and overall coordination of the Department's activities. The Office of the Secretary includes the Offices of the General Counsel, Inspector General, Office of Public and Professional Guardians, and the Long-Term Care Ombudsman Program.

- Office of the General Counsel - The Office of the General Counsel provides legal services for the Department including: legal advice and review of contracts, grants, interagency, and other Department agreements, policies, and procurement documents; drafts specific Departmental policies; drafts and promulgates the Department's administrative rules; acts as lead on the fulfillment of public records requests; represents the Department in litigation and other legal matters; and assists in the review of legal aspects of proposed legislation and Level II background screening issues.
- Office of Inspector General - The Office of Inspector General provides independent, objective assurance and consulting activities designed to add value and improve the Department's operations. The office provides a central point to coordinate activities, including investigations, that promote accountability, integrity, and efficiency in government. The office helps the Department accomplish its objectives by providing a

systematic, disciplined approach to evaluating risk management, internal controls, and Department performance.

- Office of Public and Professional Guardians - Originally called the Statewide Public Guardianship Office and established in 1999, the Office of Public & Professional Guardians (OPPG): contracts with 17 local Offices of Public Guardianship throughout Florida; appoints local public guardian offices to provide guardianship services to persons who do not have adequate income or assets to afford a private guardian when there is no willing family or friend to serve; is responsible for the registration and education of professional guardians; is responsible for the creation and administration of the 40-hour professional guardian training course and the professional guardian competency exam; and is responsible for the regulatory oversight and education of professional guardians and the education of examining committee members.
- Long-Term Care Ombudsman Program – Please see “Agency Responsibilities,” above.

The Office of the Deputy Secretary performs the Chief of Staff functions for the Department and oversees the Office of Strategic Initiatives, the Division of Statewide Community-Based Services, and the Division of Financial Administration.

- Office of Strategic Initiatives - The Office of Strategic Initiatives leads and manages strategic project initiatives, including the development of strategic plans. The office, which includes the Bureau of Planning and Evaluation, is also responsible for evaluating programs administered by the Department. The office provides internal consulting services on policy development and performance measurement and is responsible for analyzing organizational data and key departmental measures to evaluate and improve organizational performance, accountability, and sustainability. In addition, the office supports external research efforts by collaborating with research organizations to leverage the Department’s data resources to support research in aging and long-term care service delivery and the role of elders in society.
- Division of Statewide Community-Based Services (SCBS) is responsible for support and oversight of CARES (Comprehensive Assessment and Review for Long-Term Care Services), Florida’s federally mandated nursing home pre-admission assessment program. CARES staff members, including registered nurses and assessors, perform medical needs assessments of individuals. CARES staff identifies a client’s long-term care needs, determines the level of care required to meet those needs, and provides information to individuals on available long-term care options. The SCBS division also provides oversight for the Department’s non-Medicaid home and community-based programs and services, including programs contracted to the AAAs and other entities.
- Division of Financial Administration - The Division of Financial Administration coordinates organization, direction, and support activities for all Department programs. This includes contract administration, accounting, budgeting, revenue management, and monitoring and quality assurance.

Obtaining Other Information

- Department of Elder Affairs
 - Mailing Address: 4040 Esplanade Way, Tallahassee, FL 32399-7000
 - Telephone: (850) 414-2000
 - Fax: (850) 414-2004
 - TDD: (850) 414-2001

- To apply for services or obtain information about our programs and services, please call the statewide, toll-free Elder Helpline at 1-800-96-ELDER (1-800-963-5337), or visit http://elderaffairs.state.fl.us/doea/elder_helpline.php for your local Elder Helpline telephone number.

- For media inquiries, please contact the Office of Communications at (850) 414-2142 or Chambersa@elderaffairs.org.

- For public records requests, please contact the Office of the General Counsel at:
 - Send written requests to:
Office of the General Counsel
Florida Department of Elder Affairs
4040 Esplanade Way
Tallahassee, FL 32399-7000
 - Send email requests to:
doeapublicrecords@elderaffairs.org
 - Contact the public records coordinator:
Djanet Cannady, Office of the General Counsel
Telephone: (850) 414-2114
Email: doeapublicrecords@elderaffairs.org

- For free and confidential health insurance counseling for Medicare beneficiaries, their families, and caregivers through our SHINE (Serving Health Insurance Needs of Elders) Program, please call the statewide, toll-free Elder Helpline at 1-800-96-ELDER (1-800-963-5337) or visit the program website at <http://www.floridashine.org/>

- To contact the Senior Legal Helpline, please call 1-888-895-7873 or visit the program website at http://elderaffairs.state.fl.us/doea/legal_services.php

- To contact the Long-Term Care Ombudsman Program, please call 1-888-831-0404, or visit <http://ombudsman.myflorida.com/Complaint.php> to make a long-term care resident complaint.

All voice telephone numbers may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.

Agency Clerk

The duties and responsibilities of the Agency Clerk include, but are not limited to, filing and recording the filing date of any Final Order issued by the Department; maintaining records of all pleadings and other legal documents filed with the Department; certifying the index and the record on the appeal of any Final Order; and serving as the contact person for obtaining information about variances from or waivers of Department rules.

All notices, petitions, and other documents required to be filed with the Agency Clerk may be submitted by hand delivery, regular mail, electronic mail, or by facsimile transmission. Filings should be sent to the Agency Clerk at the following address:

Agency Clerk
Jeanne Curtin
Office of the General Counsel
Florida Department of Elder Affairs
4040 Esplanade Way, Ste. 315
Tallahassee, FL 32399-7000
Email: agencyclerk@elderaffairs.org
Telephone: (850) 414-2000
Facsimile: (850) 414-2006

The Agency Clerk's office is open from 8:00 a.m. EST to 5:00 p.m. EST each business day. The Agency Clerk's office is not open and does not accept filings after these hours or on weekends or state holidays.

Any document received by the office of the agency clerk after 5:00 p.m. EST shall be deemed filed as of 8:00 a.m. EST on the next regular business day.

Facsimile & electronic transmission of documents

A party who files a document by facsimile or electronic transmission shall represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party will produce the original upon the request of other parties.

A party who elects to file a document by facsimile or electronic transmission shall be responsible for any delay, disruption or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the Department as a result.

The filing date for a document transmitted by facsimile or electronic mail shall be the date the Department receives the complete document. Any document received by the Agency Clerk after 5:00 p.m. EST shall be deemed filed as of 8:00 a.m. EST on the next regular business day.

Requests for Variances or Waivers

A petition for variance from or waiver of a Department rule should be submitted for filing to the Agency Clerk at the address, email address, or facsimile number listed above. Requests must be submitted according to the guidelines outlined in Section 120.542, F.S., and Chapter 28-104, F.A.C.

Index of Final Orders

The Department's Index of Final Orders is maintained in the Office of the General Counsel and can be accessed by contacting the Agency Clerk at the address, telephone number, or email address listed above. All Department final orders required to be indexed pursuant to Section 120.53, Florida Statutes, rendered on or after July 1, 2015, shall be reported on the website of the Florida Division of Administrative Hearings at <http://www.doah.state.fl.us>.

This statement of agency organization and operation has been prepared in accordance with the requirements of Rule 28-101.001, Florida Administrative Code, and is available to any person upon request.