

EMERGENCY ORDER 20-01

Ron DeSantis
Governor

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Director

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WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms such as fever, cough and shortness of breath; and

WHEREAS, as of March 22nd, 2020, numerous counties in Florida have positive cases for COVID-19; and

WHEREAS, on March 9, 2020, the Governor of the State of Florida, Ron DeSantis signed Executive Order 20-52 declaring that a state of emergency exists in Florida and providing that “[e]ach State agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provision of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency.”

NOW, THEREFORE, I, BARBARA PALMER, Director of Florida’s Agency for Persons with Disabilities, pursuant to the authority granted by Executive Order No. 20-52, and upon Order of the State Coordinating Officer, find the timely execution of the necessary actions, mitigation, response, and recovery aspects of the State’s emergency management plan, as it relates to COVID-19, is prevented, hindered, or delayed by the application of certain regulatory statutes, rules and orders related to the Agency for Persons with Disabilities (APD). Wherefore, I ORDER the following:

1. Existing renewal deadlines for any residential facility license granted pursuant to chapter 65G-2, *Florida Administrative Code*, which expire during the state of emergency, are suspended and tolled for 30 days after the end of the state of emergency. No late fee shall be assessed on an eligible license renewal due during this period.
2. For direct service providers required to maintain a current cardio-pulmonary resuscitation (CPR) certification under

chapter 65G-2, *Fla. Admin. Code*, who cannot find an in-person recertification class due to the state of emergency, the deadline for any certification that expires during the state of emergency is extended for 60 days from the end of the state of emergency. Initial certifications shall continue to require a classroom setting with a certified trainer.

3. If a municipal or fire authority has suspended inspections due to COVID-19 response or mitigation efforts, the deadlines for inspections from the municipal or fire authority which occur during the suspension period are suspended and tolled 60 days from the end of the state of emergency or resumption of the inspections, whichever is earlier. In any case where a licensee is claiming an exemption under this paragraph, the licensee must produce written proof from the local authority that inspections were suspended during the applicable time period due to COVID-19 mitigation or response.

4. Every effort shall be made to maintain on-site monthly monitoring visits as required by Rule 65G-20032, *Fla. Admin Code*. However, and under Rule 65G-20032(a) and (c), *Fla. Admin Code*, where onsite visits are not possible as a result of COVID-19 mitigation measures, video teleconference may be used during the state of emergency if the purpose of the monitoring can still be achieved.

5. Revalidation assessments of medication administration pursuant to chapter 65G-7, *Fla. Admin. Code*, which require in-person assessment, including but not limited to the simulation of administration of medication, which expire during the state of emergency are suspended and tolled for 60 days after the state of emergency .

6. Trainer certifications for the assessors of the medication administration practical exam required by chapter 65G-7, *Fla. Admin. Code*, which expire during the state of emergency, may occur by video teleconference if in-person administration is not possible as a result of COVID-19 mitigation measures.

7. If certification to use reactive strategies pursuant to chapter 65G-8, *Fla. Admin. Code*, expires, and in-person recertification is impossible as a result of COVID-19 mitigation and response measures, the recertification deadline is suspended and tolled for a period of 30 days from the end of the state of emergency. All initial certification processes are still in effect. Each staff member must still be certified in advance pursuant to Rule 65G-8.003(4), *Fla. Admin. Code*.

8. Where any other face-to-face assessment is required, video conferencing or telehealth may serve as an appropriate alternative during the state of emergency if in-person assessment is not possible because of COVID-19 mitigation measures, and if the purpose of the assessment can still be achieved.

All other statutory and rule requirements remain in full force and effect.

DONE and ORDERED this 22nd day of March, 2020, at Tallahassee, Leon County, Florida



Barbara Palmer, Director
Agency for Persons with Disabilities
State of Florida