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# Select Committee on Hurricane Response and Preparedness

Thursday, October 12, 2017

1:30 PM

Sumner Hall (404 HOB)

**MEETING PACKET**

Richard Corcoran  
Speaker

Jeanette Nuñez  
Chair

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Select Committee on Hurricane Response and Preparedness

**Start Date and Time:** Thursday, October 12, 2017 01:30 pm  
**End Date and Time:** Thursday, October 12, 2017 03:30 pm  
**Location:** Sumner Hall (404 HOB)  
**Duration:** 2.00 hrs

Presentations relating to:

Florida's Emergency Management System

Updates on Hurricane Irma Response and Recovery

Update from the Office of Insurance Regulation

**NOTICE FINALIZED on 10/05/2017 4:04PM by Hunter.Robert**





September 19, 2017

The Honorable Portia Palmer  
Clerk, Florida House of Representatives  
Room 513, The Capitol  
Tallahassee, FL 32399-1300

Dear Madam Clerk:

Pursuant to Rule 7.6, I am creating the Select Committee on Hurricane Response and Preparedness. The following members are appointed to the select committee:

Representative Jeanette Nuñez, Chair  
Representative Ray Rodrigues, Vice Chair  
Representative Ben Albritton  
Representative Robert Asencio  
Representative Danny Burgess  
Representative Cord Byrd  
Representative Bob Cortes  
Representative Tracie Davis  
Representative Dane Eagle  
Representative Mike Grant  
Representative Kristin Jacobs

Representative Larry Lee  
Representative Jared Moskowitz  
Representative Elizabeth Porter  
Representative Holly Raschein  
Representative Paul Renner  
Representative Sean Shaw  
Representative Chris Sprowls  
Representative Richard Stark  
Representative Cyndi Stevenson  
Representative Jay Trumbull

The select committee is empowered to gather information, solicit ideas for improvement, make recommendations to the executive branch and suggest legislative options in advance of the 2018 session.

In accordance with Rules 7.6 and 7.23(b), the select committee shall have all the authority and powers of a standing committee. The select committee shall expire on January 1, 2018.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Corcoran", with a long horizontal flourish extending to the right.

Richard Corcoran  
Speaker

cc: Members of the Florida House of Representatives



**TO:** Members of the Florida House of Representatives

**FROM:** Richard Corcoran, Speaker

**DATE:** September 19, 2017

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Hurricane Irma delivered a devastating blow to the people of Florida. The size and force of the storm was unprecedented, affecting all coasts and every community throughout the state. Thanks to Governor Scott's attention to detail and quick action, Floridians were able to prepare, endure, and begin the recovery process. We are grateful for his leadership.

With any event of this magnitude, lessons can be learned. We must move quickly to assess our recent experience and pinpoint tangible, meaningful ways to improve Florida's hurricane readiness and response capabilities. Our Governor has broad emergency powers that should allow him to address the immediate crisis, but the Legislature has a constitutional role to ensure that our state's laws, processes, and infrastructure are prepared for another storm with this potential for destruction.

I have created a Select Committee on Hurricane Response and Preparedness ("Select Committee"), which will be chaired by Speaker Pro Tempore Jeanette Nuñez. A complete list of the membership of the Select Committee is attached to this memo. The Select Committee will gather information, solicit ideas for improvement, and make recommendations to the Governor for actions within his emergency authority to address hurricane recovery. The Select Committee will also make recommendations for broader proposals to address hurricane preparedness that can be considered during the 2018 Legislative Session.

To assist the Select Committee in their work, we have prepared a list of issues and questions to serve as a starting point. This full list is attached for your convenience. The topics include:

### Protection of Elderly, Disabled and Other Vulnerable Persons

1. Can the requirements for nursing homes, ALFs, and group homes be strengthened to improve the safety and comfort of the residents? Can the quality of facilities' emergency planning be improved? What are the barriers to facilities maintaining adequate staffing when evacuations occur or curfews are imposed?
2. Is there a need to expand the number of shelters or to improve their capacity to withstand wind damage, flooding, and prolonged power outages? Can schools and universities be more fully or effectively used as shelters?
3. Do the current arrangements for special needs shelters provide adequate resources for medically complex and technologically dependent patients? Are there regulatory, financial, or workforce barriers to meeting these patients' needs?

### Efficient Evacuation and Reentry

1. Can fuel reserves be established or expanded in ways that would facilitate availability of fuel for evacuees?
2. Can availability of resources such as food, water, and other necessities be improved for evacuees?
3. What road improvements, such as improving shoulders on key roads, can be done to facilitate evacuation and reentry?
4. Are there strategies to assist homeowners and business owners in coping with prolonged limits on reentry?

### Mitigation of Future Storm Damage

1. Are changes needed in the content or procedures of the current building code?
2. Can electric outages be limited by infrastructure hardening, solar lighting, or underground utilities?
3. Are there innovative ways to avoid or reduce flooding, including ways to expeditiously and safely remove excess water?

Many proposed solutions will require additional resources. Our financial position, as reported in the 3-year outlook and adopted by the Legislative Budget Commission last Friday, indicates modest revenue growth of approximately four percent during each of the next three years. Critical needs, maintenance of a minimum reserve, and normal legislative priorities are expected to significantly exceed the total available General Revenue funds in fiscal years 2019-20 and 2020-21. Mindful of these conditions, we should carefully evaluate each proposal for new spending. We should also re-evaluate our current expenditures and consider changing our priorities. For example, in FY 2017-18 the Legislature appropriated \$638.4 million in new funding on member projects. If we shift project funding in the next budget toward local hurricane recovery and mitigation efforts, we will provide a significant boost in resources for this purpose. I ask all of you, and our colleagues in the Senate, to join me in setting aside the business-as-usual of pork projects and instead invest all of those funds to either assist those in



need after Hurricane Irma or prepare Florida against the threat to life and property that will surely come with future storms.

Hurricane Irma has caused damage, but such difficulties are also opportunities. I look forward to working with all of you to identify, assess, and respond to the needs of our fellow Floridians. Our state has experienced disasters before and we surely will again, but if we work together we can ensure that our state remains on its path to a brighter future.

## **Policy Issues for Consideration by the Select Committee**

### **Avoiding and Mitigating Future Storm Damage**

1. Evaluate the performance of Florida's building code and determine if any changes to the code or code adoption processes are warranted.
2. Develop policies to limit electrical outages during a storm, including policies to encourage cost-effective infrastructure hardening, auxiliary power at key interstate interchanges, and, where appropriate, underground utilities.
3. Evaluate alternative approaches to avoid or reduce flooding, including methods to remove excess water when traditional storm water systems are overwhelmed.
4. Enhanced funding for beach restoration and nourishment to protect property and people.

### **Public Safety**

1. Evaluate access to emergency management information, and identify ways to improve statewide information regarding all roads in Florida, shelter availability and location, government closures, food distribution, gasoline availability, etc.
2. Review the use of emergency ordinances and curfews and the roles of state, local and federal authorities, and consider policy changes to ensure consistency and cooperation.
3. Enhance penalties for looting and other crimes committed during evacuations and declared emergencies.

### **Evacuation**

1. Consider alternative approaches to ensure adequate supplies of gasoline are available to meet demand during a disaster, including the merits of establishing a Florida petroleum reserve.
2. Consider directing the Division of Emergency Management to establish a system of providing food, water and other necessities on major roadways at rest stops and weigh stations.
3. Consider placing permanent generators at rest stops or repositioning generators at key rest areas.
4. Consider utilizing closed weigh and agriculture stations as comfort stations or locations for drivers to pull off the road when running low on gas.
5. Evaluate the benefits of improving the shoulders of key roads on southbound lanes to facilitate reentry after an evacuation. Northbound shoulders are evacuation ready whereas southbound shoulders *are not* reentry ready.



### **Critical Workers and Employee Protections**

1. Develop strategies to assist and support essential personnel including health professionals and other caregivers to continue working during evacuations and other declared emergencies.
2. Evaluate the need for support for private employers and their employees during evacuation and declared emergencies.

### **Medical Facilities**

1. Evaluate the adequacy of emergency management planning by nursing homes, hospices, assisted living facilities, and group homes, and consider policies to improve such planning.
2. Assess and strengthen current regulations for health care and residential facilities to have generators and maintain service capabilities.
3. Evaluate whether curfew orders allow critical medical personnel to travel to and from work, and consider other strategies for maintaining essential staffing while allowing some regulatory flexibility during evacuations.

### **Medical Care**

1. Consider expanding access to telehealth (within and outside of Florida) as a means of ensuring adequate access to health services.
2. Evaluate the adequacy of public information addressing refills and temporary supplies of prescription drugs, and consider requiring pharmacies to use their patient communication systems to provide information.
3. Consider financial supports for essential health care providers, including mental health providers, to ease hurricane-related cash flow problems and support continuous access to care.

### **Shelters**

1. Determine the adequacy of current shelters, and consider providing additional funding for schools and universities to provide hurricane shelter facilities.
2. Evaluate the adequacy of special needs shelters, and consider establishing tiers of facilities to handle the most fragile, using nursing homes, rehabilitation center and hospital beds.
3. For those in government-funded health care programs, consider:
  - a. Requiring Medicaid plans to use care managers to determine whether individuals need help and find them a place to shelter.
  - b. Requiring coverage for facility admissions when no other qualified shelter is available.

- c. Requiring Medicaid plans to have emergency operation plans, documenting how they will provide these services, and proving contract relationships with facilities.
4. Determine the adequacy of communications about and the availability of pet shelters, and consider means to improve communication and the merits of requiring a standard population-based minimum number of pet shelters or ratio of pet and non-pet shelters.

### **Utilities**

1. Evaluate existing processes used to prioritize the restoration of electric service, and consider policies to ensure the needs of the most vulnerable are addressed, including individuals in facilities and at home.
2. Determine if avoidable impediments hampered the movement of utility trucks and other emergency response vehicles, and consider providing a right of way and escorts as necessary to reach affected locations.

### **School Closures**

1. Consider allowing school districts to deduct hurricane days from required days of instruction.
2. Consider providing additional school readiness funding for care when schools are closed.
3. Consider authorizing and funding the school readiness program to temporarily serve additional families in areas where schools are closed for extended periods.

### **Necessities**

1. Consider providing for one-time increase in benefits to enable restocking by those who lose all food at home during a disaster.
2. Consider prioritizing the expenditure of affordable housing funds on replacing and repairing affordable housing lost or damaged during a disaster.

### **Reconstruction**

1. To facilitate reconstruction, develop policy options to expedite permitting processes, and consider extending existing permit deadlines and reducing or waiving permit fees.
2. Consider reforms to construction law that will expedite reconstruction, including changes to construction licensing regulations. Also consider changes to the construction lien law to protect homeowners from double paying for construction if the construction is paid directly by the homeowner.

3. Consider enhancing CareerSource Florida programs to train and place employees in skilled construction trades.
4. Consider modifying the 811 (call before you dig) system to better address facility location in extraordinary circumstances.

### **Tax Relief**

1. Consider exempting displaced Florida residents and recovery workers from tourist development taxes and other taxes currently assessed on hotel stays.
2. Consider creating a temporary tax holiday (exemption or credit) for all construction supplies following declared disasters.
3. Consider providing an additional disaster preparedness tax holiday tied to hurricane watch/warning.
4. Consider allowing agricultural lands that sit fallow or otherwise become non-income producing following a disaster, to continue to be classified as agricultural and maintain a minimal property tax assessment for a specific time period.

### **Insurance and Banking**

1. Examine insurance solvency by reviewing reserve and reinsurance levels for the Hurricane Catastrophe Fund (CAT fund), Citizens Property Insurance, and insurance carriers in Florida.
2. Examine Florida property insurance claims exposure by region and coverage.
3. Review access to sufficient insurance adjusters and alternatives to ensure rapid adjusting of claims.
4. Review potential alternatives to help policyholders finance insurance deductibles over longer time periods.
5. Consider requiring all property and casualty insurance companies licensed in Florida to report any instances of suspected price gouging by independent adjusters and to report any suspected violations of Florida's insurance codes, including activity by unlicensed adjusters.
6. Consider authorizing the Commissioner of the OFR to permit banks and credit unions to change their main office locations or establish additional branches in declared disaster areas for a specified period of time.



# Florida Division of Emergency Management



**State Emergency Response Team**

**Concept of Operations**



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# Florida Division of Emergency Management

## Mission Statement

**Working together to ensure that Florida is prepared to respond to emergencies, recover from them, and mitigate against their impacts.**



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# Florida Statute Chapter 252

## State Emergency Management Act

Florida State Chapter 252, or commonly known as the “State Emergency Management Act,” authorizes the creation of a state emergency management agency to be known as the “Division of Emergency Management.”

The Division is charged with implementing programs whose goals are to avoid or reduce the impacts of natural and man made disasters.



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# Comprehensive Emergency Management Plan (CEMP)



- Sets the “Overall Framework”
- Provides guidance to state and local officials on procedures, organization, and responsibilities
- Adopts a functional approach that combines the types of assistance to be provided under each Emergency Support Function (e.g., *Transportation, Health*)



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# FDEM Operational Regions



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# Natural and Technological Hazards

## Natural Hazards

- **Hurricanes**
- **Tornadoes**
- **Floods**
- **Drought**
- **Wildfires**
- **Severe Thunderstorms**
- **Severe Heat and Cold**

## Technological Hazards

- **Terrorism (WMD)**
- **Mass Migration**
- **Radiological (REP)**
- **Hazardous Materials**
- **Special Events (2012 RNC, Super Bowl)**
- **Transportation Accidents**



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# State Emergency Response Team

- **Comprised of response partners from other state agencies, voluntary agencies, and private organizations.**
- **Grouped by Emergency Support Function.**
- **18 Emergency Support Functions (ESFs).**
- **Emergency Coordinating Officers (ECO).**



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# SERT Activation Levels

- ***Level 3: Monitoring***
  - Normal, day to day Situational Awareness.
- ***Level 2: Activation of SERT***
  - Individual ESF's notified and staffed according to the needs of the event.
- ***Level 1: Full-Scale Activation***
  - All ESF's present with 24-hour operation as needed.



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# Emergency Support Functions



***ESF 1: Transportation (DOT)***

***ESF 2: Communications (DMS)***

***ESF 3: Public Works (DOT)***

***ESF 4: Fire Fighting (DFS)***

***ESF 5: Info and Planning (DEM)***

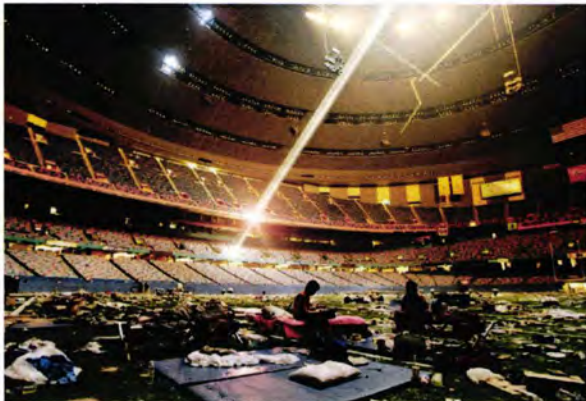


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# Emergency Support Functions

- ***ESF 6: Mass Care (DBPR)***
- ***ESF 7: Resource Support (DMS)***
- ***ESF 8: Health and Medical (DOH)***
- ***ESF 9: Urban Search and Rescue (DFS)***
- ***ESF 10: Hazardous Materials (DEP)***

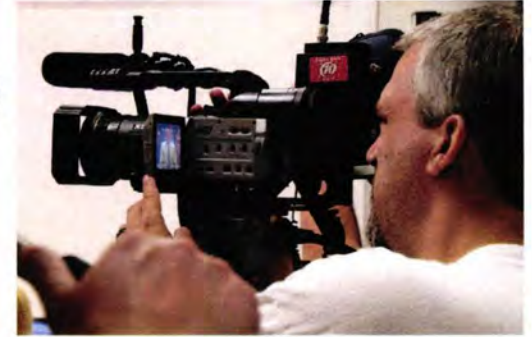


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# Emergency Support Functions

- ***ESF 11: Food and Water (DOACS)***
- ***ESF 12: Energy (PSC)***
- ***ESF 13: Military Support (DMA)***
- ***ESF 14: Public Information (EOG)***



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# Emergency Support Functions

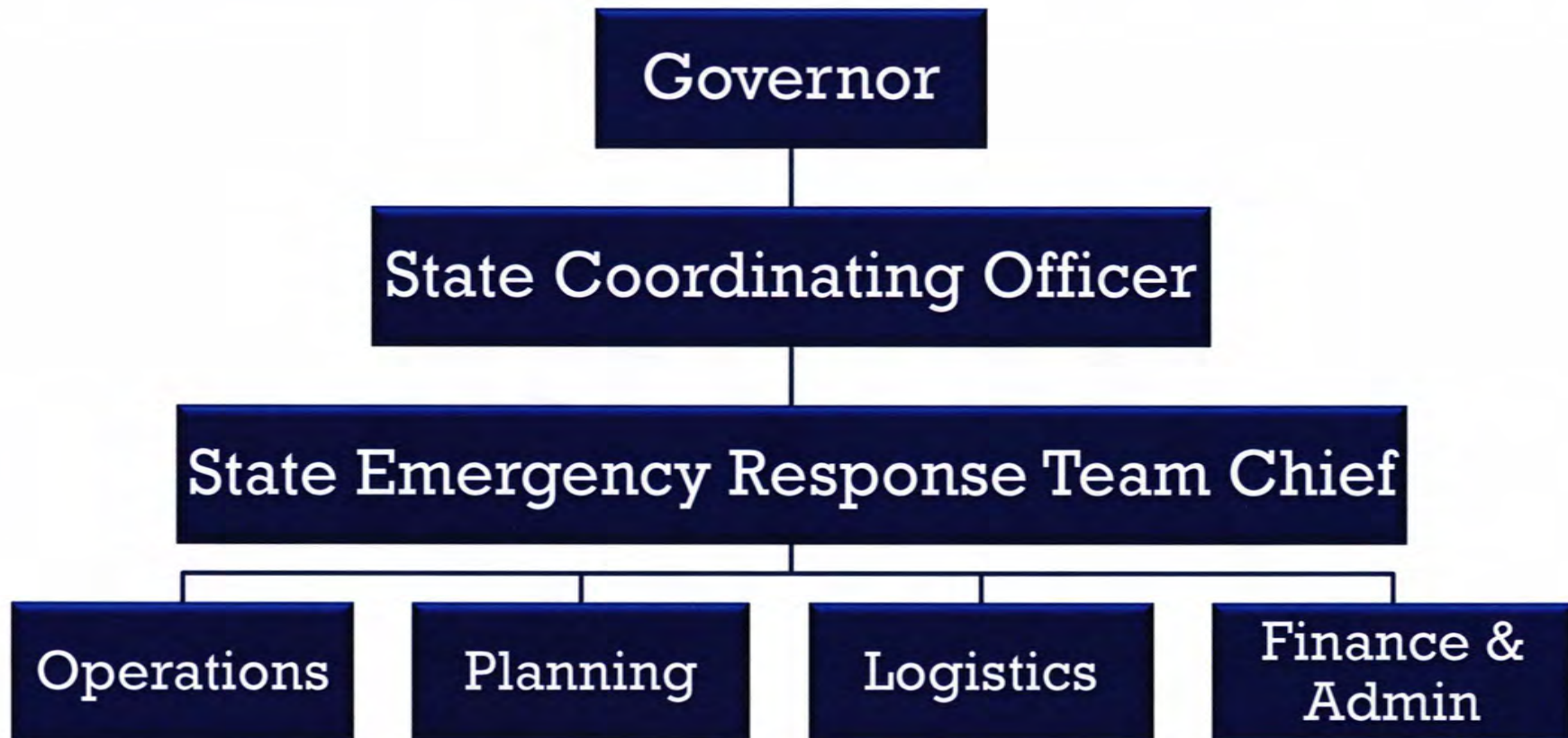


- ***ESF 15: Volunteers and Donations (VolFL)***
- ***ESF 16: Law Enforcement (FDLE)***
- ***ESF 17: Animal Protection & Agriculture (DOACS)***
- ***ESF 18: Business and Economic Stabilization (DEO)***



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# State EOC Command Structure



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# SERT Organization

- **Follows Incident Command System and Unity of Command principles.**
- **Organized functionally in Sections and Branches.**
- **The Governor is the ultimate authority in all disasters ....**
  - **Delegation to a State Coordinating Officer.**
  - **SERT Chief oversees implementation in the SEOC.**



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# **Local Ownership**

**All disasters start and end at the  
LOCAL level.**

**State and Federal officials provide  
support and resources when local  
agencies are overwhelmed.**



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# Requesting Assistance

President declares  
eligibility for federal aid



Governor on  
behalf of State



Chairman BoCC on  
behalf of County



Mayor on behalf  
of Municipality

**Under the Stafford Act and F.S. Chapter 252, only the Elected Leadership has the authority to Declare Emergencies. Only the Governor may request assistance from the President.**



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# Priorities in the First 72 Hours



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# Operational Rules

1. **Meet the needs of the Survivors**
2. **Take care of the Responders**
3. **See Rule One**



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# Standing Orders

1. **Establish Communication with Areas Impacted**
2. **Search and Rescue /Security**
3. **Meet Basic Human Needs**
  1. **Medical**
  2. **Water**
  3. **Food**
  4. **Shelter**
  5. **Emergency Fuel**
  6. **Ice is a distant sixth (focus on shelter and medical uses)**
4. **Restore Critical Infrastructure**
5. **Open Schools / Local Businesses**
6. **Begin the Recovery**



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# Questions?



[www.floridadisaster.org](http://www.floridadisaster.org)

Twitter: @FLSERT



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**Florida Office of Insurance Regulation**

# **Hurricane Irma Update**

Presented to:

**House Select Committee on  
Hurricane Response and Preparedness  
October 12, 2017**



## Pre-Hurricane Irma Actions Taken to Benefit Consumers

- Issued more than 18 consumer outreach announcements
- Prepared catastrophe claims data call for insurance company reporting
- Maintained close contact with insurance company presidents to determine unmet needs and stress importance of expediting claims handling for consumers
- Followed up on implementation of evacuation plans for more than 70 licensed continuing care retirement facilities in Florida
- Issued an early prescription refill notice to all health insurance companies
- Reminded consumers about available contact information for homeowners insurance companies to help in reporting a claim





## Post-Hurricane Irma Actions Taken to Benefit Consumers

- Issued more than 78 consumer outreach announcements
- Monitoring consumer complaints received by DFS Consumer Services
- Met with Roy Wright, National Flood Insurance Program Director, to discuss flood claims affecting Floridians
- Activated catastrophe claims data call reporting for insurance companies
- Issued an Emergency Order



## Emergency Order Issued in Response to Hurricane Irma

The Office issued an Emergency Order on September 13, 2017 that:

- Specifically prohibits cancellation or nonrenewal of any residential policy if the property sustained damage from Hurricane Irma until 90 days after it has been repaired;
- Broadly prohibits cancellation or nonrenewal of any insurance policy between September 4<sup>th</sup> through October 15<sup>th</sup>;
- To date, suspends over 300 new rate filings for rate increases from taking effect between September 4<sup>th</sup> through December 3<sup>rd</sup>



2017 Hurricane Season

Event	Total Claims	Estimated Losses	% Claims Closed
<b>Irma (2017)</b>	703,671	\$4.57 billion	24.6%
<b>Matthew (2016)</b>	119,345	\$1.18 billion	90.0%
<b>Hermine (2016)</b>	19,699	\$139 million	92.9%

\*Irma data is as of October 6, 2017 while Matthew and Hermine is as of March 3, 2017