



July 14, 2011

The Honorable Mike Haridopolos, *Senate President*
409 The Capitol
Tallahassee, FL 32399-1100

Dear Senator Haridopolos:

On behalf of more than 70,000 Floridians who live in assisted living facilities and their families across our state, I believe your decision to reassign the Senate's assisted living facility reform talks to Health Regulation Chair Senator Rene Garcia is a disastrous move for resident safety and rights.

The *Miami Herald's* recent "Neglected to Death" series showcased the horrors that can occur when an industry charged for caring with vulnerable elders and mentally challenged goes relatively unchecked. Now that it has come to light that some of these owners and their staff who accept the responsibility of caring for our parents and grandparents may not be fulfilling their promise, it is due time for this industry to become more transparent and wholly accountable.

Following the release of the series, advocates were glad to learn that conservative Senator Ronda Storms and South Florida Democrat Senator Nan Rich, both renowned elder rights champions, heralded closer scrutiny of laws and regulations aimed at enhancing safeguards for residents. Their call for a summer legislative study to determine how the Legislature could best help fix assisted living facilities gave hope to residents and families.

In a surprising move, Senator Rene Garcia was handed the reform baton in lieu of Senators Storms and Rich. This action is quite troubling from a consumer's vantage as Mr. Garcia works in the very industry he is charged to oversee and last year proposed controversial legislation (S1458) aimed at watering-down residents' rights and decreasing regulatory oversight of assisted living facilities.

As stated in a June 28, 2011 Senate press release, Mr. Garcia "hosted a meeting between local assisted living facility providers and members of the Agency for Health Care Administration...to develop proposed legislation for the 2011 regular session." Noticeably absent from these discussions are the most impacted stakeholders: residents and their families. However, Mr. Garcia called upon Representative Jeanette Nuñez to assist in these talks. As you may already know, Representative Nuñez also works in the health care industry and is an ardent supporter of provider interests.

In light of these developments, I am requesting that you:

- 1) Stop this shady maneuvering and depoliticize this process by ensuring residents, families and consumers are at the table for any future discussions;
- 2) Ensure ample public notice of these meetings so anyone who wishes to participate or comment has the opportunity to do so; and
- 3) Put the reigns of this effort in the hands of Senators Storms and Rich so there is equitable representation for all stakeholders.

Reaching out to the industry and regulators alone is what put our state in the assisted living care mess it is in today—allowing this piecemeal approach will not solve this crisis for residents.

Your immediate intervention is needed for the preservation of high quality, safe assisted living facility care for residents if Florida wishes to maintain its marketability and economic vitality within this industry.

Yours in service,



Brian Lee, *Executive Director*
Families for Better Care