

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58AER17-1: Procedures Regarding Emergency Environmental Control for Assisted Living Facilities

The Department of Elder Affairs hereby provides notice of renewal of Emergency Rule 58AER17-1, Procedures Regarding Emergency Environmental Control for Assisted Living Facilities, as adopted on September 16, 2017, and noticed in Volume 43, Number 180 issue of the Florida Administrative Register on September 18, 2017. On November 14, 2017, the Department of Elder Affairs published a Notice of Proposed Rule pursuant to Section 120.54(3)(a)1., Florida Statutes, in Volume 43, Number 220 issue of the Florida Administrative Register for Proposed Rule 58A-5.036 to adopt a permanent rule to establish a process for the Department to ensure that licensees of assisted living facilities develop and implement plans that ensure ambient air temperatures will be maintained at or below 81 degrees Fahrenheit for a minimum of ninety-six (96) hours in the event of the loss of primary electrical power to an assisted living facility to ensure the health, safety, comfort and welfare of residents of assisted living facilities. On December 8, 2017, Proposed Rule 58A-5.036 was submitted to the Legislature and is awaiting ratification by the Legislature pursuant to 120.541(3), Florida Statutes. Pursuant to Section 120.54(4)(c)2., Florida Statutes, Emergency Rule 58AER17-1, Florida Administrative Code, is renewed.



December 8, 2017

The Honorable Joe Negron
President of the Florida Senate
409 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100
Via Hand Delivery

Re: Rule Ratification – Rule 58A-5.036

Dear President Negron:

Pursuant to Section 120.541(3), Florida Statutes, the Florida Department of Elder Affairs (“Department”) hereby submits Rule 58A-5.036 for ratification. The rule establishes standards for emergency environmental control for assisted living facilities. The Department respectfully requests that the Legislature ratify the rule during the 2018 Legislative Session.

Enclosed please find a copy of the rule, as well as a copy of the Statement of Estimated Regulatory Costs that was prepared for the rule. The proposed rule was previously submitted to you on November 14, 2017, in accordance with Section 429.41(3), Florida Statutes. Thank you for your consideration. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Prudom'.

Richard M. Prudom
Deputy Secretary

Enclosures (as stated)

cc: Senator Lizbeth Benacquisto, Chair, Committee on Rules
John B. Phelps, Staff Director, Committee on Rules
Alexandra Philips, Office of Fiscal Accountability and Regulatory Reform

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visit us at: elderaffairs.org



December 8, 2017

The Honorable Richard Corcoran
Speaker of the House
420 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300
Via Hand Delivery

Re: Rule Ratification – Rule 58A-5.036

Dear Speaker Corcoran:

Pursuant to Section 120.541(3), Florida Statutes, the Florida Department of Elder Affairs (“Department”) hereby submits Rule 58A-5.036 for ratification. The rule establishes standards for emergency environmental control for assisted living facilities. The Department respectfully requests that the Legislature ratify the rule during the 2018 Legislative Session.

Enclosed please find a copy of the rule, as well as a copy of the Statement of Estimated Regulatory Costs that was prepared for the rule. The proposed rule was previously submitted to you on November 14, 2017, in accordance with Section 429.41(3), Florida Statutes. Thank you for your consideration. If you have any questions, please do not hesitate to contact me.

Sincerely,

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Richard M. Prudom
Deputy Secretary

Enclosures (as stated)

cc: Representative Jose Oliva, Chair, Rules & Policy Committee
Stephanie Birtman, Staff Director, Rules & Policy Committee
Alexandra Philips, Office of Fiscal Accountability and Regulatory Reform

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