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General Housing Resources and Self-Help Guide



This resource guide is created to provide general resource and self-help information for family members, caregivers, guardians, advocates/representatives, and older individuals with disabilities and is not a substitute for legal advice.

To find a subject that may be of most help to you, refer to the Table of Contents that provides topics/subject matter and page number references.

March 2008

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General Housing Resources and Self-Help Guide

Legal Rights and Housing

Title VIII of the Civil Rights Act of 1968 (The Fair Housing Act)

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on disability, race, color, national origin, religion, sex, and familial.

For more information see:

<http://www.hud.gov/offices/fheo/FHLaws/index.cfm>

Fair Housing Act toll-free Discrimination Hotline handles Fair Housing Act complaints at 1-800-669-9777 [use 1-800-795-7915 (TTY: 800-927-9275) for disability discrimination calls]. Also there is a Fair Housing toll-free Information Hotline at 1-800-767-7468. Additionally, the Florida Commission on Human Relations investigates Fair Housing discrimination complaints in Florida at 1-800-342-8170.

Americans with Disabilities Act

Title III of the ADA prohibits discrimination against persons with disabilities in commercial facilities and public accommodations. Title III of the ADA applies to public and common use areas at housing developments when these public areas are, by their nature, open to the general public or when they are made available to the general public. For example, it covers the rental office as the rental office is open to the general public.

Title II of the ADA covers the activities of public entities (state and local governments). Title II requires "public entities to make both new and existing housing facilities accessible to persons with disabilities." Housing covered by Title II of the ADA may include, for example, public housing authorities that meet the ADA definition of "public entity," and housing

operated by States or units of local government, such as housing on a State university campus.

For more information on the Americans with Disabilities Act, go to:

<http://www.usdoj.gov/crt/ada/publicat.htm>

Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act of 1973, as amended states that: "no otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, service or activity receiving federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service." As such, both public housing and those entities receiving housing choice vouchers should comply with applicable HUD regulations implementing Section 504 of the Rehabilitation Act.

For more information on Section 504, go to:

<http://www.hud.gov/offices/fheo/disabilities/sect504faq.cfm>

The Architectural Barriers Act of 1968

The Architectural Barriers Act of 1968 (ABA) allows that buildings financed with Federal funds must be designed, constructed, or altered in accordance with standards that ensure accessibility for persons with physical disabilities. The ABA requires that covered buildings comply with the Uniform Federal Accessibility Standards (UFAS). The ABA does not include privately-owned housing, but includes buildings or facilities financed in whole or in part with Federal funds. The ABA applies to public housing and to buildings and facilities constructed with community development block grant funds. In practice, buildings built to meet the requirements of Section 504 and Title II of the ADA should conform to the requirements of the ABA.

For more information, go to: <http://www.access-board.gov/about/laws/ABA.htm>

Florida Commission on Human Relations

The Florida Commission on Human Relations also investigates housing discrimination complaints. You can contact them 1 (800) 342-8170, or go to: <http://fchr.state.fl.us>

Florida Residential Landlord and Tenant Act

Most people living in leased apartments and other rental housing know there are laws dealing with landlord/tenant relationships; but they often do not find out the details until there is a problem.

Chapter 83 of the Florida Statutes is the Florida Residential Landlord and Tenant Act, and can be viewed at: http://www.flsenate.gov/statutes/index.cfm?App_mode=Display_Statute&URL=Ch0083/titl0083.htm

For more information regarding landlord and tenant responsibilities, evictions and other, go to: <http://www.thelpa.com/lpa/landlord-tenant-law/florida-landlord-tenant-law-state.html>

Additional landlord/tenant resources can be found at:

http://www.800helpfla.com/landlord_text.html

and <http://www.megalaw.com/fl/top/fllandlord.php>

The Florida Department of Agriculture and Consumer Services Division of Customer Services may also assist with landlord & tenant issues, call 1-800-HELP-FLA (435-7352), or 1-800-FL-AYUDA (352-9832) for assistance in Spanish.

Rental and Homebuyer Information

United States Department of Housing and Urban Development (HUD)

HUD's mission is to increase homeownership, support community development and increase access to affordable housing free from

discrimination. To fulfill this mission, HUD embrace high standards of ethics, management and accountability and forge new partnerships--particularly with faith-based and community organizations--that leverage resources and improve HUD's ability to be effective on the community level.

Federal law prohibits housing discrimination based on your race, color, national origin, religion, sex, family status, or disability. If you have been trying to buy or rent a home or apartment and you believe your rights have been violated, you can file a fair housing complaint. HUD handles complaints such as the categories listed below:

For Section 8 and HUD Housing Authority complaints; Refer to the HUD (Housing and Urban Development) toll-free number at 1-800-569-4287; the HUD User toll-free at 1-800-245-2691 and the HUD website for help on complaints regarding housing discrimination, bad landlords in federal housing, manufactured housing, land sales, deceptive contractors, and fraud/waste/abuse at www.huduser.org.

For more information, go to: <http://www.hud.gov/>. See Attachment A-Florida HUD Offices for the HUD office in Florida closest to you.

HUD Approved Vouchers Specifically for Persons with Disabilities

Mainstream Vouchers

For elderly and non-elderly families that have a person with a disability. For more information, go to: <http://apd.myflorida.com/ffi/hud.htm>.

Designated Housing Vouchers

For non-elderly families, who would be eligible for public housing if occupancy were not restricted to elderly households. These vouchers also assist families affected by a public housing authority decision to designate their buildings as "mixed elderly and disabled buildings" but demonstrate a need for alternative resources for families with a disabled person.

Certain Development Vouchers

For non-elderly families with a disabled person, who do not currently receive housing assistance in certain developments where owners establish preferences for, or restrict occupancy to, elderly families.

To apply for these vouchers, please contact your local Public Housing Authority (See Attachment B).

The Florida Mobile Home Act

In 2001, the Florida Legislature created the Mobile Home Relocation Program in response to concerns associated with the closure of mobile home parks. The program, which was implemented with the support of the Florida Manufactured Housing Association and the Federation of Manufactured Home Owners of Florida, was codified in Chapter 723, Florida Statutes. The “Florida Mobile Home Act” governs the relationship between mobile home park owners and mobile home owners, including relocation financial assistance to home owners who are displaced when the property, under certain circumstances, is no longer used as a mobile home park.

For more information, go to:

<http://www.flsenate.gov/data/session/2007/House/bills/analysis/pdf/h0259c.EEIC.pdf>

For more information on the Florida Mobile Home Act, go to:

<http://www.state.fl.us/dbpr/lsc/mobilehomes/index.shtml>

William E. Sadowski Affordable Housing Act

In 1992, the Florida Legislature adopted an extraordinary piece of legislation: The William E. Sadowski Affordable Housing Act. The Sadowski Act is of enormous significance, in that it provides both the funding mechanism for a dedicated source of revenue for state and local housing programs and a flexible but accountable framework for local programs that stimulates local economies.

For more information, go to:

<http://www.floridahousing.org/NR/rdonlyres/B7481E75-8A77-49B7-9DAB-B9D9FBCD458B/0/WilliamESadowskiAct.pdf>

Florida Housing Finance Corporation (FHFC)

The mission of the Florida Housing Finance Corporation (Florida Housing) is to assist Floridians to obtain safe, decent housing that might otherwise be unavailable to them. See: <http://www.floridahousing.org>

Florida Housing's First Time Homebuyer Program provides an excellent opportunity for disabled citizens of Florida to realize their dream of homeownership.

For more information, go to:

<http://www.floridahousing.org/Home/Developers/SpecialNeedsPrograms/PeopleWithDisabilities.htm>

For additional information on [Florida's Housing Programs](#) such as Elder Housing Community Loan, Low Income Housing Tax Credits, State Apartment Incentive Loan Program (SAIL), Predevelopment Loan Program, State Housing Initiatives Partnership (SHIP), Demonstration Loans, Affordable Housing Catalyst Program, Hurricane Housing Recovery Program, and many other housing programs go to: <http://www.floridahousing.org/NR/rdonlyres/419C3DE6-2F66-4A20-A1B9-DD7969034D03/0/FHFC Housing Programs.pdf>

Additional information on state laws regarding Florida housing programs Chapter 420, Florida Statutes, may be obtained at:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0420/titl0420.htm&StatuteYear=2006&Title=%2D%3E2006%2D%3EChapter%20420

FloridaHousingSearch.org

The FloridaHousingSearch.org website was launched in June of 2006, and is sponsored by the Florida Housing Finance Corporation. The website was developed with support from a number of nonprofit and government organizations in Florida.

This service currently provides detailed information on affordable rental housing that has been financed by Florida Housing Finance Corporation and/or counties choosing to participate in the service. The goal is to make

this locator service the primary source for affordable rental housing in Florida. Over time, it is hoped that this service will grow to include all subsidized and affordable rental housing throughout the state of Florida. The site currently allows for the listing of affordable rentals in:

- Florida Housing funded developments in all counties
- Hillsborough County
- Dade County

The housing locator service allows people to locate available housing that best fits their individual and family needs. The service can be accessed online 24 hours a day and is supported by a toll-free, bilingual call center M-F, 9-6 EST. Individuals can easily search for housing using a wide variety of search criteria with special mapping features and receive apartment listings that provide a multitude of important information about each unit. In addition, the site connects people to other housing resources through website links and provides helpful tools for renters such as an affordability calculator, rental checklist, and renter rights and responsibilities information.

For more information, go to: <http://floridahousingsearch.org/>

National Accessible Apartment Clearinghouse

The apartment industry has developed an effective means to connect individuals with disabilities with apartments that have been designed for them, or adapted to meet their needs.

Go To: <http://www.accessibleapartments.org>

For more information on apartment listings in Florida, go to:

<http://www.accessibleapartments.org/custom/searchresults.asp?fr=53540&src=basic>

Homeowners Associations

Florida's Department of Business and Professional Regulation maintains information "to assist homeowners, association board members and managers in understanding and increasing awareness

of the operation of homeowners' associations pursuant to chapter 720, Florida Statutes, and understanding the use of arbitration procedures for resolving disputes between parcel owners and associations.”

For more information, go to:

<http://www.state.fl.us/dbpr/lsc/hoa/education.shtml>

Home Modification and Repair Programs

Low Income Home Energy Assistance Program

The Low-Income Home Energy Assistance Program provides grants to local governments and non-profit agencies to assist eligible low-income households in meeting the costs of home heating and cooling. To apply for assistance, you must contact the local agency responsible for administering the program. A list of area agencies can be found at: <http://www.floridacommunitydevelopment.org/liheap/about.cfm>

For additional information, you may also contact:

Florida Department of Community Affairs

2555 Shumard Oak Boulevard

Tallahassee, Florida 32399-2100

(850) 488-8466

Toll Free (877) 352-3222

TDD (800) 226-4329

Weatherization Assistance Programs

The Weatherization Assistance Programs provide grants to community action agencies, local governments, Indian tribes, non-profit agencies, including urban leagues in all Florida counties, to fund energy saving repairs on low-income homes.

An average of \$2,744 is spent on homes to help lower energy costs. Services may include insulation, weather stripping, water heater wraps and reduction of air infiltration. Furnaces and air conditioning systems may be

repaired. Client households must be within the U.S. Department of Energy's income limits. Preference is given to owner occupied, elderly, disabled, and families with children 12 and under.

For more information, go to:

<http://www.dca.state.fl.us/fhcd/wap/index.cfm>

For a list of weatherization assistance programs by county, go to:

<http://www.dca.state.fl.us/fhcd/CommunityAssistanceContactList.pdf>

Home Modification and Rehabilitation Funding

The State Housing Initiatives Partnership Program (SHIP) provides funds to local governments that may be used to fund emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-downs, acquisition of property for affordable housing, matching dollars for federal housing grants and programs, and homeownership counseling. For a list of state modification and rehabilitation programs, go to: www.floridahousing.org.

Specialty Funded Housing Programs

Housing Opportunities for Persons with AIDS (HOPWA) Program

HUD's Office of HIV/AIDS Housing manages the HOPWA program in collaboration with 44 states and the Office of Community Planning and Development (CPD). One of the primary functions of the Office is to administer the Housing Opportunities for Persons with HIV/AIDS (HOPWA) program.

HOPWA makes grants to local communities, States, and nonprofit organizations for projects that benefit low income persons medically diagnosed with HIV/AIDS and their families.

For more information, go to:

<http://www.hud.gov/offices/cpd/aidshousing/programs/>

Also, for more information on the HOPWA Program visit:
<http://www.hud.gov/offices/cpd/aidshousing/local/fl/index.cfm>

Florida Office of Community Development and Planning Field Offices:

Jacksonville Field Office Charles Bennett Federal Building 400 West Bay Street, Suite 1015 Jacksonville, FL 32202 Phone: (904) 232-2627 Fax: (904) 232-3759	Miami Field Office 909 SE First Avenue Room 500 Miami, FL 33131 Phone: (305) 536-5678 Fax: (305) 536-5765
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Florida Affordable Assisted Living

The Florida Affordable Assisted Living Website is a project of the Department of Elder Affairs' Coming Home Program. It was created through a public-private partnership between the Florida Department of Elder Affairs, the Agency for Health Care Administration, the Robert Wood Johnson Foundation, the NCB Development Corporation, and the Florida Housing Finance Corporation. This Website is intended to serve as a comprehensive clearinghouse of information for assisted living consumers, operators, and developers and it is managed by the Elderly Housing Unit within the Department of Elder Affairs as a part of the Communities for a Lifetime initiative.

For more information on the Florida Assisted Living Website, go to:
<http://www.floridaaffordableassistedliving.org/>

Fannie Mae: Expanding the American Dream Commitment

Fannie Mae tackles some of the toughest housing problems in America. By creating customized financing solutions with their partners, Fannie Mae works to expand the dream of homeownership and affordable rental housing across the country.

These efforts support Fannie Mae's American Dream Commitment®, a 10-year pledge to help 6 million families, including 1.8 million minority families, become first-time homeowners. Specifically, the American Dream Commitment targets underserved communities and households, who traditionally have difficulty accessing the mortgage industry, including:

- Low- and moderate-income buyers
- Minorities
- Urban and rural residents
- People with special housing needs, including the disabled and homeless

Multifamily Housing

Fannie Mae's multifamily financing solutions include:

- Debt financing through lender partners
- Investments in Low-Income Housing Tax Credits (LIHTC) through syndication partners

These investments help create safe, decent rental housing by providing a steady source of funding for property owners and developers to finance, build, rehabilitate, and renovate multifamily housing throughout the country.

For more information, go to: <http://www.fanniemae.com/index.jhtml>

National Organization on Disability (NOD)

“Finding safe and affordable housing is hard enough, but finding accessible housing is even harder. The National Organization on Disability (NOD) understands the growing need for accessible and affordable housing for people with disabilities. NOD offers accessible housing information and news for people with disabilities, housing officials, builders, and designers. Learn how NOD is working to help people with disabilities turn an apartment or house into a home.”

For more information on NOD, go to:

<http://www.nod.org/index.cfm?fuseaction=Page.viewPage&pageId=18>

SNAP for Seniors

SNAP for Seniors is a free online senior housing information source that lists all housing providers and their vacancies. SNAP for Seniors is a source that:

- Lists all of the estimated 65,000 housing providers, not just those that pay for placement or advertising, and updates its database with licensed facilities and independent living communities.
- Indicates housing providers that have vacancies within a geographic area.
- Directly matches a senior's specific lifestyle and care level needs with facilities.

For more information, go to: <http://www.snapforseniors.com/Default.aspx>

SNAP for Seniors, Inc.

1904 Third Avenue, Suite 106

Seattle, WA 98101

Phone: (888) 651-7627

Fax: (206) 350-6965

Email: info@snapforseniors.com

Reverse Mortgages for Seniors

Reverse mortgages are becoming popular in America. Reverse mortgages are a special type of home loan that lets a homeowner convert the equity in his/her home into cash. They can give older Americans greater financial security to supplement social security, meet unexpected medical expenses, make home improvements, and more.

For more information on how a reverse mortgage works go to: <http://www.hud.gov/buying/rvrsmort.cfm>

Nursing Homes and Nursing Home Requirements

Nursing Homes are required to be licensed by the state of Florida, found at Florida Statutes, Chapter 400.021. Nursing Homes are facilities in which individuals receive nursing care that includes “the establishment and implementation of a nursing regimen for the care and comfort of individuals, the prevention of illness, and the education, restoration, and maintenance of health.” (NURSING HOMES AND RELATED HEALTH CARE FACILITIES under Florida Statutes, Chapter 400.021(13)&(14) found at: http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0400/titl0400.htm&StatuteYear=2004&Title=%2D%3E2004%2D%3EChapter%20400;

Bill of Rights within nursing homes: Nursing home facilities shall adopt and make public statement of the rights and responsibilities of the residents and shall treat such residents in accordance with the provision of that statement. Under Florida Statutes, Chapter 400.022, each resident shall have the right to:

- Civil and religious liberties
- Private and uncensored communication (such as sending unopened mail, access to a telephone, or visitors during visiting hours)
- Visitation by any individual providing health, social, legal, or other services and the right to deny or withdraw consent at any time.
- Present grievances and recommend changes in the policies and services free from restraint, interference, coercion, discrimination, or reprisal.
- Organize and participate in resident groups
- Participate in social, religious and community activities
- Examine results of recent facility inspections by federal and state agencies including the plan of correction if applicable
- Manage his/her own financial affairs
- Refuse medication and treatment and to know the consequences of refusal
- Receive adequate and appropriate health care, protective and support services
- Privacy in treatment and caring for personal needs
- Be informed of medical condition and proposed treatment and be allowed participation in planning

- Be treated courteously, fairly, and with the fullest measure of dignity
- Be free from mental and physical abuse, corporal punishment, extended involuntary seclusion, and from chemical restraints
- Be transferred or discharged only for medical reasons, the welfare of other residents or nonpayment of bill
- Receive a thirty (30) day notice of discharge or relocation, and challenge such notice
- Choose physician and pharmacy
- Retain and use personal clothing and possessions as space permits
- Copies of rules and regulations of the facility
- Notification prior to a room change
- Information concerning room reservation policy for hospitalization

Found at:

http://www.flsenate.gov/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0400/SEC022.HTM&Title=->2006->Ch0400->Section%20022#0400.022

Due Process Rights - Resident Grievance Procedures: Florida Statutes, Chapter 400.1183

- 1) “Every nursing home must have a grievance procedure available to its residents and their families. The grievance procedure must include:
 - a) An explanation of how to pursue redress of a grievance.
 - b) The names, job titles, and telephone numbers of the employees responsible for implementing the facility’s grievance procedure. The list must include the address and the toll-free telephone numbers of the ombudsman and the [A]gency [for Health Care Administration].
 - c) A simple description of the process through which a resident may, at any time, contact the toll-free telephone hotline for the ombudsman or the agency to report the unresolved grievance.
 - d) A procedure for providing assistance to residents who cannot prepare a written grievance without help.

- 2) Each facility shall maintain records of all grievances and shall report annually to the [A]gency [for Health Care Administration] the total number of grievances handled, a categorization of the cases underlying the grievances, and the final disposition of the grievances.
- 3) Each facility must respond to the grievance within a reasonable time after its submission.
- 4) The [A]gency [for Health Care Administration] may investigate any grievance at any time.
- 5) The [A]gency [for Health Care Administration] may impose an administrative fine..."

Veterans' Home Loans

The main purpose of the VA home loan program is to help veterans finance the purchase of homes with favorable loan terms and at a rate of interest which is usually lower than the rate charged on other types of mortgage loans

VA will guarantee up to 50 percent of a home loan up to \$45,000. For loans between \$45,000 and \$144,000, the minimum guaranty amount is \$22,500, with a maximum guaranty, of up to 40 percent of the loan up to \$36,000, subject to the amount of entitlement a veteran has available. For loans of more than \$144,000 made for the purchase or construction of a home or to purchase a residential unit in a condominium or to refinance an existing VA guaranteed loan for interest rate reduction, the maximum guaranty is the lesser of 25% or \$89,912, which is 25% of the Freddie Mac conforming loan limit for a single family residence for 2005.

Veterans' Specially Adapted Housing Program

Veterans that have specific service-connected disabilities may be entitled to a grant from the Department of Veterans Affairs for the purpose of constructing an adapted dwelling or modifying an existing dwelling to meet the veteran's needs. The goal of the Specially Adapted Housing (SAH) Program is to provide a barrier-free living environment which affords veterans a level of independent living he or she may not normally enjoy.

There are two types of grants administered by VA which are available to assist severely disabled veterans in adapting housing to their special needs. The ***Specialty Adapted Housing*** Grant is available to disabled veterans who are entitled a wheelchair accessible home, and the ***Special Home Adaptations*** Grant for veterans who are entitled to adaptations because of blindness in both eyes with 5/200 visual acuity or less, or because of the loss of both hands.

Special Housing Adaptations Grant

Under this program, an eligible veteran may receive a VA grant for the actual cost to adapt a house, or for the appraised market value of necessary adapted features already in a house when it was purchased. In either case, the maximum grant is \$9,250. Veterans who have a service-connected disability due to military service entitling them to compensation for permanent and total disability due to: Blindness in both eyes with 5/200 visual acuity or less and the anatomical loss or loss of use of both hands.

Specialty Adapted Housing Grant

An eligible veteran may receive a VA grant of not more than 50 percent of the cost of a specially adapted housing unit up to a maximum of \$50,000. Veterans who have service-connected disability due to military service, entitling them to compensation for permanent and total disability due to: The loss or loss of use of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair; disability which includes blindness in both eyes, having only light perception, plus loss or loss of use of one lower extremity; or the loss or loss of use of one lower extremity together with (1) residuals of organic disease or injury, or (2) the loss or loss of use of one upper extremity, which so affects the functions of balance or propulsion as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.

The following adaptations are considered appropriate under the **Special Housing Adaptations** Grant: Special lighting; sliding doors; handrails; grab in the bathroom; smoke detectors/fire detection systems; security systems; intercom system; covered porch; swimming pool; and other adaptations such as lever-type fixtures with the approval of the VA.

The following adaptations are considered appropriate under the **Specialty Adapted Housing** Grant: At least two ramps suitable for entry and exit;

doorways at least 36 inches wide; halls a minimum of 48 inches wide; and other home accessibility features or modifications.

The VA can assist the veteran through all phases of these programs. Other benefits to eligible veterans include the [Home Improvement and Structural Alterations](#) (HISA) program which has a maximum limitation of \$4,100 for a service-connected disability and \$1,200 for a non service-connected disability.

For further specific information about these accessibility grants, please visit the VA website at <http://www.homeloans.va.gov/sah.htm> or, <http://www.va.gov> for the VA's Homepage or, by calling (973) 297-3317.

Habitat for Humanity

In the United States alone, 95 million people, one third of the nation, have housing problems including payments too large a percentage of their income, overcrowding, poor quality shelter and homelessness. Throughout the world, people live in inadequate housing, and Habitat for Humanity is dedicated to providing decent, affordable homes for those in need.

For more information on Habitat for Humanity and how to apply call 1-800-422-4828.

To find an office in your area in Florida, go to: <http://www.habitat.org/cd/local/affiliate.aspx?place=88>

Advocacy Agencies

Centers for Independent Living

“The Florida Association of Centers for Independent Living (FACIL) is a networking, capacity building, advocacy organization of Centers for Independent Living (CILs). Centers for Independent Living are 501(c)(3), consumer-controlled, community-based, cross-disability, non-residential, private, nonprofit federally mandated agencies. CILs work to empower

persons with disabilities to take charge of their lives and guide their own destinies.” Go To: <http://www.floridacils.org>

To find a Center for Independent Living in your area, go to:
<http://www.floridacils.org/Map.htm>

Advocacy Center for Persons with Disabilities, Inc.

The Advocacy Center for Persons with Disabilities, Inc., Florida’s federally mandated protection and advocacy system, has a Frontline Information & Referral Services Team (FIRST) providing general information and referral. The Equal Access to the Community Team within the Advocacy Center investigates Fair Housing Act and many other disability civil rights issues.

For more information on all of the Issue Based Teams within the Advocacy Center, fact sheets on disability related matters, their mission and more, you may wish to visit the Advocacy Center’s website at www.advocacycenter.org, or call 1-800-342-0823; TDD at 1-800-346-4127; or fax at 850-488-8640.

Florida Alliance for Assistive Services and Technology (FAAST), Inc.

FAAST works with consumers, family members, caregivers, providers and agencies to ensure that individuals with disabilities continue to benefit from assistive technology as they move between home, school, work and the community.

FAAST is a non-profit organization funded by the US Department of Education through the Assistive Technology Act of 2004, Rehabilitation Services Administration (RSA), private foundations and individuals.

It is FAAST’s belief that a Home that meets everyone’s need is the ultimate piece of assistive technology. FAAST assist individuals with disabilities to locate affordable housing in all of Florida’s 67 counties; and to keep clients up to date on the latest [Florida Housing Information](#).

Excerpted from, and for more information please see:
http://www.faast.org/bscip_resources_HousingLinks.cfm

Florida Alliance for Assistive Services and Technology
325 John Knox Road, Building 400, Suite 402
Tallahassee, Florida 32303
(850) 487-3278, (888) 788-9216, FAX: (850) 487-2805
Email: faast@faast.org.

This resource guide is not a substitute for legal advice

March 2008

ATTACHMENT A

Florida HUD Offices

Jacksonville Office

Charles E. Bennett Federal Building
400 W. Bay Street, Suite 1015
Jacksonville, FL 32202

Phone: (904) 232-2627

Fax: (904) 232-3759

Jurisdiction: The following 36 counties in North Florida: Alachua, Baker, Bay, Bradford, Calhoun, Columbia, Clay, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Marion, Nassau, Okaloosa, Putnam, St. Johns, Santa Rosa, Suwannee, Taylor, Union, Wakulla, Walton, and Washington.

J. Nicholas Shelley, Field Office Director

Office Hours: 8:00 a.m. to 4:30 p.m.,
Monday through Friday

Miami Office

Brickell Plaza Federal Building
909 SE First Avenue,
Room 500
Miami, FL 33131-3028

Phone: (305) 536-5678

Fax: (305) 536-5765

TTY: (305) 536-4743

Jurisdiction: The following 10 counties in South Florida: Broward, Charlotte, Collier, Dade, Glades, Hendry, Lee, Martin, Monroe, and Palm Beach.

Armando Fana, Field Office Director

Office Hours: 8:00 a.m. to 4:30 p.m.,
Monday through Friday

Orlando Office

3751 Maguire Blvd.,
Suite 270

Orlando, FL 32803

Phone: (407) 648-6441

Fax: (407) 648-6310

Jurisdiction: The following 9 counties in East Central Florida: Brevard, Indian River, Lake, Okeechobee, Orange, Osceola, St. Lucie, Seminole, and Volusia.

Paul C. Ausley, Jr., Field Office Director

Office Hours: 8:00 a.m. to 4:30 p.m.,
Monday through Friday

Tampa Office

Timberlake Federal Building

500 E. Zack Street,

Suite 402

Tampa, FL 33602-2945

Phone: (813) 228-2026

Fax: (813) 228-2431

TTY: Dial 711 to use [Florida Relay](#)

Jurisdiction: The following 12 counties in West Central Florida: Citrus, De Soto, Hardee, Hernando, Highlands, Hillsborough, Manatee, Pasco, Pinellas, Polk, Sarasota, and Sumter.

Karen Jackson Sims, Field Office Director

Office Hours: 8:00 a.m. to 4:30 p.m.,
Monday through Friday

ATTACHMENT B

Florida Public Housing Authorities by County & City

HA Code	PHA Name, Phone & Fax Number	Address	Type [2]
FL036	Apalachicola Phone: (850)653-9304 Fax: (850)653-2473	141 15th Street Apalachicola FL 32320	Low-Rent
FL055	Arcadia Phone: (941)494-4343 Fax: (941)494-5364	7 Booker T. Washington Road Arcadia FL 34266	Low-Rent
FL012	Avon Park Phone: (863)452-4432 Fax: (863)452-5455	21 Tulane Drive Avon Park FL 33825	Both
FL143	Polk County Phone: (863)534-5240 Fax: (863)534-7378	1290 Golfview Ave., Suite 167 Drawer Hs-04 Bartow FL 33831	Section 8
FL026	Bartow Phone: (863)533-6311 Fax: (863)533-0655	1060 S Woodlawn Avenue Bartow FL 33830	Both
FL119	Boca Raton Phone: (561)393-7785 Fax: (561)393-7765	1350 N Dixie Highway Boca Raton FL 33432	Both
FL202	Holmes County Phone: (850)547-1111 Fax: (850)547-9411	902 N. Waukesha St. Bonifay FL 32425	Section 8
FL109	Washington County Phone: (850)638-4520 Fax: (850)638-3595	302 North Oklahoma Street Bonifay FL 32425	Section 8
FL101	Bradenton Phone: (941)932-9400 Fax: (941)932-9626	912 7th Avenue East Bradenton FL 34208	Section 8
FL023	Bradenton Housing Authority Phone: (941)748-5568 Fax: (941)747-8063	1307 6th Street W Bradenton FL 34205	Both

FL146	Bradenton Phone: (941)748-0800 Fax: (941)749-5614	Not Part of JKV Hub Jurisdiction Bradenton FL 34211	Section 8
FL105	Manatee Co. Phone: (941)756-3974 Fax: (941)753-6983	5631 11th Street E Bradenton FL 34203	Both
FL050	Suwannee County Phone: (352)486-5420 Fax: (352)486-5423	611 S. Pine Street Bronson FL 32621	Low-Rent
FL049	Levy County Phone: (352)486-5420 Fax: (352)486-5423	611 S Pine Street Bronson FL 32621	Both
FL051	Gilchrist County Phone: (352)486-5420 Fax: (352)486-5423	611 S Pine Street Bronson FL 32621	Low-Rent
FL137	Hernando County Phone: (352)754-4160 Fax: (352)754-4168	2 North Broad Street Brooksville FL 34601	Section 8
FL074	Brooksville Phone: (352)796-6547 Fax: (352)796-4899	800 Continental Drive Brooksville FL 34601	Low-Rent
FL030	Flagler County Phone: (386)437-3221 Fax: (386)437-2311	414 Bacher Street Bunnell FL 32110	Both
FL117	Sumter County Phone: (352)793-0272 Fax: (352)568-6604	115a North Florida Street Bushnell FL 33513	Section 8
FL038	Chipley Phone: (850)638-0134 Fax: (850)638-9119	1370 Old Bonifay Road Chipley FL 32428	Low-Rent
FL075	Clearwater Phone: (727)461-5777 Fax: (727)443-7056	908 Cleveland Street Clearwater FL 33755	Both
FL019	Cocoa Phone: (321)636-8535 Fax: (321)631-8666	828 Stone Street Cocoa FL 32922	Both
FL096	Wakulla County Phone: (850)926-7962 Fax: (850)926-7311	11 Bream Fountain Rd. Crawfordville FL 32327	Section 8

FL046	Crestview Phone: (850)682-2413 Fax: (850)689-4559	371 W Hickory Avenue Crestview FL 32536	Both
FL104	Pasco County Phone: (352)567-0848 Fax: (352)567-6035	14517 7th Street Dade City FL 33523	Both
FL116	Dania Phone: (954)920-9662 Fax: (954)920-9677	715 W Dania Beach Boulevard Dania FL 33004	Both
FL007	Daytona Beach Phone: (386)253-5653 Fax: (386)255-2136	211 N. Ridgewood Avenue Suite 200 Daytona Beach FL 32114	Both
FL081	Deerfield Bch Phone: (954)425-8449 Fax: (954)425-8450	533 South Dixie Hwy Suite 201 Deerfield Beach FL 33441	Both
FL110	Walton County Phone: (850)892-8185 Fax: (850)892-8089	312 College Ave Unit D Defuniak Springs FL 32435	Section 8
FL039	Defuniak Springs Phone: (850)892-2823 Fax: (850)892-2823	120 Oerting Drive Defuniak Springs FL 32435	Low-Rent
FL113	Volusia County Phone: (386)943-7039 Fax: (386)740-5101	123 W. Indiana Avenue Suite 100 Deland FL 32720	Section 8
FL072	Deland Phone: (386)734-2564 Fax: (386)734-1264	1450 S. Woodland Blvd. Suite 200 A Deland FL 32720	Both
FL083	Delray Beach Phone: (561)272-6766 Fax: (561)272-7352	600 North Congress Avenue Suite 310b Delray Beach FL 33445	Both
FL040	Eustis Phone: (352)357-4851 Fax: (352)357-8081	1000 Wall Street #60 Eustis FL 32726	Low-Rent

FL037	Fernandina Beach Phone: (904)261-5051 Fax: (904)261-8547	1300 Hickory Street Fernandina Beach FL 32034	Both
FL010	Ft. Lauderdale Phone: (954)525-6444 Fax: (954)764-4604	437 SW 4th Avenue Fort Lauderdale FL 33315	Both
FL091	Housing Authority of the City of Fort Myers Phone: (239)332-6884 Fax: (239)332-6667	1700 Medical Lane Fort Myers FL 33907	Section 8
FL047	Ft. Myers Phone: (239)344-3220 Fax: (239)332-6695	4224 Michigan Avenue Fort Myers FL 33916	Low-Rent
FL041	Ft. Pierce Housing Authority Phone: (772)461-7281 Fax: (772)466-3528	707 N 7th Street Fort Pierce FL 34950	Both
FL069	Fort Walton Beach Phone: (850)243-3224 Fax: (850)244-6533	27 Robinwood Drive SW Fort Walton Beach FL 32548	Both
FL070	Alachua County Phone: (352)372-2549 Fax: (352)373-4097	703 NE First Street Gainesville FL 32601	Both
FL063	Gainesville Phone: (352)334-4000 Fax: (352)334-4010	1900 SE 4th Street Gainesville FL 32641	Both
FL015	NW Florida Regional Phone: (850)263-5303 Fax: (850)263-9101	5302 Brown Street Graceville FL 32440	Both
FL098	Green Cove Springs Phone: (904)529-2218 Fax: (904)529-2242	321 Walnut Street Green Cove Springs FL 32043	Section 8
FL107	Haines City Phone: (863)421-3680 Fax: (863)421-3663	502 E Hinson Ave Haines City FL 33844	Section 8
FL066	Hialeah Phone: (305)888-9744 Fax: (305)887-8738	75 E 6th Street Hialeah FL 33010	Both
FL136	Hollywood Phone: (954)989-4691 Fax: (954)961-8010	7350 N Davie Road Extension Hollywood FL 33024	Both

FL068	Homestead Phone: (305)247-0639 Fax: (305)248-3347	29355 S. Federal Highway Homestead FL 33030	Section 8
FL141	Collier County Phone: (239)657-3649 Fax: (239)657-7232	1800 Farm Worker Way Immokalee FL 34142	Section 8
FL001	Jacksonville Phone: (904)630-3810 Fax: (904)630-3888	1300 Broad Street Jacksonville FL 32202	Both
FL144	Monroe Co. Phone: (305)296-5621 Fax: (305)296-0932	1400 Kennedy Drive Key West FL 33040	Both
FL013	Key West Phone: (305)296-5621 Fax: (305)296-0932	1400 Kennedy Drive Key West FL 33040	Both
FL103	N/A Phone: (407)343-3114 Fax: (407)343-3117	1 Court House Square Kissimmee FL 34741	Section 8
FL201	Osceola Co. Phone: (407)870-2019 Fax: (407)870-5186	108 Park Place Blvd. Kissimmee FL 34741	Section 8
FL123	Hendry Co. Phone: (863)675-5356 Fax: (863)675-5323	PO Box 2340 La Belle FL 33975	Section 8
FL042	Union County Phone: (386)496-2047 Fax: (386)496-0711	715 W Main Street Lake Butler FL 32054	Low-Rent
FL125	Columbia County Phone: (386)752-4227 Fax: (386)752-4229	498 SW Juniper Way Lake City FL 32025	Low-Rent
FL071	Lake Wales Phone: (863)676-7414 Fax: (863)678-3508	10 W Sessoms Avenue Lake Wales FL 33853	Both
FL011	Lakeland Phone: (863)687-2911 Fax: (863)682-1226	430 Hartsell Avenue Lakeland FL 33815	Both
FL062	Pinellas Co. Phone: (727)443-7684 Fax: (727)489-0757	11479 Ulmerton Road Largo FL 33778	Both

FL002	St. Petersburg Phone: (727)443-7684 Fax: (727)489-0761	11479 Ulmerton Road Largo FL 33778	Both
FL061	Dunedin Phone: (727)443-7684 Fax: (727)489-0757	11479 Ulmerton Road Largo FL 33778	Low-Rent
FL079	Broward Co. Phone: (954)739-1114 Fax: (954)535-0407	4780 N State Road 7 Lauderdale Lakes FL 33319	Both
FL147	Citrus County Phone: (352)527-5377 Fax: (352)527-5389	3600 W. Sovereigh Path Suite 147 Lecanto FL 34461	Section 8
FL027	Live Oak Phone: (386)362-2123 Fax: (386)364-8346	406 Webb Drive NE Live Oak FL 32064	Low-Rent
FL102	Baker County Phone: (904)259-3287 Fax: (904)259-6881	c/o Macclenny Housing Authority 402 Stansell Avenue Macclenny FL 32063	Section 8
FL065	Macclenny Phone: (904)259-6881 Fax: (904)259-9459	402 E Stansell Avenue Macclenny FL 32063	Low-Rent
FL031	Marianna Phone: (850)482-3512 Fax: (850)482-3685	2912 Albert Street Marianna FL 32448	Both
FL056	Melbourne Phone: (321)452-5331 Fax: (321)452-3181	1686 Marywood Road Melbourne FL 32934	Low-Rent
FL020	Brevard Co. Phone: (321)452-5331 Fax: (321)452-3181	615 Kurek Court Merrit Island FL 32953	Both
FL005	Miami Dade Phone: (305)644-5100 Fax: (305)541-6716	1401 NW 7th Street Miami FL 33125	Both
FL881	Carrfour Supportive Housing Phone: (305)371-8300 Fax: (305)371-1376	155 South Miami Avenue Suite 1150 Miami FL 33131	Section 8

FL145	City of Miami Phone: (305)416-2080 Fax: (305)416-2190	444 SW 2nd Avenue 2nd Floor Miami FL 33130	Section 8
FL017	Miami Beach Phone: (305)532-6401 Fax: (305)674-8001	200 Alton Road Miami Beach FL 33139	Both
FL053	Milton Phone: (850)623-8216 Fax: (850)626-9305	5668 Byrom Street Milton FL 32570	Both
FL140	Jefferson County Phone: (850)877-1908 Fax: (850)878-8785	445 W Palmer Mill Road Monticello FL 32345	Section 8
FL054	Mulberry Phone: (813)752-0569 Fax: (813)754-2163	200 NW 3rd Avenue Mulberry FL 33860	Low-Rent
FL022	New Smyrna Beach Phone: (386)428-8171 Fax: (386)427-3429	1101 S Dixie Freeway New Smyrna Beach FL 32168	Both
FL052	Niceville Phone: (850)678-7816 Fax: (850)678-3011	500 Boyd Circle Niceville FL 32578	Low-Rent
FL128	Lee County Phone: (239)997-6688 Fax: (239)997-7970	14170 Warner Circle North Fort Myers FL 33903	Both
FL032	Ocala Phone: (352)369-2636 Fax: (352)369-2643	1629 NW 4th Street Ocala FL 34475	Both
FL004	Orlando Phone: (407)895-3300 Fax: (407)895-0820	390 North Bumby Avenue Orlando FL 32803	Both
FL093	Orange County Phone: (407)836-5150 Fax: (407)836-5188	525 East South Street Orlando FL 32801	Section 8
FL024	Ormond Beach Phone: (386)677-2069 Fax: (386)677-3545	100 New Britain Avenue Ormond Beach FL 32174	Both
FL033	Seminole County Phone: (407)365-3621 Fax: (407)359-2576	662 Academy Place Oviedo FL 32765	Both

FL021	Pahokee Phone: (561)924-5565 Fax: (561)924-5565	465 Friend Terrace Pahokee FL 33476	Both
FL057	Palatka Phone: (386)329-0132 Fax: (386)329-3672	400 N 15th Street Palatka FL 32177	Both
FL035	Springfield Phone: (850)769-1596 Fax: (850)769-7143	3806 E 8th Street Panama City FL 32401	Both
FL018	Panama City Phone: (850)769-2358 Fax: (850)785-1322	804 E 15th Street Panama City FL 32405	Both
FL006	Pensacola (AHC) Phone: (850)438-8561 Fax: (850)438-1743	1920 W Garden Street Pensacola FL 32501	Low-Rent
FL092	Pensacola, City Phone: (850)453-7500 Fax: (850)453-7483	4501 Twin Oaks Drive Pensacola FL 32506	Section 8
FL034	Plant City Phone: (813)752-0569 Fax: (813)754-2163	1306 Larrick Lane Plant City FL 33563	Both
FL028	Pompano Beach Phone: (954)785-7200 Fax: (954)942-8142	321 West Atlantic Boulevard Pompano Beach FL 33060	Both
FL060	Punta Gorda Phone: (941)639-4344 Fax: (941)639-1753	414 East Charlotte Avenue Punta Gorda FL 33950	Both
FL076	Riviera Beach Phone: (561)845-7450 Fax: (561)845-9665	2014 W 17th Court Riviera Beach FL 33404	Both
FL880	Housing Partnership Inc. Phone: (561)841-3500 Fax: (561)841-3556	2001 W. Blue Heron Blvd. Riviera Beach FL 33404	Section 8
FL016	Sanford Housing Authority Phone: (407)323-3150 Fax: (407)688-1476	94 Castle Brewer Court Sanford FL 32771	Both
FL008	Sarasota Phone: (941)361-6210 Fax: (941)366-4661	1300 Boulevard of the Arts Sarasota FL 34236	Both

FL111	Sarasota Co. Phone: (941)951-3640 Fax: (941)951-3648	111 South Orange Avenue PO Box 1058 Sarasota FL 34236	Section 8
FL888	Boley Centers Phone: (727)821-4819 Fax: (727)490-0541	445 31st Street, North St. Petersburg FL 33713	Section 8
FL045	Stuart Phone: (772)287-0496 Fax: (772)287-4084	611 E Church Street Stuart FL 34994	Both
FL073	Tallahassee Phone: (850)385-6126 Fax: (850)386-5534	2940 Grady Road Tallahassee FL 32312	Both
FL089	Hillsborough County Phone: (813)273-3794 Fax: (813)272-6823	Lee Davis Neighborhood Service Center 3402 N 22nd Street, 2nd Floor Tampa FL 33605	Section 8
FL003	Tampa Phone: (813)253-0551 Fax: (813)251-4522	1529 W Main Street Tampa FL 33607	Both
FL058	Tarpon Springs Phone: (727)937-4411 Fax: (727)938-7161	500 S Walton Avenue Tarpon Springs FL 34689	Low-Rent
FL106	Lake County Phone: (352)742-6501 Fax: (352)742-6535	1300 South Duncan Drive Building E Tavares FL 32778	Section 8
FL025	Titusville Phone: (321)267-4204 Fax: (321)267-5631	524 S Hopkins Avenue Titusville FL 32796	Both
FL064	Venice Phone: (941)488-3526 Fax: (941)486-0418	201 Grove Street N Venice FL 34285	Low-Rent
FL132	Indian River Co. Phone: (772)770-5014 Fax: (772)770-5378	1028 20th Place Suite C Vero Beach FL 32960	Section 8

FL009	West Palm Beach Housing Phone: (561)655-8530 Fax: (561)832-8962	1715 Division Avenue West Palm Beach FL 33407	Both
FL080	Palm Bch Co. Phone: (561)684-2160 Fax: (561)684-0183	3432 45th Street West Palm Beach FL 33407	Both
FL139	Winter Haven Phone: (863)294-7369 Fax: (863)291-0266	2670 Avenue C SW Winter Haven FL 33880	Both
FL082	Winter Park Phone: (407)645-2869 Fax: (407)629-4575	718 Margaret Square Winter Park FL 32789	Low-Rent

Type: This indicates the type of program administered by a PHA. "Both" represents administration of both Section-8 and Low-rent programs.

325 John Knox Road
Building 400, Suite 402
Tallahassee, FL 32303
www.faast.org



Voice: 850-487-3278
TDD: 850-922-5951
Toll-Free: 888-788-9216
Fax: 850-487-2805

Resource Guide for Individuals with Disabilities in Nursing Homes and Other Health Care Facilities

This resource guide created by FAAST, in partnership with the Florida Brain and Spinal Cord Injury Program, provides general resource and self-help information for family members, caregivers, guardians, advocates/representatives, and older individuals with disabilities and is not a substitute for legal advice

To find a subject that may be of most help to you, refer to the Table of Contents that provides topics/subject matter and page number references

April 2009

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Resource Guide for Individuals with Disabilities in Nursing Homes and Other Health Care Facilities

This resource guide is designed to provide general information and is not a substitute for legal advice

Residents' Rights

When individuals enter long-term care facilities, they may keep their rights as citizens, and have “Residents’ Rights” granted by federal and state laws. Long-term care facilities must post a copy of these rights in an area easily accessible and visible to the residents. Additionally, they should provide a copy to each resident upon admission to the facility.

Residents’ rights include, but are not limited to:

- The right to make informed personal decisions;
- The right to choose one’s own physician; and
- The right to be treated with the fullest measure of respect and dignity.

For a complete listing of residents’ rights, go to:

<http://ombudsman.myflorida.com/rights.php>

Florida’s Department of Elder Affairs / Long Term Care Ombudsman Program

Florida's Long-Term Care Ombudsman Program (LTCOP) is a volunteer-based organization seeking to improve the quality of life for frail, vulnerable elders who live in long-term care settings including: nursing homes, assisted living facilities and adult family care homes. For more information on Ombudsman services, residents’ rights, to find an ombudsman council in your area, to become an ombudsman, and to review frequently asked questions go to: <http://ombudsman.myflorida.com>.

The LTCOP is administered by the Department of Elder Affairs. LTCOP takes complaints from or on behalf of residents of long term care facilities (such as nursing homes and assisted living facilities). LTCOP accepts complaints about a facility, its employees, providers of long-term care services, public or private agencies, guardians, representative payees, or other persons who are in a position to threaten or interfere with the rights, health, safety or welfare of the resident. Complaints can range from

emotional and/or physical abuse, inadequate services, to complete disregard of a resident's individual rights. To file a complaint you may wish to contact:

The Ombudsman Program
4040 Esplanade Way
Tallahassee, FL 32399-7000
1.888.831.0404
1.850.414.2323

For more information, you may choose to review Florida Statutes, Chapter 400.0060 - 400.0091 (Long-Term Care Facilities: Ombudsman Program) found at:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0400/titl0400.htm&StatuteYear=2004&Title=%2D%3E2004%2D%3EChapter%20400

To locate a Long-Term Care Ombudsman in your area, go to:

<http://ombudsman.myflorida.com/find/FindanOmbudsman.pdf>

Agency for Health Care Administration

The Agency for Health Care Administration (AHCA) accepts complaints regarding health care facilities, such as: hospitals, nursing homes, assisted living facilities, home health agencies or other types of health care facilities.

Agency for Health Care Administration
2727 Mahan Drive
Tallahassee, FL 32308
1-888-419-3456
www.fdhc.state.fl.us

DCF Adult Protective Services Responsible for Investigating Abuse and Neglect / Abuse Hotline

In addition to the Long Term Care Ombudsman Program, the Department of Children and Families' (DCF) Adult Protective Services Office serves as the lead agency for handling reports and investigations of abuse. You may choose to review Adult Protective Services criteria under Florida Statutes, Chapter 415.103 and 415.1034 outlining procedures for reporting and investigating instances of suspected abuse, neglect, or exploitation of disabled adults and the elderly. For more information go to: http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0415/titl0415.htm&StatuteYear=2004&Title=%2D%3E2004%2D%3EChapter%20415.

The Adult Protective Services Statewide Abuse Hotline number is 1-800-96ABUSE (1-800-962-2873); TDD 1-800-453-5145; and FAX FAX 1-800-914-0004.

For more information, go to: <http://www.dcf.state.fl.us/as/docs/guide4professionals.pdf>.

To report abuse, neglect or exploitation contact the Florida Abuse Hotline. Be prepared to provide:

1. Victim's name, address or location, approximate age, race and sex;
2. Physical, mental or behavioral indications that the person is infirm or disabled;
3. Signs or indications of harm or injury, including a physical description if possible;
4. Relationship of the alleged possible responsible person to the victim. If the relationship is unknown, a report will still be taken if other reporting criteria are met.

What is Abuse and Neglect?

Abuse is defined as "any willful act or threatened act by a caregiver that causes or is likely to cause significant impairment to a vulnerable adult's physical, mental, or emotional health. Abuse includes acts and omissions."

Neglect is defined as "the failure or omission on the part of the caregiver to provide the care, supervision, and services necessary to maintain the physical and mental health of the vulnerable adult, including, but not limited to, food, clothing, medicine, shelter, supervision, and medical services, that a prudent person would consider essential for the well-being of a vulnerable adult. The term "neglect" also means the failure of a caregiver to make a reasonable effort to protect a vulnerable adult from abuse, neglect, or exploitation by others. "Neglect" is repeated conduct or a single incident of carelessness which produces or could reasonably be expected to result in serious physical or psychological injury or a substantial risk of death."

For more information, you may choose to review these definitions found at Florida Statutes, 415.102(1) and 415.102(15) at:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0415/SEC102.HTM&Title=->2004->Ch0415->Section%20102#0415.102

Nursing Homes and Related Health Care Facilities

Nursing homes are required to be licensed. For information on those requirements you may choose to go to Florida Statutes, Chapter 400 at:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0400/titl0400.htm&StatuteYear=2004&Title=%2D%3E2004%2D%3EChapter%20400.

400.011 Purpose.

The purpose is to provide for the development, establishment, and enforcement of basic standards for:

- (1) The health, care, and treatment of persons in nursing homes and related health care facilities; and
- (2) The maintenance and operation of such institutions that will ensure safe, adequate, and appropriate care, treatment, and health of persons in such facilities.

Nursing Home Residents' Rights and Responsibilities

You may choose to review these rights, which can be found at:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0400/SEC022.HTM&Title=->2004->Ch0400->Section%20022#0400.022

400.022 Residents' rights.--

“(1) All licensees of nursing home facilities shall adopt and make public a statement of the rights and responsibilities of the residents of such facilities and shall treat such residents in accordance with the provisions of that statement. The statement shall assure each resident the following:

(a) The right to civil and religious liberties, including knowledge of available choices and the right to independent personal decision, which will not be infringed upon, and the right to encouragement and assistance from the staff of the facility in the fullest possible exercise of these rights.

(b) The right to private and uncensored communication, including, but not limited to, receiving and sending unopened correspondence, access to a telephone, visiting with any person of the resident's choice during visiting hours, and overnight visitation outside the facility with family and friends in accordance with facility policies, physician orders, and Title XVIII (Medicare) and Title XIX (Medicaid) of the Social Security Act regulations, without the resident's losing his or her bed. Facility visiting hours shall be flexible, taking into consideration special circumstances such as, but not limited to, out-of-town visitors and working relatives or friends. Unless otherwise indicated in the resident care plan, the licensee shall, with the consent of the resident and in accordance with policies approved by the agency, permit recognized volunteer groups, representatives of community-based legal, social, mental health, and leisure programs, and members of the clergy access to the facility during visiting hours for the purpose of visiting with and providing services to any resident.

(c) Any entity or individual that provides health, social, legal, or other services to a resident has the right to have reasonable access to the resident. The

resident has the right to deny or withdraw consent to access at any time by any entity or individual. Notwithstanding the visiting policy of the facility, the following individuals must be permitted immediate access to the resident:

1. Any representative of the federal or state government, including, but not limited to, representatives of the Department of Children and Family Services, the Department of Health, the Agency for Health Care Administration, the Office of the Attorney General, and the Department of Elderly Affairs; any law enforcement officer; members of the state or local ombudsman council; and the resident's individual physician.
2. Subject to the resident's right to deny or withdraw consent, immediate family or other relatives of the resident.

The facility must allow representatives of the State Long-Term Care Ombudsman Council to examine a resident's clinical records with the permission of the resident or the resident's legal representative and consistent with state law.

(d) The right to present grievances on behalf of himself or herself or others to the staff or administrator of the facility, to governmental officials, or to any other person; to recommend changes in policies and services to facility personnel; and to join with other residents or individuals within or outside the facility to work for improvements in resident care, free from restraint, interference, coercion, discrimination, or reprisal. This right includes access to ombudsmen and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups. The right also includes the right to prompt efforts by the facility to resolve resident grievances, including grievances with respect to the behavior of other residents.

(e) The right to organize and participate in resident groups in the facility and the right to have the resident's family meet in the facility with the families of other residents.

(f) The right to participate in social, religious, and community activities that do not interfere with the rights of other residents.

(g) The right to examine, upon reasonable request, the results of the most recent inspection of the facility conducted by a federal or state agency and any plan of correction in effect with respect to the facility.

(h) The right to manage his or her own financial affairs or to delegate such responsibility to the licensee, but only to the extent of the funds held in trust by the licensee for the resident. A quarterly accounting of any transactions made on behalf of the resident shall be furnished to the resident or the person

responsible for the resident. The facility may not require a resident to deposit personal funds with the facility. However, upon written authorization of a resident, the facility must hold, safeguard, manage, and account for the personal funds of the resident deposited with the facility as follows:

1. The facility must establish and maintain a system that ensures a full, complete, and separate accounting, according to generally accepted accounting principles, of each resident's personal funds entrusted to the facility on the resident's behalf.
2. The accounting system established and maintained by the facility must preclude any commingling of resident funds with facility funds or with the funds of any person other than another resident.
3. A quarterly accounting of any transaction made on behalf of the resident shall be furnished to the resident or the person responsible for the resident.
4. Upon the death of a resident with personal funds deposited with the facility, the facility must convey within 30 days the resident's funds, including interest, and a final accounting of those funds, to the individual or probate jurisdiction administering the resident's estate, or, if a personal representative has not been appointed within 30 days, to the resident's spouse or adult next of kin named in the beneficiary designation form provided for in s. [400.162](#)(6).
5. The facility may not impose a charge against the personal funds of a resident for any item or service for which payment is made under Title XVIII or Title XIX of the Social Security Act.
 - (i) The right to be fully informed, in writing and orally, prior to or at the time of admission and during his or her stay, of services available in the facility and of related charges for such services, including any charges for services not covered under Title XVIII or Title XIX of the Social Security Act or not covered by the basic per diem rates and of bed reservation and refund policies of the facility.
 - (j) The right to be adequately informed of his or her medical condition and proposed treatment, unless the resident is determined to be unable to provide informed consent under Florida law, or the right to be fully informed in advance of any nonemergency changes in care or treatment that may affect the resident's well-being; and, except with respect to a resident adjudged incompetent, the right to participate in the planning of all medical treatment, including the right to refuse medication and treatment, unless otherwise indicated by the resident's physician; and to know the consequences of such actions.

(k) The right to refuse medication or treatment and to be informed of the consequences of such decisions, unless determined unable to provide informed consent under state law. When the resident refuses medication or treatment, the nursing home facility must notify the resident or the resident's legal representative of the consequences of such decision and must document the resident's decision in his or her medical record. The nursing home facility must continue to provide other services the resident agrees to in accordance with the resident's care plan.

(l) The right to receive adequate and appropriate health care and protective and support services, including social services; mental health services, if available; planned recreational activities; and therapeutic and rehabilitative services consistent with the resident care plan, with established and recognized practice standards within the community, and with rules as adopted by the agency.

(m) The right to have privacy in treatment and in caring for personal needs; to close room doors and to have facility personnel knock before entering the room, except in the case of an emergency or unless medically contraindicated; and to security in storing and using personal possessions. Privacy of the resident's body shall be maintained during, but not limited to, toileting, bathing, and other activities of personal hygiene, except as needed for resident safety or assistance. Residents' personal and medical records shall be confidential and exempt from the provisions of s. [119.07\(1\)](#).

(n) The right to be treated courteously, fairly, and with the fullest measure of dignity and to receive a written statement and an oral explanation of the services provided by the licensee, including those required to be offered on an as-needed basis.

(o) The right to be free from mental and physical abuse, corporal punishment, extended involuntary seclusion, and from physical and chemical restraints, except those restraints authorized in writing by a physician for a specified and limited period of time or as are necessitated by an emergency. In case of an emergency, restraint may be applied only by a qualified licensed nurse who shall set forth in writing the circumstances requiring the use of restraint, and, in the case of use of a chemical restraint, a physician shall be consulted immediately thereafter. Restraints may not be used in lieu of staff supervision or merely for staff convenience, for punishment, or for reasons other than resident protection or safety.

(p) The right to be transferred or discharged only for medical reasons or for the welfare of other residents, and the right to be given reasonable advance notice of no less than 30 days of any involuntary transfer or discharge, except in the case of an emergency as determined by a licensed professional on the staff of the nursing home, or in the case of conflicting rules and regulations

which govern Title XVIII or Title XIX of the Social Security Act. For nonpayment of a bill for care received, the resident shall be given 30 days' advance notice. A licensee certified to provide services under Title XIX of the Social Security Act may not transfer or discharge a resident solely because the source of payment for care changes. Admission to a nursing home facility operated by a licensee certified to provide services under Title XIX of the Social Security Act may not be conditioned upon a waiver of such right, and any document or provision in a document which purports to waive or preclude such right is void and unenforceable. Any licensee certified to provide services under Title XIX of the Social Security Act that obtains or attempts to obtain such a waiver from a resident or potential resident shall be construed to have violated the resident's rights as established herein and is subject to disciplinary action as provided in subsection (3). The resident and the family or representative of the resident shall be consulted in choosing another facility.

(q) The right to freedom of choice in selecting a personal physician; to obtain pharmaceutical supplies and services from a pharmacy of the resident's choice, at the resident's own expense or through Title XIX of the Social Security Act; and to obtain information about, and to participate in, community-based activities programs, unless medically contraindicated as documented by a physician in the resident's medical record. If a resident chooses to use a community pharmacy and the facility in which the resident resides uses a unit-dose system, the pharmacy selected by the resident shall be one that provides a compatible unit-dose system, provides service delivery, and stocks the drugs normally used by long-term care residents. If a resident chooses to use a community pharmacy and the facility in which the resident resides does not use a unit-dose system, the pharmacy selected by the resident shall be one that provides service delivery and stocks the drugs normally used by long-term care residents.

(r) The right to retain and use personal clothing and possessions as space permits, unless to do so would infringe upon the rights of other residents or unless medically contraindicated as documented in the resident's medical record by a physician. If clothing is provided to the resident by the licensee, it shall be of reasonable fit.

(s) The right to have copies of the rules and regulations of the facility and an explanation of the responsibility of the resident to obey all reasonable rules and regulations of the facility and to respect the personal rights and private property of the other residents.

(t) The right to receive notice before the room of the resident in the facility is changed.

(u) The right to be informed of the bed reservation policy for a hospitalization. The nursing home shall inform a private-pay resident and his or her responsible party that his or her bed will be reserved for any single hospitalization for a period up to 30 days provided the nursing home receives reimbursement. Any resident who is a recipient of assistance under Title XIX of the Social Security Act, or the resident's designee or legal representative, shall be informed by the licensee that his or her bed will be reserved for any single hospitalization for the length of time for which Title XIX reimbursement is available, up to 15 days; but that the bed will not be reserved if it is medically determined by the agency that the resident will not need it or will not be able to return to the nursing home, or if the agency determines that the nursing home's occupancy rate ensures the availability of a bed for the resident. Notice shall be provided within 24 hours of the hospitalization.

(v) For residents of Medicaid or Medicare certified facilities, the right to challenge a decision by the facility to discharge or transfer the resident, as required under Title 42 C.F.R. part 483.13.”

Resident Bill of Rights

To review the resident bill of rights, you may choose to go to:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0400/SEC428.HTM&Title=-%3e2004-%3eCh0400-%3eSection%20428#0400.428

“(1) No resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

(a) Live in a safe and decent living environment, free from abuse and neglect.

(b) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy.

(c) Retain and use his or her own clothes and other personal property in his or her immediate living quarters, so as to maintain individuality and personal dignity, except when the facility can demonstrate that such would be unsafe, impractical, or an infringement upon the rights of other residents.

(d) Unrestricted private communication, including receiving and sending unopened correspondence, access to a telephone, and visiting with any person of his or her choice, at any time between the hours of 9 a.m. and 9 p.m. at a

minimum. Upon request, the facility shall make provisions to extend visiting hours for caregivers and out-of-town guests, and in other similar situations.

(e) Freedom to participate in and benefit from community services and activities and to achieve the highest possible level of independence, autonomy, and interaction within the community.

(f) Manage his or her financial affairs unless the resident or, if applicable, the resident's representative, designee, surrogate, guardian, or attorney in fact authorizes the administrator of the facility to provide safekeeping for funds as provided in s. [400.427](#).

(g) Share a room with his or her spouse if both are residents of the facility.

(h) Reasonable opportunity for regular exercise several times a week and to be outdoors at regular and frequent intervals except when prevented by inclement weather.

(i) Exercise civil and religious liberties, including the right to independent personal decisions. No religious beliefs or practices, nor any attendance at religious services, shall be imposed upon any resident.

(j) Access to adequate and appropriate health care consistent with established and recognized standards within the community.

(k) At least 45 days' notice of relocation or termination of residency from the facility unless, for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care or the resident engages in a pattern of conduct that is harmful or offensive to other residents. In the case of a resident who has been adjudicated mentally incapacitated, the guardian shall be given at least 45 days' notice of a nonemergency relocation or residency termination. Reasons for relocation shall be set forth in writing. In order for a facility to terminate the residency of an individual without notice as provided herein, the facility shall show good cause in a court of competent jurisdiction.

(l) Present grievances and recommend changes in policies, procedures, and services to the staff of the facility, governing officials, or any other person without restraint, interference, coercion, discrimination, or reprisal. Each facility shall establish a grievance procedure to facilitate the residents' exercise of this right. This right includes access to ombudsman volunteers and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups.”

Resident Grievance Procedures

For more information, you may choose to review Florida Statutes, Chapter 400.1183, found at:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0400/SEC1183.HTM&Title=->2004->Ch0400->Section%201183#0400.1183.

- 1) “Every nursing home must have a grievance procedure available to its residents and their families. The grievance procedure must include:
 - a) An explanation of how to pursue redress of a grievance.
 - b) The names, job titles, and telephone numbers of the employees responsible for implementing the facility’s grievance procedure. The list must include the address and the toll-free telephone numbers of the ombudsman and the [A]gency [for Health Care Administration].
 - c) A simple description of the process through which a resident may, at any time, contact the toll-free telephone hotline for the ombudsman or the agency to report the unresolved grievance.
 - d) A procedure for providing assistance to residents who cannot prepare a written grievance without help.
- 2) Each facility shall maintain records of all grievances and shall report annually to the [A]gency [for Health Care Administration] the total number of grievances handled, a categorization of the cases underlying the grievances, and the final disposition of the grievances.
- 3) Each facility must respond to the grievance within a reasonable time after its submission.
- 4) The [A]gency [for Health Care Administration] may investigate any grievance at any time.
- 5) The [A]gency [for Health Care Administration] may impose an administrative fine...”

Assisted Living Facilities

A resident in an assisted living facility has the right to “At least 45 days’ notice of relocation or termination of residency from the facility unless, for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care or the resident engages in a pattern of conduct that is harmful or offensive to other residents. In the case of a resident who has been adjudicated mentally incapacitated, the guardian shall be given at least 45 days’ notice of a nonemergency relocation or residency termination. Reasons for relocation shall be set forth in writing. In order for a facility to terminate the residency of an individual without notice as provided herein, the facility shall show good cause in a court of competent jurisdiction.” (F.S. §400.428(k))

For more information on these rights, you may choose to go to:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0400/SEC428.HTM&Title=->2004->Ch0400->Section%20428#0400.428

Comprehensive Assessment Review and Evaluation Services (CARES)

CARES is a federally mandated nursing home pre-admission assessment program. Persons who are applying for Medicaid nursing home care are assessed by either a CARES nurse or social worker, with medical review by a physician prior to approval. Objectives of the CARES program include the following:

Prevention of unnecessary or premature admission to a nursing home; More effective coordination of an individual's medical, social and psychological needs and resulting level of care; Referral and assistance in obtaining in-home and community services to avoid nursing home care; and Education of the public, particularly health care providers, about less costly alternatives to long term care.

For more detailed information on CARES, you may choose to go to:

<http://elderaffairs.state.fl.us/english/cares/CARESPowerPointPresentation.pdf>.

Olmstead vs. L.C.

“On June 22, 1999, the United States Supreme Court held in *Olmstead v. L.C.* that the unnecessary segregation of individuals with disabilities in institutions may constitute discrimination based on disability. The court ruled that the Americans with Disabilities Act may require states to provide community-based services rather than institutional placements for individuals with disabilities.”

For more information on the background and additional information on the Olmstead Decision, you may choose to go to:

<http://www.bazelon.org/issues/disabilityrights/resources/olmstead/index.htm>.

- [The Supreme Court's Opinion](#)

Centers for Medicare & Medicaid Services

The Centers for Medicare & Medicaid Services (CMS) are a component of the U.S. Department of Health and Human Services (HHS) designed to oversee states' Medicare and Medicaid programs. CMS certifies nursing homes to accept Medicare/Medicaid beneficiaries. Congress has established the minimum standards for nursing homes, and in Florida the Long Term Care Services within the Agency for Health Care Administration oversees the licensing of nursing homes. In Florida the Agency for Health Care Administration is required to inspect nursing homes accepting individuals on Medicare or Medicaid. CMS has the authority to fine or revoke certification if a nursing home is performing poorly, found at <http://www.cms.hhs.gov>.

This resource guide is not a substitute for legal advice

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