



Elder & Family Services Policy Committee

**Tuesday, March 9, 2010
10:00 AM - 12:00 PM
24 House Office Building**

ACTION PACKET

**Larry Cretul
Speaker**

**Thomas "Tom" Anderson
Chair**

COMMITTEE MEETING REPORT
Elder & Family Services Policy Committee
3/9/2010 10:00:00AM

Location: 24 HOB

Summary:

Elder & Family Services Policy Committee

Tuesday March 09, 2010 10:00 am

HB 945 Favorable With Committee Substitute

Yeas: 14 Nays: 0

Committee meeting was reported out: Tuesday, March 09, 2010 1:23:49PM

COMMITTEE MEETING REPORT
Elder & Family Services Policy Committee

3/9/2010 10:00:00AM

Location: 24 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Thomas Anderson (Chair)	X		
Esteban Bovo, Jr.	X		
Rachel V. Burgin	X		
Gwyndolen Clarke-Reed	X		
Janet Cruz	X		
Mia Jones	X		
Charles McBurney	X		
Mark Pafford	X		
Juan-Carlos Planas	X		
Kenneth Roberson	X		
Ron Schultz	X		
Elaine Schwartz	X		
Richard Steinberg	X		
Ritch Workman	X		
Totals:	14	0	0

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COMMITTEE MEETING REPORT
Elder & Family Services Policy Committee
3/9/2010 10:00:00AM

Location: 24 HOB

HB 945 : Automated External Defibrillators in Assisted Living Facilities

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Esteban Bovo, Jr.	X				
Rachel V. Burgin	X				
Gwyndolen Clarke-Reed	X				
Janet Cruz	X				
Mia Jones	X				
Charles McBurney	X				
Mark Pafford	X				
Juan-Carlos Planas	X				
Kenneth Roberson	X				
Ron Schultz	X				
Elaine Schwartz	X				
Richard Steinberg	X				
Ritch Workman	X				
Thomas Anderson (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Stephen Suarez, Paramedic (General Public) - Information Only
 Leon County Emergency Medical Services
 2290 Miccosukee Road
 Tallahassee Florida 32308
 Phone: (850) 879-0286

James Mosteller, State Advocacy Director (Lobbyist) - Proponent
 American Heart Association
 317 E Park Ave.
 Tallahassee Florida 32301
 Phone: (850) 727-3712

Pat Lange, Executive Director (Lobbyist) - Opponent
 Florida Assisted Living Association
 1922 Miccosukee Road
 Tallahassee Florida 32308
 Phone: (850) 383-1159

Carol Berkowitz, Director of Regulation (Lobbyist) - Opponent
 Florida Association of Homes & Services for the Aging
 1812 Riggins Road
 Tallahassee Florida 32308
 Phone: (850) 671-3700

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COMMITTEE MEETING REPORT
Elder & Family Services Policy Committee

3/9/2010 10:00:00AM

Location: 24 HOB

Other Business Appearance:

Alzheimer's Care

Mary Barnes, President/CEO (At Request Of Chair) - Information Only

Alzheimer's Community Care

800 Northpoint Pky, Suite 101-B

West Palm Beach Florida 33407

Phone: (561) 683-2700

Alzheimer's Research

David Morgan, Ph.D., Chief Scientific Officer (State Employee) (At Request Of Chair) - Information Only

USF Health Byrd Alzheimer's Institute

4001 E. Fletcher

Tampa Florida 33113

Phone: (813) 974-3949

Alzheimer's Research

Sherrill Tomasino, Chair - Information Only

USF Health Byrd Alzheimer's Institute

4001 E. Fletcher

Tampa Florida 33613

Phone: (813) 690-4114

Alzheimer's Respite Care

Mary Ellen Grant, Executive Director (At Request Of Chair) - Information Only

Share the Care

1010 Arthur Street

Orlando Florida 32804

Phone: (407) 719-2844

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COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 945 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: Elder & Family Services Policy
2 Committee

3 Representative(s) Anderson offered the following:
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Present subsection (3) of s. 429.255, Florida
8 Statutes, is renumbered as subsection (4) and amended, and new
9 subsections (3) and (5) are added to that section, to read:

10 429.255 Use of personnel; emergency care.—

11 (3) (a) An assisted living facility with 17 or more beds
12 licensed under this part shall have on the premises at all times
13 a functioning automated external defibrillator as defined in s.
14 768.1325(2) (b).

15 (b) The facility is encouraged to register with the local
16 emergency medical services medical director the location of each
17 automated external defibrillator.

18 (c) The provisions of ss. 768.13 and 768.1325 apply to
19 automated external defibrillators within the facility.

Amendment No. 1

20 ~~(4)(3)~~ Facility staff may withhold or withdraw
21 cardiopulmonary resuscitation or the use of an automated
22 external defibrillator if presented with an order not to
23 resuscitate executed pursuant to s. 401.45. The department shall
24 adopt rules providing for the implementation of such orders.
25 Facility staff and facilities shall not be subject to criminal
26 prosecution or civil liability, nor be considered to have
27 engaged in negligent or unprofessional conduct, for withholding
28 or withdrawing cardiopulmonary resuscitation or use of an
29 automated external defibrillator pursuant to such an order and
30 rules adopted by the department. The absence of an order to
31 resuscitate executed pursuant to s. 401.45 does not preclude a
32 physician from withholding or withdrawing cardiopulmonary
33 resuscitation or use of an automated external defibrillator as
34 otherwise permitted by law.

35 (5) The Department of Elder Affairs may adopt rules to
36 implement the provisions of this section relating to use of an
37 automated external defibrillator.

38 Section 2. This act shall take effect July 1, 2010.

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T I T L E A M E N D M E N T

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Remove the entire title and insert:

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A bill to be entitled

45

An act relating to automated external defibrillators in

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assisted living facilities; amending s. 429.255, F.S.;

47

requiring certain assisted living facilities to possess a

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 945 (2010)

Amendment No. 1

48 functioning automated external defibrillator; encouraging
49 location registration of automated external
50 defibrillators; providing immunity from liability under
51 the Good Samaritan Act and the Cardiac Arrest Survival
52 Act; authorizing the Department of Elder Affairs to adopt
53 rules relating to the use of automated external
54 defibrillators; providing an effective date.