

## Notice of Development of Rulemaking

### DEPARTMENT OF ELDER AFFAIRS

#### Federal Aging Programs

RULE NOS.: RULE TITLES:

- 58A-5.0131 Definitions
- 58A-5.014 Licensing and Change of Ownership
- 58A-5.0181 Admission Procedures, Appropriateness of Placement and Continued Residency Criteria
- 58A-5.0182 Resident Care Standards
- 58A-5.0185 Medication Practices
- 58A-5.019 Staffing Standards
- 58A-5.0191 Staff Training Requirements and Competency Test
- 58A-5.024 Records
- 58A-5.029 Limited Mental Health
- 58A-5.030 Extended Congregate Care Services
- 58A-5.031 Limited Nursing Services

**PURPOSE AND EFFECT:** The Department of Elder Affairs, in consultation with the Agency for Health Care Administration, the Department of Children and Families, and the Department of Health, announces the commencement of rulemaking proceedings to address assisted living facility regulation. The purpose of the rulemaking is to draft rules addressing the safety and quality of services and care provided to residents within assisted living facilities while being mindful of unnecessary increases in regulation given the many variations in services provided, the number of residents or size of the facility, and the makeup of resident populations in the facilities.

**SUBJECT AREA TO BE ADDRESSED:** The subject and scope of the rules to be developed through rulemaking will address the following areas: rule definitions; licensing; admission procedures, appropriateness of placement and continued residency criteria; resident care standards; medication practices; staffing standards; staff training requirements and competency test; record-keeping requirements; limited mental health license requirements; extended congregate care services requirements; limited nursing services requirements; and revision of rules to implement legislative changes.

**RULEMAKING AUTHORITY:** 429.07, 429.17, 429.178, 429.24, 429.255, 429.256, 429.27, 429.275, 429.31, 429.41, 429.42, 429.44, 429.52, 429.54 FS.

**LAW IMPLEMENTED:** Part I, Assisted Living Facilities, Chapter 429, Florida Statutes; Chapter 2015-126, Laws of Florida.

**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** December 11, 2017, 10:00 a.m. – 12:00 p.m.

**PLACE:** Florida Department of Elder Affairs, 4040 Esplanade Way, Room 225F, Tallahassee, Florida 32399.

Interested parties that would like to join the workshop by phone can do so by using a call-in number and passcode:

Call-in Number: 1-888-670-3525, Participant Passcode: 598-589-4840.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop is asked to advise the agency at least 3 days before the workshop by contacting: Jacqueline Williams, Administrative Assistant, Department of Elder Affairs, Office of the General Counsel, williamsj@elderaffairs.org, 4040 Esplanade Way, Tallahassee, FL 32399-7000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Jeanne Curtin, Senior Attorney, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone Number: (850)414-2096, Email address: alfrulecomment@elderaffairs.org.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**