



GUIDANCE FROM THE DEPARTMENT OF ELDER AFFAIRS

RE: DOEA Emergency Order No. 20-01 REVISED

COVID-19 (Coronavirus) Pandemic

In furtherance of the objectives of the Governor's Executive Order No. 20-52, and the Division of Emergency Management's Order No. 20-006, the Office of Public and Professional Guardians (OPPG) has issued DOEA Executive Order No. 20-01 REVISED to suspend the requirement of a personal visit to the ward where COVID-19 response and mitigation measures prevent such visits to Nursing Homes, ALFs, and other facilities enumerated in DEM Order No. 20-006.

Public and professional guardians should adhere to the following DOEA's guidance on responsibilities to the ward during the COVID-19 Emergency:

1. If the guardian is not able to make contact with the ward by video conference or telephone then the guardian should make contact by other means including, at a minimum, the professional or public guardian must make contact by video conference or phone with the facility to determine the condition of the guardian's ward and to address any needs of the ward.
2. All public and professional guardians must ensure that facility administrators, staff, and/or medical staff at the facility have the most up-to-date contact information to reach the guardian should an urgent need for the ward arise.
3. The video conferences and / or telephone calls must be documented in the same way as the in-person visits are documented.
4. The guardian must continue to follow all applicable court orders.
5. If a public or professional guardian has any immediate concerns that one of their wards within a facility may need a wellness check, the guardian shall

4040 Esplanade Way, Tallahassee, FL 32399-7000

Phone: (850) 414-2000 | Fax: (850) 414-2004 | TDD: (850) 414-2001

visit us at: elderaffairs.org

immediately refer those concerns to the OPPG Executive Director so that a virtual wellness check may be done in partnership with Long Term Care Ombudsman.

6. For wards **not** located within an enumerated facility, a public or professional guardian must continue to comply with the statutory requirements¹ of a personal visit to their respective ward on a quarterly basis.

Please contact the Executive Director of the Office of Public and Professional Guardians if you have any further questions.

¹ Section 744.361(14), Florida Statutes, provides, in part, that “[a] professional guardian must ensure that each of the guardian’s wards is personally visited by the guardian or one of the guardian’s professional staff at least once each calendar quarter.” This requirement is echoed in rule 58M-2.009(13)(c), Florida Administrative Code, which mirrors the statutory requirement for professional guardians to pay personal visits to their wards each calendar quarter. Section 744.2103(6), Florida Statutes, provides, in part, that “[a] public guardian shall ensure that each of the guardian’s wards is personally visited by the public guardian or by one of the guardian’s professional staff at least once each calendar quarter.”