



Assisted Living Facilities

- ❖ **STATUTE**
- ❖ **RULE**
- ❖ **CRITERIA**

**Current until changed by
State Legislature or AHCA**

Assisted Living Facilities Statutory Reference'

400.441 (1)(b), Florida Statutes

Rules establishing standards

- (b) The preparation and annual update of a comprehensive emergency management plan. Such standards must be included in the rules adopted by the department after consultation with the Department of Community Affairs. At a minimum, the rules must provide for plan components that address emergency evacuation transportation; adequate sheltering arrangements; postdisaster activities, including provision of emergency power, food, and water; postdisaster transportation; supplies; staffing; emergency equipment; individual identification of residents and transfer of records; communication with families; and responses to family inquiries. The comprehensive emergency management plan is subject to review and approval by the local emergency management agency. During its review, the local emergency management agency shall ensure that the following agencies, at a minimum, are given the opportunity to review the plan: the Department of Elderly Affairs, the Department of Health, the Agency for Health Care Administration, and the Department of Community Affairs. Also, appropriate volunteer organizations must be given the opportunity to review the plan. The local emergency management agency shall complete its review within 60 days and either approve the plan or advise the facility of necessary revisions.

6 This statutory excerpt is only meant to be used for reference purposes. A complete copy of the Assisted Living Facility Statute (Chapter 400, Part 111, F.S.) may be accessed through the Online Sunshine Internet Homepage (www.leg.state.fl.us).

Assisted Living Facilities

Rule Reference'

58A-5.024 (1)0, Florida Administrative Code

Records.

The owner or administrator of a facility shall maintain the following written records in a place, form and system ordinarily employed in good business practice. All records required by this chapter shall be accessible to department and agency staff.

- 0) Each facility shall develop and follow a written comprehensive emergency management plan for emergency care during an internal or external disaster in accordance with Chapter 252, F.S. The plan must be appropriate for the size and location of the facility and for the service needs of the residents.
1. The emergency management plan shall be developed in accordance with and following the format in "Emergency Management Planning Criteria for Assisted Living Facilities" dated October, 1995, which is incorporated by reference. This document is available from the local emergency management agencies. At a minimum, the emergency management plan shall include or be accompanied by the following:
 - a. Provisions for all hazards.
 - b. Provisions for care and services to residents of the facility during the emergency including pre-disaster or emergency preparation; protecting the facility; supplies; auxiliary emergency power, food and water; staffing; and emergency equipment.
 - c. Provisions for care and services to residents who must be evacuated during the emergency including evacuation transportation, adequate sheltering arrangements, supplies, staffing, emergency equipment, identification of residents, and transfer of records and medications.
 - d. Provisions for care and services for additional residents who may be evacuated to the facility during an emergency including staffing, supplies, and identification of residents.

7 This rule excerpt is only meant to be used for reference purposes. A complete copy of the Assisted Living Facility rule (Chapter 58A-5, F.A.C.) may be obtained from the Department of Elder Affairs (4040 Esplanade Way, Tallahassee, FL 32399).

- e. Identification of staff responsible for implementing each aspect of the plan. Sufficient staff to assist each resident in the event of an emergency shall be available.
 - f. Written mutual aid agreements or statements of understanding for sheltering all residents if required to evacuate and providing services. Except as ordered in extreme emergency, a Red Cross public shelter is not considered adequate sheltering arrangements for purposes of this rule; however assisted living facilities designated as public shelters or receiving shelters by the county emergency management agency are exempt from this restriction.
 - g. Identification of residents with Alzheimer's disease and other related dementia's and residents with mobility limitations who may need specialized assistance either at the facility or in case of evacuation.
 - h. Identification of and coordination with the county emergency management agency.
 - i. Post-disaster activities including responding to family inquiries, obtaining medical attention or intervention for residents, transportation, and provisions for reporting to the county office of emergency management the number of residents who were relocated and the place of relocation.
2. Pursuant to Rule 9G-20, F.A.C., the plan shall be submitted for review and approval to the county emergency management agency in accordance with the schedule developed by the agency. Approval of the plan signifies that the plan has met all the criteria and conditions outlined in the planning guidelines.
- a. The county emergency management agency has 60 days in which to review and approve the plan or advise the facility of necessary revisions. If the county emergency management agency advises the facility of necessary revisions to the plan, those revisions shall be made and the plan resubmitted to the county office of emergency management within 30 days.
 - b. Any plan approved by the county emergency management agency shall be considered approved for the purposes of this rule.
 - c. The county emergency management agency shall be the final administrative authority for emergency management plans developed and approved for the assisted living program.

- d. All existing facilities shall have an approved plan in place within 18 months of the effective date of this rule in accordance with the schedule developed by the county emergency management agency.
 - e. For newly-licensed facilities and facilities whose ownership has been transferred, the emergency management plan must be submitted within 30 days of obtaining a license.
 - f. The facility shall review its emergency management plan on an annual basis and submit any needed changes to the local emergency management agency for review and approval. However, changes in the name, address, telephone number, or position of staff listed in the plan are not considered substantive revisions for the purpose of this rule. Instead, changes associated with the identification of specific employees must be submitted to the local emergency management agency annually as a signed and dated addendum that is not subject to review and approval.
 - g. The facility shall pay the fee, if charged, for review of the plan authorized pursuant to s.252.35(2)(1) and s. 252.38(l)(e), F.S.
3. The plan shall be located where immediate access by facility staff is assured.
4. All staff are responsible for implementing the emergency management plan and shall be trained in their duties.
5. In the event a state of emergency has been declared by the state or local government and the facility is not required to evacuate the premises, a facility may provide emergency shelter accommodations above the licensed capacity for residents and staff members who have been displaced due to the declared emergency. However, the following conditions must be met:
- a. The facility must report being over capacity and the conditions causing it to the agency area office within 48 hours or as soon as practical. As an alternative, the facility may report to the agency central office Assisted Living Unit at (904) 487-2515. If the facility will be over capacity after the declared emergency situation ends, the agency shall review requests for excess capacity and may approve the excess capacity on a case-by-case basis.
 - b. Life safety cannot be jeopardized for any individual.

- c. The immediate needs of residents and other individuals sheltered at the facility must be met.
 - d. Receiving facilities shall not house more residents than the facility has the capacity and ability to meet the immediate needs of residents and other individuals sheltered at the facility.
 - e. A log shall be maintained of the additional people being housed in the facility. The log shall include the individual's name, usual address, and the dates of arrival and departure. The log shall be available for review by representatives of the agency, the department, and the local emergency management agency or its designee. The admissions and discharge log maintained by the facility may be used for this purpose provided the information is maintained in a manner that is easily accessible.
6. A facility must evacuate the premises during or after an emergency situation if so directed by the local emergency management agency. If evacuation is necessary, the facility shall not be reoccupied until the area is cleared for reentry by the local emergency management agency or its designee and the facility can meet the immediate needs of the residents. A facility with significant structural damage shall relocate residents until the facility can be safely reoccupied.
7. A facility that must evacuate the premises due to emergency conditions shall report the evacuation to the local office of emergency management or designee and to the agency within six hours of the evacuation order and when the evacuation is complete if the evacuation is not completed within the six hour period. The administrator or designee is responsible for knowing the location of all residents until the resident has been relocated from the facility. The licensee shall inform the agency of a contact person who will be available by telephone 24 hours a day, seven days a week, until the facility is reoccupied.
8. After the disaster, the facility shall assist in the relocation of residents to an appropriate placement as soon as possible and shall cooperate with outreach teams established by the department or emergency management agency to assist in relocation efforts. Residents' needs and preferences are factors which should be considered to the extent possible in any relocation decision.
9. If telephone service is not available during an emergency, the facility shall request assistance from local law enforcement or emergency management personnel in maintaining communication.

(OCTOBER) 1995

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

**EMERGENCY MANAGEMENT PLANNING CRITERIA FOR
ASSISTED LIVING FACILITIES**

The following minimum criteria are to be used when Comprehensive Emergency Management Plans (CEMP) for all Residential Health Care Facilities (Facilities), including, but not limited to Assisted Living Facilities (ALFs), Nursing Homes, Hospitals, and other Residential Health Care Providers. The criteria will serve as the recommended plan format for the CEMP, and will also serve as the compliance review document for county emergency management agencies upon submission for review and approval pursuant to Chapter 252, Florida Statutes.

These minimum criteria satisfy the basic emergency management plan requirements of

- s395.1055 Florida Statutes and Chapter 59A-3, Florida Administrative Code for Hospitals
- s395.1055 Florida Statutes and Chapter 59A-5 Florida Administrative Code for Ambulatory Surgical Centers
- s400.23 Florida Statutes and Chapter 59A-4 Florida Administrative Code for Nursing Homes
- s400.441 Florida Statutes and Chapter 58A-5 Florida Administrative Code for ALFs
- s393.067 Florida Statutes and Chapter 59 - Florida Administrative Code for Residential Care Facilities for the Developmentally Disabled.

These criteria are not intended to limit or exclude additional information that facilities may decide to include in their plans in order to satisfy other requirements, or to address other arrangements that have been made for emergency preparedness. Any additional information which is included in the plan will not be subject to approval by county emergency management personnel, although they may provide information comments.

This form must be attached to your facility's comprehensive emergency management plan upon submission for approval to the county emergency management agency. Use it as a cross-reference to your plan, by listing the page number and paragraph where the criteria are located in your plan on the line to the left of each item. This will ensure accurate review of your facility's plan by the county emergency management agency.

I. INTRODUCTION

- A. Provide basic information concerning the facility to include:
 - 1. Name of facility, address, telephone number, emergency contact telephone number and pager number if available, and fax number, type of facility and license.
 - 2. Owner of facility, address, telephone.
 - 3. Year of facility was built, type of construction and date of any subsequent construction.
 - 4. Name of Administrator, address, work/home telephone number of his/her alternate.
 - 5. Name, address, work and home telephone number of person implementing the provisions of this plan, if different from the Administrator.
 - 6. Name and work and home telephone number of person(s) who develop this plan.
 - 7. Provide an organizational chart, including phone numbers, with key management positions identified.
- B. Provide an introduction to the Plan which describes its purpose, time of implementation, and the desired outcome that will be achieved through the planning process. Also provide any other information concerning the facility that has bearing on implementation of this plan.

II. AUTHORITIES AND REFERENCES

- A. Identify the legal basis for plan development and implementation to include statutes, rules and local ordinances, etc.
- B. Identify reference material used in the development the Plan.
- C. Identify the hierarchy of authority in place during emergencies. Provide an organizational chart, if different from the previous chart required.

III. HAZARD ANALYSIS

- A. Describe the potential hazards that the facility is vulnerable to such as hurricanes, tornadoes, flooding, fires, hazardous materials incidents from fixed facilities or transportation accidents, proximity to a nuclear power plant, power outages during severe cold or hot weather, etc. Indicate past history and lessons learned.
- B. Provide site specific information concerning the facility to include:
 - 1. Number of facility beds, maximum number of clients on site, average number of clients on site.
 - 2. Type of residents/patients served by the facility to include but not limited to:
 - A. Patient with Alzheimer Disease.
 - B. Patients requiring special equipment or other special care, such as oxygen or dialysis.
 - C. Number of patients who are self-sufficient.
 - 3. Identification of hurricane evacuation zone facility is in.
 - 4. Identification of which flood zone facility is in as identified on a Flood Insurance Rate Map.
 - 5. Proximity of facility to a railroad or major transportation artery (per hazardous materials incidents).
 - 6. Identify if facility is located within 10 mile or 50 mile emergency planning zone of a nuclear power plant.

IV. CONCEPT OF OPERATION

This section of the plan defines the policies, procedures, responsibilities and actions that the facility will take before, during and after any emergency situation. At a minimum the facility plan needs to address direction and control, notification, evacuation and sheltering.

- A. Direction and Control

Define the management function for emergency operations. Direction and control provide a basis for decision making and identifies who has the authority to make decisions for the facility.

- 1. Identify, by name and title who is in charge during an emergency, and one alternate, should that person be unable to service in that capacity.
- 2. Identify the chain of command to ensure continuous leadership and authority in key positions.
- 3. State the procedures to ensure timely activation and staffing of the facility in emergency functions. What are the provisions for emergency workers' families?
- 4. State the operational and support roles for all facility staff. (This will be accomplished through the development of Standard Operating Procedures, which must be attached to this Plan).
- 5. State the procedures to ensure the following needs are supplied.
 - A. Food, water, and sleeping arrangements.
 - B. Emergency power, natural gas or diesel. If natural gas, identify alternate means should loss of power occur which would effect the natural gas system. What is the capacity of emergency fuel system?
 - C. Transportation (may be covered in the evacuation section).
 - D. 72 Hour supply of all essential supplies.
- 6. Provisions for 24 hour staffing on a continuous basis until the emergency has abated.

— B. Notification

Procedures must be in place for the facility to receive timely information on impending threats and the alerting of facility decision makers, staff and residents of potential emergency conditions.

- 1. Define how the facility will receive warnings, to include off hours and weekends/holidays.
- 2. Identify the facility 24-hour contact number, if different than number listed in introduction.

- 3. Define how key staff will be alerted.
- 4. Define the procedures and policy for reporting to work for key workers.
- 5. Define how residents/patients will be alerted and the precautionary measures that will be taken.
- 6. Identify alternative means of notification should the primary system fail.
- 7. Identify procedures for notifying those facilities to which facility residents will be evacuated to.
- 8. Identify procedures for notifying those families of residents that facility is being evacuated.

— C. Evacuation

Describe the policies, roles, responsibilities, and procedures for the evacuation of residents from the facility.

- 1. Identify the individual responsible for implementing facility evacuation procedures.
- 2. Identify transportation arrangements made through mutual aid agreements or understandings that will be used to evacuate residents (copies of the agreements must be attached).
- 3. Describe transportation arrangements for logistical support to include moving records, medications, food, water and other necessities.
- 4. Identify the pre-determined locations where residents will evacuate to.
- 5. Provide a copy of the mutual aid agreement that has been entered into with a facility to receive residents/patients (current, signed each year).
- 6. Identify evacuation routes that will be used and secondary routes that would be used should the primary route be impassable.

- 7. Specify the amount of time it will take to successfully evacuate all patient/residents to the receiving facility. Keep in mind that in hurricane evacuations, all movement should be completed before the arrival of tropical storm winds (40-mph winds).
- 8. What are the procedures to ensure facility staff will accompany evacuating residents/patients?
- 9. Identify procedures that will be used to keep track of residents once they have been evacuated (to include a log system).
- 10. Determine what and how much should each resident take. Provide for a minimum of 72-hour stay, with provisions to extend this period of time if the disaster is of catastrophic magnitude.
- 11. Establish procedures for responding to family inquiries about residents who have been evacuated.
- 12. Establish procedures for ensuring all residents are accounted for and are out of the facility.
- 13. Determine at what point to begin the pre-positioning of necessary medical supplies and provisions.
- 14. Specify at what point the mutual aid agreements for transportation and the notification of alternate facilities will begin.

— D. Re-Entry

Once a facility has been evacuated, procedures need to be in place for allowing residents or patients to re-enter the facility.

- 1. Identify who is the responsible person(s) for authorizing re-entry to occur.
- 2. Identify procedures for inspection of the facility to ensure it is structurally sound.
- 3. Identify how residents will be transported from the host facility back to their home facility and identify how you will receive accurate and timely data on re-entry operations.

— E. Sheltering

If the facility is to be used as a shelter for an evacuating facility, the plan must describe the sheltering/hosting procedures that will be used once the evacuating facility residents arrive.

- 1. Describe the receiving procedures for arriving residents/patient from evacuating facility.
- 2. Identify where additional residents will be housed. Provide a floor plan which identifies the space allocated for additional residents or patients.
- 3. Identify provisions of additional food, water and medical needs of those residents/patients being hosted at receiving facility for a minimum of 72 hours.
- 4. Describe the procedures for ensuring 24-hour operations.
- 5. Describe procedures for providing sheltering for family members of critical workers.
- 6. Identify when the facility will seek a waiver from Agency for Health Care Administration to allow for the sheltering of evacuees if this creates a situation which exceeds the operation capacity of the host facility. (Call 904-487-2515)
- 7. Describe procedures for tracking additional residents or patients sheltered within the facility.

V. INFORMATION, TRAINING AND EXERCISES

This section shall identify the procedures for increasing employee and resident awareness of possible emergency situations and providing training on their emergency roles before, during and after a disaster.

- A. Identify how key workers will be instructed in their emergency roles during non-emergency times.
- B. Identify a training schedule for all employees and identify the provider of the training.
- C. Identify the provision for training new employees regarding their disaster related role(s).
- D. Identify a schedule for exercising all or portions of the disaster plan on an annual basis.
- E. Establish procedures for correcting deficiencies noted during training exercises.

ANNEXES

The following information is required, yet placement in an annex is optional, if the material is included in the body of the plan.

- A. Roster of employee and companies with key disaster related roles.
 - 1. List the names, addresses, telephone numbers of all staff with disaster related roles.
 - 2. List the name of the company, contact person, telephone number and address of emergency service providers such as transportation, emergency power, fuel, water, police, fire, Red Cross, etc.

- B. Agreements and Understandings
 - 1. Provide copies of any mutual aid agreement entered into pursuant to the fulfillment of this plan. This is to include reciprocal host facility agreements, transportation agreements, current vendor agreements or any other agreement needed to ensure the operational integrity of this plan.

- C. Evacuation Route Map
 - 1. A map of the evacuation routes and description of how to get to a receiving facility for drivers.

- D. Support Material
 - 1. Any additional material needed to support the information provided in the plan.
 - 2. Copy of the facility's fire safety plan that is approved by the local fire department.