

1 A bill to be entitled
 2 An act relating to assisted living facility resident
 3 rights; amending s. 429.28, F.S.; providing notice
 4 requirements regarding relocation or termination of
 5 residency from an assisted living facility; requiring
 6 the facility to send a copy of the notice to the State
 7 Long-Term Care Ombudsman Program within a specified
 8 timeframe; providing an effective date.

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

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 12 Section 1. Paragraph (k) of subsection (1) of section
 13 429.28, Florida Statutes, is amended to read:

14 429.28 Resident bill of rights.—

15 (1) No resident of a facility shall be deprived of any
 16 civil or legal rights, benefits, or privileges guaranteed by
 17 law, the Constitution of the State of Florida, or the
 18 Constitution of the United States as a resident of a facility.
 19 Every resident of a facility shall have the right to:

20 (k) At least 45 days' notice of relocation or termination
 21 of residency from the facility unless, for medical reasons, the
 22 resident is certified by a physician to require an emergency
 23 relocation to a facility providing a more skilled level of care
 24 or the resident engages in a pattern of conduct that is harmful
 25 or offensive to other residents. In the case of a resident who

26 | has been adjudicated mentally incapacitated, the guardian shall
27 | be given at least 45 days' notice of a nonemergency relocation
28 | or residency termination. Reasons for relocation shall be set
29 | forth in writing and provided to the resident or the resident's
30 | legal representative. The facility shall send a copy of the
31 | notice to a representative of the State Long-Term Care Ombudsman
32 | Program within 7 calendar days after the notice is provided to
33 | the resident or the resident's legal representative. In order
34 | for a facility to terminate the residency of an individual
35 | without notice as provided herein, the facility shall show good
36 | cause in a court of competent jurisdiction.

37 | Section 2. This act shall take effect July 1, 2018.