

**59AER20-9 Mandatory Entry and Testing for Assisted Living Facilities.**

(1) APPLICABILITY. The requirements of this emergency rule apply to all assisted living facilities licensed under Chapter 429, 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 AND TESTING FOR COVID-19.

(a) Assisted living facilities 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) Assisted living facilities shall allow the Florida Department of Health or its authorized agents entry into the facility for the purpose of conducting COVID-19 infection control duties, and testing of 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, assisted living facilities 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 429, Part I, 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 59AER20-2.

Rulemaking authority, 429.41, 408.821(4) FS, Law Implemented 429.19, 429.28, 429.41 FS.

EFFECTIVE DATE: August 6, 2020