

**59AER20-10 Mandatory Entry for Testing and Infection Control for Nursing Homes.**

(1) APPLICABILITY. The requirements of this emergency rule apply to all nursing homes licensed under Chapter 400, F.S.

(2) DEFINITIONS.

“Infection control” means any duties carried out in furtherance of preparing for, responding to, or recovering from COVID-19 as authorized under Chapter 381, F.S.

(3) MANDATORY ENTRY FOR INFECTION CONTROL AND TESTING FOR COVID-19.

(a) Nursing homes shall comply with all Department of Health infection control directives concerning staff and resident testing, including making off-shift staff available at the facility for testing.

(b) Nursing homes shall allow the Florida Department of Health or its authorized agents into the facility for the purpose of conducting COVID-19 infection control duties, and testing for residents and staff.

(c) When the Department of Health or its authorized agent enters the facility in its public health function for purposes of COVID-19 testing, nursing homes shall require facility staff to submit to a COVID-19 test.

(4) REVOCATION OF LICENSE, FINES OR SANCTIONS. For a violation of any part of this rule, the Agency may seek any remedy authorized by Chapter 400, Part II, or Chapter 408, Part II, F.S., including but not limited to, license revocation, license suspension, and the imposition of administrative fines.

(5) This rule supersedes emergency rule 59AER20-3.

Rulemaking authority, 400.23, 408.819, 408.821, FS, Law Implemented 400.022, 400.23, 408.819, FS

EFFECTIVE DATE: August 6, 2020