



agency for persons with disabilities
State of Florida

EMERGENCY ORDER 22-01

Ron DeSantis
Governor



Barbara Palmer
Director



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WHEREAS, on September 23, 2022, the Governor of the State of Florida, Ron DeSantis signed Executive Order (EO) 22-218 and declared a state of emergency existed for several counties due to what would become Hurricane Ian; and

WHEREAS, EO 22-218 section 4, subsection B permits each state agency to 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 provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, on September 24, 2022, Governor DeSantis issued EO No 22-219 amending, ratifying and reaffirming EO No. 22-218 and expanding the state of emergency statewide; and

WHEREAS, Hurricane Ian made landfall along Florida’s southwest coast as a major hurricane on September 29, 2022, causing catastrophic property devastation and loss of life in several Florida counties; and

WHEREAS, the United States Federal Emergency Management Agency (FEMA) has declared the following Florida counties as disaster areas eligible for individual and public assistance: Brevard, Charlotte, Collier, DeSoto, Flagler, Glades, Hardee, Hendry, Highlands, Hillsborough, Lake, Lee, Manatee, Monroe, Orange, Osceola, Okeechobee, Palm Beach, Pasco, Pinellas, Polk, Putnam, Sarasota, Seminole, St. Johns, and Volusia (the Designated Counties); and

WHEREAS, the Agency for Persons with Disabilities (Agency or APD) is charged by the Legislature in chapter 393, Florida Statutes, with licensing and regulating group homes throughout the State of Florida, and has adopted rules in chapter 65G, *Florida Administrative Code*, to implement its delegated regulatory authority; and

NOW, THEREFORE, I, BARBARA PALMER, Director of Florida's Agency for Persons with Disabilities, pursuant to the authority granted by EO Nos. 22-218 and 22-219, find the timely execution of the necessary actions, mitigation, response, and recovery aspects of the State's emergency plan as it relates to Hurricane Ian, is prevented, hindered, or delayed by the application of certain regulatory rules and statutes related to APD. Wherefore, and only with respect to the Designated Counties, I ORDER the following:

PROVIDER DEADLINES UNDER CHAPTER 393, AND RULE CHAPTERS 65G-2 & 7

1. The provisions of section 393.506(2)(b), Florida Statutes and Rule 65G-7.004(6), *Florida Administrative Code*, requiring annual revalidation of competency of an unlicensed direct service provider to supervise and administer oral, enteral, ophthalmic, rectal and inhaled medication, and the requirement to attend an Update Training Course, are suspended during the pendency of this Order. This Order only applies to direct service providers in the Designated Counties who were required to obtain an annual revalidation of competency or attend an Update Training Course during the time period beginning on September 23, 2022 and continuing through the pendency of this Order. Initial trainings and validations required by section 393.506(2)(b), Florida Statutes and Rule 65G-7.004(6), *Florida Administrative Code*, are not affected by this Order.
2. The requirement for direct service providers to maintain a current cardio-pulmonary resuscitation (CPR) certification within 90 days of providing direct services under Rule 65G-2.008(7)(c), *Florida Administrative Code*, is suspended during the pendency of this Order for direct service providers who, due to the state of emergency, cannot locate an in-person re-certification class. This Order only applies to direct service providers in the Designated Counties who were required to maintain a current CPR certification during the time period beginning on September 23, 2022 and continuing through the

pendency of this Order. All direct service providers must still complete a basic first aid course, including instruction in the abdominal thrust maneuver and CPR, in accordance with Rule 65G-2.008(7)(c), *Florida Administrative Code*.

FACILITY DEADLINES UNDER RULE CHAPTER 65G-2

3. The requirement for a licensee to submit an application for license renewal to the Regional Office at least 45 days prior to the expiration of the prior license, pursuant to Rule 65G-2.002(3), *Florida Administrative Code*, is suspended for the pendency of this Order. This Order applies to any licensees in the Designated Counties whose license renewal applications became due during the time period beginning on September 23, 2022 and continuing through the pendency of this Order. The requirement for an applicant to submit an initial licensure application pursuant to Rule 65G-2.002(2), *Florida Administrative Code*, is not affected by this Order.

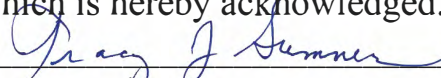
This Order is effective immediately and shall expire on November 23, 2022, unless extended. Any actions taken consistent with this Order prior to the entry of this Order are hereby ratified.

Executed this 18th day of November, 2022, at Tallahassee, Leon County, Florida.



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

Filed on this date, with
the designated Agency Clerk, receipt of
which is hereby acknowledged.



Agency Clerk

Date: November 18, 2022