

## **EMERGENCY ORDER 20-03**

Ron DeSantis  
Governor

■ ■

Barbara Palmer  
Director

■ ■

State Office

■ ■

4030 Esplanade Way

Suite 380

Tallahassee

Florida

32399-0950

■ ■

(850) 488-4257

Fax:

(850) 922-6456

■ ■

Toll Free:

(866) APD-CARES

(866-273-2273)

**WHEREAS**, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission; and

**WHEREAS**, as of April 16, 2020, numerous counties in Florida have cases of COVID-19; and

**WHEREAS**, on March 9, 2020, the Governor of the State of Florida, Ron DeSantis signed Executive Order 20-52 declaring that a state of emergency exists in Florida and providing that “[e]ach state agency may suspend the provision 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 provision of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency”; and

**WHEREAS**, the use of video conferencing and telehealth has increased since the issuance of Executive Order 20-52, but is inappropriate in situations where a face-to-face assessment cannot be replicated by video; and

**WHEREAS**, the Questionnaire for Situational Information (QSI) is an agency-approved assessment, conducted in a face-to-face setting, that determines a person’s need for level of support in areas of community living, and functional, behavioral and physical status.

**NOW, THEREFORE, I, BARBARA PALMER**, Director of Florida’s Agency for Persons with Disabilities, pursuant to the authority granted by Executive Order No. 20-52, and upon Order of the State Coordinating Officer, find the timely execution of the necessary actions, mitigation, response, and recovery aspects of the State’s emergency management plan, as it relates to COVID-19, is prevented, hindered, or delayed by the application of certain regulatory statutes, rules and orders related to the Agency for Persons with Disabilities (APD). Wherefore, I ORDER the following:

1. The use of a face-to-face QSI assessment in determining a client's iBudget amount for initial enrollment under rule 65G-4.0214, *Florida Administrative Code*, is suspended and tolled until the expiration of Executive Order 20-52, unless extended. Upon the expiration of this order, a QSI must be performed within 60 days.

During the tolled period, APD may instead use a Proposed Cost Plan that does not require a face-to-face meeting for those individuals who have not done a QSI in the past three years.

2. The requirement of a face-to-face QSI under 65G-4.0218, *Florida Administrative Code*, is hereby suspended and tolled until the expiration of Executive Order 20-52, unless extended. Upon the expiration of this order, a QSI must be performed within 60 days.

During the tolled period, APD may instead use a Proposed Cost Plan that does not require a face-to-face meeting for those individuals who have not done a QSI in the past three years.

3. If standardized tests are made impossible by COVID-19, and if such assessments are essential for the determination of eligibility for APD services, the time periods under section 393.065, Florida Statutes, for eligibility determinations are suspended and tolled until the expiration of Executive Order 20-52. Upon the expiration of this order, the standardized test must be performed within 60 days.

Because section 252.36(5)(a), Florida Statutes, allows the Governor to suspend the provisions of "any regulatory statute prescribing the procedures for [the] conduct of state business," and because Section 4. B. of Executive Order No. 20-52 provides the Director of the Agency for Persons with Disabilities with the authority to issue this Emergency Order, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order.

*[Signature appears on the following page]*

*[Signature applies to APD EO No. 20-03, above]*

Executed this 16<sup>th</sup> day of April 2020, at Tallahassee, Leon County, Florida.

A handwritten signature in cursive script that reads "Barbara Palmer". The signature is written in black ink on a white background.

---

Barbara Palmer, Director  
Agency for Persons with Disabilities