

Department of Elder Affairs Issues Guidance for Guardians in Light of COVID-19

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On March 30, 2020, the Department of Elder Affairs (DOEA) issued Emergency Order No. 20-01 relating to the COVID-19 (Coronavirus) pandemic. DOEA's guidance falls in line with order issued by Governor Ron DeSantis on March 9 declaring a state of emergency in Florida due to COVID-19 (No. 20-52), as well as the Division of Emergency Management (DEM) Order (No. 20-006), restricting individuals from visiting certain state facilities such as nursing homes, assisted living facilities, and other like facilities described in the DEM Order.

In its order, the DOEA suspends the requirement enumerated in Section 744.2103(6), Florida Statutes, that public and professional guardians must visit their wards in person at least once a quarter if the ward is residing in a facility where visitation is restricted due to the COVID-19 response. The DOEA assures its public and professional guardians that they must adhere to all guidance pertaining to the COVID-19 emergency.

Moreover, the order advises that all guardians will have thirty (30) days following the lifting of Governor DeSantis' Order (No. 20-52) to personally visit any wards that were not visited during the preceding quarter as a result of COVID-19 closures or restrictions.

If you have questions regarding an existing guardianship or need to establish a guardianship for a loved one, please contact Melody Lynch at 407-418-6447 or melody.lynch@lowndes-law.com.