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**From:** "Stalnaker, Alyson" <Alyson.Stalnaker@eog.myflorida.com>  
**Date:** Friday, October 16, 2020 at 4:57 PM  
**To:** AO Records <records@americanoversight.org>  
**Cc:** "Hendricks, Courtney" <Courtney.Hendricks@eog.myflorida.com>  
**Subject:** Public Records Request

EXTERNAL SENDER

Good afternoon,

A search of the Executive Office of the Governor's files has produced 188 pages responsive to your request as stated in the attached. You may find your records on the Governor's website at the link provided below under "10-16-2020\_Evers,\_A.\_16-G\_Responsive\_Documents". Thank you for contacting the Executive Office of the Governor.

 [Public Records Requests](#)

Sincerely,

**Alyson Stalnaker**

Administrative Assistant  
Executive Office of the Governor  
Office of the General Counsel  
(850) 717-9310

*Please note that Florida has a broad public records law and correspondence sent to me, which is not confidential or exempt pursuant to Chapter 119 of the Florida Statutes, is a public record made available upon request.*

## Stalnaker, Alyson

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**From:** AO Records <records@americanoversight.org>  
**Sent:** Tuesday, May 19, 2020 9:55 AM  
**To:** Stalnaker, Alyson  
**Cc:** Hendricks, Courtney  
**Subject:** Re: [Ext]RE: [Ext]Public Records Request

Good morning Ms. Stalnaker,

Thanks so much for checking for and correcting this. As for your question, if the search terms only appear in an email signature, we are fine with excluding those records.

Take care,

Christine

Christine H. Monahan  
Counsel  
American Oversight  
(202) 869-5244  
records@americanoversight.org

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**From:** "Stalnaker, Alyson" <Alyson.Stalnaker@eog.myflorida.com>  
**Date:** Monday, May 18, 2020 at 4:58 PM  
**To:** AO Records <records@americanoversight.org>  
**Cc:** "Hendricks, Courtney" <Courtney.Hendricks@eog.myflorida.com>  
**Subject:** [Ext]RE: [Ext]Public Records Request

Good afternoon,

Thank you for bringing this to our attention. After checking the search our office ran, we have now conducted the search to only include responsive emails sent by the officials listed. That has reduced the number of potentially responsive items.

We did want to point out that state employees typically have a notice below their signature explaining Florida's public records laws (see below for example). We anticipate some of the emails are being pulled as potentially responsive based on that notice. Some of these notices may be including your search terms "records request", "requests for records", etc., but the subject or body of the email does not contain one of your search terms. Please let us know if you would like these emails included or excluded.

Thank you.

**Alyson Stalnaker**  
Administrative Assistant  
Executive Office of the Governor  
Office of the General Counsel  
(850) 717-9310

*Please note that Florida has a broad public records law and correspondence sent to me, which is not confidential or exempt pursuant to Chapter 119 of the Florida Statutes, is a public record made available upon request.*

**From:** AO Records <records@americanoversight.org>  
**Sent:** Friday, May 15, 2020 1:37 PM  
**To:** Stalnaker, Alyson <Alyson.Stalnaker@eog.myflorida.com>  
**Cc:** Hendricks, Courtney <Courtney.Hendricks@eog.myflorida.com>  
**Subject:** Re: [Ext]Public Records Request

Good afternoon Ms. Stalnaker,

We appreciate the prompt search. Can you confirm that your office is able to search just the sent email of the officials listed, and that the initial search reflects that limitation from the request?

If the answer is yes, to further narrow the request we would agree to cut from Column A "x. Any attorneys serving in in the Office of the General Counsel." (To be clear, however, we do still seek emails sent by General Counsel Joe Jacquot.) In that circumstance, we also would agree to cut items vi (@broward.org) through x (@orlando.gov) in Column B.

Please advise if and how this affects the volume estimate.

Thanks so much,

Christine

Christine H. Monahan  
Counsel  
American Oversight  
(202) 869-5244  
[records@americanoversight.org](mailto:records@americanoversight.org)

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**From:** "Stalnaker, Alyson" <Alyson.Stalnaker@eog.myflorida.com>  
**Date:** Tuesday, May 12, 2020 at 5:00 PM  
**To:** AO Records <records@americanoversight.org>  
**Cc:** "Hendricks, Courtney" <Courtney.Hendricks@eog.myflorida.com>  
**Subject:** [Ext]Public Records Request

Good afternoon,

The Governor's Office of Open Government has initiated a search for records responsive to your request, a copy of which is attached for your reference.

Our initial search has found more than 1,400 items potentially responsive to your request. An item identifies an email, attachment, meeting invitation, etc., and each item could result in multiple pages. All responsive pages require review for exempt and/or confidential information.

The Executive Office of the Governor is committed to public transparency and compliance with Florida's Sunshine laws, and we will work to process your request as quickly as possible. As you may know, complex or laborious requests that may require significant staff review or materials costs will now be subject to service charges.

The Office of Open Government is happy to proceed with producing a cost estimate and processing the request. However, if you would like to narrow the request we are able to do that as well. Please note that an email search

will pull every email containing one of the search terms regardless of the context. Please let us know how you would like to proceed.

Sincerely,

**Alyson Stalnaker**

Administrative Assistant  
Executive Office of the Governor  
Office of the General Counsel  
(850) 717-9310

*Please note that Florida has a broad public records law and correspondence sent to me, which is not confidential or exempt pursuant to Chapter 119 of the Florida Statutes, is a public record made available upon request.*



## Stalnaker, Alyson

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**From:** AO Records <records@americanoversight.org>  
**Sent:** Tuesday, April 28, 2020 11:41 AM  
**To:** Desantis.OpenGovernment  
**Subject:** Public Records Request (FL-GOV-20-1078)  
**Attachments:** FL-GOV-20-1078.pdf

Dear Public Records Officer:

Please find attached a request for records under Florida's public records laws.

Sincerely,

Sarah Wishingrad  
Paralegal  
American Oversight  
[records@americanoversight.org](mailto:records@americanoversight.org)  
[www.americanoversight.org](http://www.americanoversight.org) | @weareoversight

PRR: FL-GOV-20-1078



April 28, 2020

**VIA ELECTRONIC MAIL**

Director, Office of Open Government  
Executive Office of the Governor  
400 S. Monroe Street  
Tallahassee, FL 32399  
[desantis.opengov@eog.myflorida.com](mailto:desantis.opengov@eog.myflorida.com)

**Re: Public Records Request**

Dear Public Records Officer:

Pursuant to Florida's public records laws, as codified at Fla. Stat. Chapter 119, American Oversight makes the following request for records.

**Requested Records**

American Oversight requests that your office promptly produce the following:

1. All directives, orders, memoranda, or guidance prepared by or on behalf of the Office of Governor Ron DeSantis regarding the processing of public records requests that seek records regarding the coronavirus outbreak, including, but not limited to, records regarding how public agencies or officials are responding to the coronavirus outbreak.
2. All email communications (including email messages, complete email chains, email attachments, calendar invitations, and calendar invitation attachments) sent by (A) the officials listed in Column A, and (B) anyone communicating with an email domain listed in Column B, that include any of the key terms that follow.

| Column A: Officials                                                                 | Column B: Email Domains |
|-------------------------------------------------------------------------------------|-------------------------|
| i. Governor Ron DeSantis, or anyone communicating on his behalf, such as assistants | i. @flhealth.gov        |
| ii. or schedulers                                                                   | ii. @myfloridalegal.com |
| iii. Chief of Staff Shane Strum                                                     | iii. @em.myflorida.com  |
| iv. Lt. Governor Jeanette Nunez                                                     | iv. @fdc.myflorida.com  |
| v. Chief of Staff Alex Garcia                                                       | v. @ahca.myflorida.com  |
| vi. Deputy Chief of Staff James Blair                                               | vi. @broward.org        |
| vii. Deputy Chief of Staff Adrian Lukis                                             | vii. @miamidade.gov     |
| viii. Executive Assistant Amelia Keaton                                             | viii. @pbcgov.org       |
| ix. General Counsel Joe Jacquot                                                     | ix. @ocfl.net           |
|                                                                                     | x. @orlando.gov         |



1030 15th Street NW, Suite B255, Washington, DC 20005 | [AmericanOversight.org](https://AmericanOversight.org)

|       |                                                        |  |
|-------|--------------------------------------------------------|--|
| x.    | Any attorneys serving in the Office of General Counsel |  |
| xi.   | Executive Assistant Erin Kraeft                        |  |
| xii.  | Director of External Affairs Mara Gambineri            |  |
| xiii. | External Affairs Deputy Director Drew Meiner           |  |

Key Terms:<sup>1</sup>

- “Records requests”
- “Record requests”
- “Records request”
- “Record request”
- “Request for records”
- “Requests for records”
- “PRR”
- “PRRs”
- “PRL”
- “Sunshine law”
- “FOIA”
- “Herald”
- “Klas”
- “Weaver”
- “Ovalle”
- “Neal”
- “Smiley”
- “Chang”
- “Gross”
- “Conarck”
- “Holland & Knight”
- “H&K”
- “H & K”
- “Bohrer”
- “Meros”
- “American Oversight”
- “Evers”
- “Monahan”
- “CREW”
- “Citizens for Responsibility and Ethics in Washington”
- “PILF”
- “Public Interest Legal Foundation”
- “American Civil Rights Union”
- “ACRU”
- “First Amendment Foundation”
- “FAF”
- “FLFAF”

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, for item 2, American Oversight has limited its request to emails sent by the listed officials. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both a listed official’s response to an email from one of the email domains listed and the initial received message are responsive to this request and should be produced.

Please provide all responsive records from March 1, 2020, to the date of the search.

<sup>1</sup> American Oversight has sought to avoid phrases related to the public records law that are likely to appear in boilerplate language in officials’ signature lines. In the event that one of the key terms above does appear in boilerplate language and produces a high volume of records, please let us know and we can discuss narrowing the request.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

We understand that your office's capacity may be impacted by the coronavirus outbreak and response efforts. Should that be the case, we would be happy to discuss potential streamlining or narrowing of our request, reasonable delays in processing this request, or other accommodations. Please feel free to contact us at the telephone number listed in the final paragraph of this letter. We look forward to working with you.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics, and includes any attachments to these records

American Oversight insists that your agency use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; your office may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.



## Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>2</sup>

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Christine H. Monahan at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 869-5244.

Sincerely,



Austin R. Evers  
Executive Director  
American Oversight

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<sup>2</sup> American Oversight currently has approximately 15,500 page likes on Facebook and 102,300 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Apr. 22, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Apr. 22, 2020).



**From:** [Ernst, Colleen](#)  
**To:** [Grow, Stefan](#); [StLaurent, Louise](#); [Dunson, A](#)  
**Cc:** [Clark, David](#); [Jacquot, Joe](#); [Uthmeier, James](#)  
**Subject:** Attached  
**Date:** Friday, April 3, 2020 1:56:44 PM  
**Attachments:** [Updated privacy.docx](#)

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All-

I added Louise's draft into the attached and made an additional change to I. A. Please review the entire draft to ensure comfort. If you approve, I will circulate within EOG for final approval.

Colleen Ernst  
Deputy General Counsel  
Executive Office of the Governor  
Capitol Suite 209

# Privacy Policy

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## I. DATA COLLECTION AND USAGE

We collect, store and use your browsing information to allow you to use our Site, to communicate with us, and for the other purposes described in more detail below or as we may specify at the time of collection.

Your privacy is very important to us. Simply stated, our policy is to collect no personal information about you, unless you affirmatively choose to make such information available to us. When you visit this website, the Web server automatically recognizes only the Internet domain and IP address from which you accessed the site. This information will be used to determine whether you complete the survey and may prompt completion of the survey on other webpages you visit if you do not complete the survey. This information will be used to determine other webpages that you visit in order to promote the use of the survey to other people. This information does not result in the identification of your personal e-mail address, other personal information, or retention of your answers to the survey in a way that would identify data about you.

If you choose to share your personal information by sharing the link to this webpage, or otherwise providing the Department of Health with your personal identifying information, the information will be saved for a designated period of time in order to comply with the state of Florida's archiving policies. The answers that you select to the survey will not be kept in a way that is connected to your IP address and your participation is anonymous. However, information will not be disclosed to third parties or other government agencies, unless required by state law, federal law, or contract with a vendor of the Department of Health. Please note that Florida's public records law requires that all information received in connection with state business be made available to anyone upon request, unless the information is subject to a specific statutory exemption.

The type of information we collect from you depends on how you interact with us. You can use our Site without providing us with any information other than anonymous information we collect automatically.

### A. Information you provide directly.

We obtain information that identifies you personally directly from you.

We use the information that you voluntarily provide to update and improve the content on our Site and to assist with marketing research.

**B. Information we collect electronically automatically.**

1. **Information about your website visit.** Our Site servers automatically record your visits to our Site(s). Like all other website servers, ours compiles a log that records the date, time, browser (i.e., Firefox), device type (i.e., iPhone), operating system (i.e. Android) and originating IP address of each Site page request.

We use cookies that identify your browser or device. They collect and store information when you visit our Site about how you use the Site and facilitate interest-based advertising.

We have a legitimate interest in collecting this information to monitor usage of our Site, identify issues with our Site, and improving our services.

2. **Information About Your Location.** From your IP address, we can tell generally where you are when you are accessing our Site, i.e., which city.

**C. With Whom Do We Share Information We Collect?**

1. We may disclose your personal information as required by law, in conjunction with a government inquiry, or in litigation or dispute resolution.
2. **Anonymous Information.** We may disclose statistical information to third parties in aggregate form without revealing any personal details about our users.

**II. WHERE YOUR INFORMATION WILL BE HELD**

Our Site operates in the U.S. If you are located outside of the U.S., please be aware that all information you provide us will be transferred to and stored and processed in the U.S. Please also be aware that by using our Site and giving us your information, you consent to such U.S. transfer, storage and processing. You also understand that the U.S. privacy laws may be different from the laws of your country.

**III. LINKS TO OUTSIDE WEB SITES**

This Site may contain links to third party sites not controlled by Department of Health. We recommend that you check the privacy statement of other sites you visit before providing any personal information. Any offers made in advertising on our Site are the sole responsibility of the companies making the offers.

**IV. SECURITY OF INFORMATION**

Please note that although we take reasonable steps to protect your information, no website or computer system or wireless connection is completely secure.

**V. CHANGES TO PRIVACY NOTICE**

We retain the right to change this Privacy Notice at any time to reflect changes in the law, our data collection and use practices, the features of our services, or advances in technology. Please check this page periodically for changes. Your continued use of the Site

following the posting of changes will mean you accept those changes.

**VI. FLORIDA “SUNSHINE” LAW**

We adhere to Florida’s open records laws. Records we send and receive may be subject to public disclosure upon request.

**COOKIE NOTICE**

The Florida Department of Health uses cookies on its website (the “Service”). By using the Service, you consent to the use of cookies. To make the Service work properly, we sometimes place small data files called cookies on your device. Because we are always updating our site and changing partners, please check back regularly for updates.

This Cookie Notice is part of our Privacy Policy. Session cookies are automatically deleted at the end of your browsing session. Persistent cookies remain on your device for the duration of each specific cookie, until its expiration date or until you delete it, whichever comes first. If you do not want anonymous cookie and data to be collected based on your browsing history on our website, please leave this website immediately.



**From:** [Lukis, Adrian](#)  
**To:** [Keaton, Amelia](#); [Strickland, K](#); [Beatrice, Meredith M.](#)  
**Subject:** FW:  
**Date:** Tuesday, April 28, 2020 3:44:11 PM  
**Attachments:** [document1 \(003\).docx](#)  
[excel 1.xlsx](#)

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**From:** Philpot, Toby <Toby.Philpot@ahca.myflorida.com>  
**Sent:** Tuesday, April 28, 2020 3:41 PM  
**To:** Strickland, K <Katie.Strickland@ahca.myflorida.com>; Lukis, Adrian  
<Adrian.Lukis@eog.myflorida.com>  
**Subject:**

## **PRINT MEDIA**

Tallahassee Democrat

March 2, 2020

***Florida officials waited 24 hours to inform public of coronavirus cases***

<https://www.tallahassee.com/story/news/local/state/2020/03/02/florida-coronavirus-ron-desantis-discusses-states-response-covid-19/4928150002/>

WUSF Public Media

March 7, 2020

***Florida Announces More Coronavirus Cases While Sen. Scott Questions State's***

<https://wusfnews.wusf.usf.edu/post/florida-announces-more-coronavirus-cases-while-sen-scott-questions-states-response>

Slate.com

March 20, 2020

***Once Again, Florida Waited Too Long***

***Quote:*** The consequences of the state's collective inaction are only starting to become apparent. As the number of confirmed cases skyrockets with (slowly) accelerated testing, so too will the number of deaths.

<https://slate.com/technology/2020/03/florida-climate-change-coronavirus.html>

Gainesville Sun

***"Coronavirus: DeSantis, state face grim financial picture"***

March 21, 2020

<https://www.gainesville.com/news/20200321/coronavirus-desantis-state-face-grim-financial-picture/1>

Tampa Bay Times

March 21, 2020

***Florida lagged behind dozens of states on coronavirus restrictions***

***Despite a large elderly population that is more vulnerable to the virus, the state has been slower than many others to restrict businesses***

<https://www.tampabay.com/news/health/2020/03/21/florida-lags-behind-dozens-of-states-on-coronavirus-restrictions/>

Miami Herald

March 22, 2020

***Has Gov. DeSantis been too cautious in moves to deal with coronavirus? Some experts say yes***

**Quote:** “Gov. Ron DeSantis has proven to be more cautious than governors in similarly situated states, including some with even fewer fatalities.”

<https://www.miamiherald.com/news/coronavirus/article241364251.html>

**Miami Herald Editorial Board**

**March 22, 2020**

***Coronavirus is killing us in Florida, Gov. DeSantis. Act like you give a damn | Editorial***

**Quote:** “Unfortunately, DeSantis, who despite trying to appear large and in charge in front the microphone and TV cameras delivering coronavirus updates, has been a timid leader in the face of the growing scourge — and growing number of deaths — from the disease in his state. By Saturday, the number of confirmed cases had exceeded 700. At least two more people had died bring the state total to at least 12. The governor announced that he was thinking about isolation shelters for people with confirmed COVID-19 or symptoms. Again, no details, no idea when it could happen.”

<https://www.miamiherald.com/opinion/editorials/article241403236.html>

**Los Angeles Times**

**March 23, 2020**

***Will Texas or Florida be ‘the next Italy’? Red states lag blue in stay-at-home orders***

<https://www.latimes.com/world-nation/story/2020-03-23/coronavirus-response-texas-florida-california-new-york>

**The Hill**

**Critics hit Florida governor over lack of ‘sweeping’ coronavirus response**

**March 25, 2020**

<https://thehill.com/homenews/state-watch/489562-critics-lash-out-at-florida-governor-over-lack-of-sweeping-coronavirus>

**Herald Tribune**

**March 25, 2020**

***DeSantis gambles on less aggressive response***

<https://www.dailycommercial.com/news/20200325/coronavirus-florida-desantis-gambles-on-less-aggressive-response>

Orlando Weekly

***"Study shows evidence of COVID-19 spread in the Villages"***

March 31, 2020

<https://www.orlandoweekly.com/Blogs/archives/2020/03/31/study-shows-evidence-of-rapid-covid-19-spread-in-the-villages>

Palm Beach Post

March 30, 2020

***Deaths Projected to hit 6, 766 by August, analysis says***

***Quote: An analysis predicts Florida will face a peak shortage of 843 intensive care unit hospital beds for the coronavirus pandemic. The need for these beds will peak May 3 in Florida. The state will need 2,538 beds on that day, but only 1,695 will be available.***

<https://www.palmbeachpost.com/news/20200330/coronavirus-florida-deaths-projected-to-hit-6766-by-august-analysis-says>

Washington Examiner

April 1, 2020

***Florida could be the next New York in the coronavirus outbreak***

***Quote: Florida has reported more than 6,700 confirmed coronavirus cases in the last week, with 85 deaths and 850 hospitalizations. The state is quickly becoming the next national hot spot for the COVID-19 virus, yet health experts are concerned its government is woefully unprepared.***

<https://www.washingtonexaminer.com/opinion/florida-could-be-the-next-new-york-in-the-coronavirus-outbreak>

AXIOS

***Florida's slow response may have made its coronavirus outbreak worse***

April 2, 2020

<https://www.axios.com/florida-governor-trump-desantis-coronavirus-df688342-9d51-4915-80a9-da67da052272.html>

April 2, 2020

New York Times

***FLORIDA, FINALLY - The State will go on lockdown, far too late.***

<https://www.nytimes.com/2020/04/02/opinion/coronavirus-desantis-trump.html>

***Quote: The new lockdowns are welcome, because they will help slow the virus. But they're also coming much later than they should have. A big reason that the virus has recently been***

spreading *more rapidly* in the United States than in Europe or Asia is the slow response from many American political leaders.

Herald Tribune

April 2, 2020

***Delayed Lockdown decision could haunt DeSantis***

<https://www.heraldtribune.com/news/20200402/coronavirus-florida-delayed-lockdown-decision-could-haunt-desantis>

Washington Post – posted on MSN.com

April 3, 2020

***As coronavirus cases surge in Florida, fears mount that action came too late***

<https://www.msn.com/en-us/news/us/as-coronavirus-cases-surge-in-florida-fears-mount-that-action-came-too-late/ar-BB1261SW>

The Guardian

April 5, 2020

***Florida's slow response: a 'mini-Trump' governor who borrowed the president's playbook --***

***Sub-heading in article*** “State Woefully Unprepared”

<https://www.theguardian.com/us-news/2020/apr/05/floridas-slow-response-how-the-sunshine-state-got-it-so-wrong>

South Florida Sun Sentinel

April 6, 2020

***Experts worry Florida moved too slowly on coronavirus – and the worst is yet to come***

***Opening Sentence:*** Despite mounting concerns from experts, Gov. Ron DeSantis opted again Tuesday not to order the entire state to stay home to curb an epidemic that is now projected to kill thousands of Floridians even in a best-case scenario.

<https://www.sun-sentinel.com/coronavirus/fl-ne-coronavirus-florida-numbers-projection-20200401-7mk7nl6s6ncpvhi2g5dkb4xx2e-htmlstory.html>

CNBC

April 6, 2020

***These states face the biggest potential shortfalls in hospital ICU beds***

***Quote:*** Florida, the model suggests, on April 21 will hit its peak number of cases without sufficient ICU beds.

<https://www.cnn.com/2020/04/06/coronavirus-cases-states-with-biggest-hospital-bed-shortfalls.html>



Univision

April 8, 2020

***As death toll rises, Florida Governor under fire for slow response, as unemployed struggle to file claims***

***Quote:*** *"That may come back to haunt the DeSantis. The total number of deaths in Florida is expected to reach 6,770 by August, according to one widely reported projection."*

<https://www.univision.com/univision-news/politics/as-death-toll-rises-florida-governor-under-fire-for-slow-response-an-unemployed-struggle-to-file-claims>

The Atlantic

April 9, 2020

***The Two States Where Trump's COVID-19 Response Could Backfire in 2020***

***Quote:*** *In Florida, conditions have not yet reached such a crisis point, though its caseload is growing steadily. But because DeSantis waited so long to act, he and Trump could be punished if the outbreak ultimately imposes a heavy cost on the state. "If this does get worse and worse ... I think DeSantis's vulnerability is Trump's vulnerability," says Adam Smith, a Tampa-based senior vice president at the bipartisan firm Mercury Public Affairs.*

<https://www.theatlantic.com/politics/archive/2020/04/trump-whitmer-desantis-coronavirus/609727/>

Tampa Bay Times

April 11, 2020

***Why Ron DeSantis' popularity has taken a hit since the pandemic started***

***Quote:*** *DeSantis' uneven response has made him an outlier among his counterparts across the country.*

<https://www.tampabay.com/news/health/2020/04/11/why-ron-desantis-popularity-has-taken-a-hit-since-the-pandemic-started/>

The Miami Times

***"Florida COVID-19 deaths may peak May 3"***

***Quote:*** *IHME's projections come with a big fly in the ointment when it comes to Florida since its forecast assumes all states implement statewide stay-at-home orders, which Florida Gov. Ron DeSantis has steadfastly refused to do. DeSantis has resisted calls by Democrats and many public health officials to order a blanket shutdown. A Change.org petition to shut down Florida, started a week ago, has garnered more than 367,000 petitions.*

[https://www.miamitimesonline.com/covid-19\\_hub/florida-covid-19-deaths-may-peak-may-3/article\\_a74524ac-79a0-11ea-90a1-df53a9878760.html](https://www.miamitimesonline.com/covid-19_hub/florida-covid-19-deaths-may-peak-may-3/article_a74524ac-79a0-11ea-90a1-df53a9878760.html)

**April 18, 2020**

**Influential coronavirus model reduces Florida's projected deaths by over 70%**

**Quote: A major coronavirus model on Friday radically revised downward the number of expected COVID-19 deaths in Florida, painting a relatively optimistic picture for the state even as its governor had earlier received criticism for refusing to lock it down until the beginning of April .**

**<https://justthenews.com/politics-policy/coronavirus/influential-coronavirus-model-reduces-floridas-projected-deaths-over-70>**

**April 3, 2020**

**Miami Herald: Surge on wills: Fearing death by coronavirus, people ask lawyers to write their last wishes**

**<https://www.miamiherald.com/news/coronavirus/article241686381.html>**

**April 3, 2020**

**Sun Sentinel: Florida Gov. Ron DeSantis sends deadly mixed messages on coronavirus | Editorial**

**<https://www.sun-sentinel.com/opinion/editorials/fl-op-edit-desantis-coronavirus-20200403-hga62al45ndyxotfkxrgykriqa-story.html>**

**April 7, 2020**

**Palm Beach Post: Coronavirus Florida: Editorial: Are we ready for the COVID-19 surge? We'd better be.**

**<https://www.palmbeachpost.com/opinion/20200407/coronavirus-florida-editorial-are-we-ready-for-covid-19-surge-wersquod-better-be>**

**April 8, 2020**

**The Daily Beast: This South Florida City Is a Looming Coronavirus Hot Spot You Haven't Heard About**

**<https://www.thedailybeast.com/hialeah-florida-is-a-coronavirus-disaster-waiting-to-happen>**

## **TV/Radio**

**NBC News.com**

March 24, 2020

**Florida governor takes heat for state's slow response to coronavirus crisis**

<https://www.nbcnews.com/news/us-news/florida-governor-takes-heat-state-s-slow-response-coronavirus-crisis-n1167106>

**News 4 Jacksonville**

**Model predicts Florida COVID-19 deaths will peak April 21**

<https://www.news4jax.com/news/florida/2020/04/06/model-predicts-florida-covid-19-deaths-will-peak-april-21/>

**BayNews9**

**Democrats Call DeSantis "Timid" in His Response to Coronavirus Outbreak**

**QUOTE:** "We have a situation in Florida where we have a governor who has been irresponsible and has had an absence of leadership," said South Florida Democratic Rep. Debbie Wasserman Schultz on a conference call organized by the Florida Democratic Party. "In the midst of a public health crisis in the third largest state in the country with the highest concentration of the elderly, and that he uses that as a lame excuse as to why he wouldn't order the closure of all public beaches is an outrage," she said.

<https://www.baynews9.com/fl/tampa/news/2020/03/23/democrats-call-desantis-timid-in-his-response-to-coronavirus-outbreak>

**NPR**

April 1, 2020

**Large Florida Retirement Community With Slow Coronavirus Response Sees Positives Grow**

<https://www.npr.org/2020/04/01/825499450/large-florida-retirement-community-with-slow-coronavirus-response-sees-positives>

**Tampa 10 News**

April 10, 2020

**Coronavirus projections show worst weeks ahead for Florida**

<https://www.wtsp.com/article/news/health/coronavirus/covid19-coronavirus-projections-show-worst-weeks-ahead-for-florida/67-cba97591-9408-4d96-95ce-0bdb48765dfc>

Quote: Forecast models show we're about 2 weeks away from our peak in Florida—with over 100 deaths a day projected for the two weeks between April 20 and May 4, according to data published on the IHME website.

If those projections are correct, an estimated 1,600 more Floridians will lose their lives over those 15 days from late April into early May.

**WPTV NBC Affiliate— West Palm beach**

**April 14, 2020**

**Peak of coronavirus in Florida shifts to May**

**Deadliest possible day now May 6**

Quote: New data released Monday from the Institute of Health Metrics and Evaluations at the University of Washington shows that Florida's peak for hospital resources is May 3, while the deadliest possible day is now May 6. A total of 128 people are projected to die from the coronavirus on its peak day, although the total number of deaths is lower than initially projected.

| Date      | Publication         | Title                                                                                               | Link                                                                                                                                                                                                                                                                                      |
|-----------|---------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2/14/2020 | Miami Herald        | South Florida employers should brace for the potential impact of COVID-19                           | <a href="https://www.miamiherald.com/news/business/biz-columns-blogs/article240294246.htm">https://www.miamiherald.com/news/business/biz-columns-blogs/article240294246.htm</a>                                                                                                           |
| 2/24/2020 | NBC                 | Florida seeing impacts of coronavirus with no confirmed cases in the state                          | <a href="https://www.nbc.com/2020/02/20/coronavirus-latest-updates.html">https://www.nbc.com/2020/02/20/coronavirus-latest-updates.html</a>                                                                                                                                               |
| 2/24/2020 | Miami Herald        | A Miami man who flew to China worried he might have coronavirus. He may owe thousands.              | <a href="https://www.miamiherald.com/news/health-care/article240476806.html">https://www.miamiherald.com/news/health-care/article240476806.html</a>                                                                                                                                       |
| 2/25/2020 | Florida Today       | CDC warns coronavirus 'inevitable' in US as Florida health officials on lookout                     | <a href="https://www.floridatoday.com/story/news/2020/02/25/coronavirus-disease/4869416002">https://www.floridatoday.com/story/news/2020/02/25/coronavirus-disease/4869416002</a>                                                                                                         |
| 2/27/2020 | The Ledger          | Coronavirus: Florida officials express caution — not panic ... Yet                                  | <a href="https://www.theledger.com/news/20200227/coronavirus-florida-officials-express-caution---not-panic-yet">https://www.theledger.com/news/20200227/coronavirus-florida-officials-express-caution---not-panic-yet</a>                                                                 |
| 3/2/2020  | Fox 8               | Florida declares public health emergency as coronavirus spreads; new travel restrictions nationwide | <a href="https://fox8.com/news/coronavirus/coronavirus-spread-florida-declares-public-health-emergency-new-travel-restrictions-nationwide">https://fox8.com/news/coronavirus/coronavirus-spread-florida-declares-public-health-emergency-new-travel-restrictions-nationwide</a>           |
| 3/9/2020  | Florida Politics    | Florida lawmakers briefly self-isolated after possible coronavirus exposure                         | <a href="https://floridapolitics.com/archives/322442-representatives-who-attended-rpac-will-not-self-quarantine-over-coronavirus-fear">https://floridapolitics.com/archives/322442-representatives-who-attended-rpac-will-not-self-quarantine-over-coronavirus-fear</a>                   |
| 3/10/2020 | Boca Magazine       | With Coronavirus Concerns Growing, How Will Boca and Delray Respond?                                | <a href="https://www.bocamag.com/coronavirus-boca/">https://www.bocamag.com/coronavirus-boca/</a>                                                                                                                                                                                         |
| 3/14/2020 | The New York Times  | On a Saturday Night In Florida, a Presidential Party Became a Coronavirus Hot Zone                  | <a href="https://www.nytimes.com/2020/03/14/us/politics/trump-coronavirus-mar-a-lago.html">https://www.nytimes.com/2020/03/14/us/politics/trump-coronavirus-mar-a-lago.html</a>                                                                                                           |
| 3/15/2020 | Vox                 | Disney World and Disneyland closed indefinitely amid Covid-19 fears                                 | <a href="https://www.vox.com/the-goods/2020/3/12/21177375/disney-coronavirus-covid-19-theme-parks-disneyworld-disneyland">https://www.vox.com/the-goods/2020/3/12/21177375/disney-coronavirus-covid-19-theme-parks-disneyworld-disneyland</a>                                             |
| 3/19/2020 | Miami Herald        | Amid coronavirus crash, Florida's notoriously stingy jobless benefits just got less onerous         | <a href="https://www.miamiherald.com/news/coronavirus/article241331216.htm">https://www.miamiherald.com/news/coronavirus/article241331216.htm</a>                                                                                                                                         |
| 3/26/2020 | Ocala Star Banner   | Marion County hospitals prepare for worst, hope for best                                            | <a href="https://www.ocala.com/news/20200326/marion-county-hospitals-prepare-for-worst-hope-for-best">https://www.ocala.com/news/20200326/marion-county-hospitals-prepare-for-worst-hope-for-best</a>                                                                                     |
| 3/26/2020 | The Palm Beach Post | Coronavirus Florida: As unemployment spirals, how much is too much to offer those laid off?         | <a href="https://www.palmbeachpost.com/news/20200326/coronavirus-florida-as-unemployment-spirals-how-much-is-too-much-to-offer-those-laid-off/">https://www.palmbeachpost.com/news/20200326/coronavirus-florida-as-unemployment-spirals-how-much-is-too-much-to-offer-those-laid-off/</a> |
| 3/28/2020 | Fox News            | Florida sees sharp spike in coronavirus infections as fears grow it could be another hotspot        | <a href="https://www.foxnews.com/us/florida-sees-sharp-spike-in-coronavirus-infections-as-fears-grow-it-could-be-another-hotspot">https://www.foxnews.com/us/florida-sees-sharp-spike-in-coronavirus-infections-as-fears-grow-it-could-be-another-hotspot</a>                             |
| 3/31/2020 | NPR                 | Cruise Ship Struggling With COVID-19 Headed To Florida                                              | <a href="https://www.npr.org/sections/coronavirus-live-updates/2020/03/31/824968946/cruise-ship-struggling-with-covid-19-headed-to-florida">https://www.npr.org/sections/coronavirus-live-updates/2020/03/31/824968946/cruise-ship-struggling-with-covid-19-headed-to-florida</a>         |
| 4/3/2020  | Miami Herald        | Surge on Wills: Fearing death by coronavirus, people ask lawyers to write their last wishes         | <a href="https://www.miamiherald.com/news/coronavirus/article241696381.htm">https://www.miamiherald.com/news/coronavirus/article241696381.htm</a>                                                                                                                                         |
| 4/3/2020  | Sun Sentinel        | Florida Gov. Ron DeSantis sends deadly mixed messages on coronavirus                                | <a href="https://www.sun-sentinel.com/opinion/editorials/fl-op-ed-it-desantis-coronavirus-20200403-hpa62al45ndvxo0f0aygkfga-story.htm">https://www.sun-sentinel.com/opinion/editorials/fl-op-ed-it-desantis-coronavirus-20200403-hpa62al45ndvxo0f0aygkfga-story.htm</a>                   |
| 4/3/2020  | Orlando Sentinel    | 60% of Florida's ICU beds already taken                                                             | <a href="https://www.orlandosentinel.com/coronavirus/los-ne-coronavirus-hospitalizations-florida-20200403-rvvtvtothbdsdaz5frs27sxjia-story.htm">https://www.orlandosentinel.com/coronavirus/los-ne-coronavirus-hospitalizations-florida-20200403-rvvtvtothbdsdaz5frs27sxjia-story.htm</a> |
| 4/7/2020  | The Palm Beach Post | Coronavirus Florida: Editorial: Are we ready for the COVID-19 surge? We'd better be                 | <a href="https://www.palmbeachpost.com/opinion/20200407/coronavirus-florida-editorial-are-we-ready-for-covid-19-surge-wersquod-better-b/">https://www.palmbeachpost.com/opinion/20200407/coronavirus-florida-editorial-are-we-ready-for-covid-19-surge-wersquod-better-b/</a>             |
| 4/8/2020  | The Daily Beast     | This South Florida City is a Looming Coronavirus Hot Spot You Haven't Heard About                   | <a href="https://www.thedailybeast.com/bieleah-florida-is-a-coronavirus-disaster-waiting-to-happen">https://www.thedailybeast.com/bieleah-florida-is-a-coronavirus-disaster-waiting-to-happen</a>                                                                                         |

**From:** Ernst, Colleen  
**To:** Grow, Stefan  
**Cc:** StLaurent, Louise; Jacquot, Joe  
**Subject:** FW: Proposed response  
**Date:** Friday, April 17, 2020 3:16:49 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[SavedSearchReport\\_4\\_17\\_2020\\_2\\_33\\_PM.pdf](#)  
[Invoice P058467-032620.pdf](#)  
[Ltr. to Fla. Dept. of Health re Notice by Sun-Sentinel Company LLC pursuant to Fla. Stat. 119.12-April 13-2020.pdf](#)

---

Louise,

Looping in Stefan. AHCA has retained Dean Mead. They have spoken to Joe about the most appropriate response here.

Colleen

**From:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Sent:** Friday, April 17, 2020 3:14 PM  
**To:** Ernst, Colleen <Colleen.Ernst@eog.myflorida.com>  
**Subject:** Proposed response

I can respond to the 5-day notice today with either the attached invoice (which will redact nearly everything they're asking for once they pay— as I noted on page 3 of the pdf attached starting with "Ltr. To Fla. Dept. of Health..."). Or, I can tell them that I am willing to do the review and redaction after receiving payment on the invoice but note that the exact things they're asking for would be entirely redacted and the result would be meaningless. I imagine in each response, I would include the invoice which would satisfy a portion of our legal obligations at this point.

Please let me know how you want me to proceed.

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)  
(850) 245-4790 (Fax)

**From:** Porter, Torrece  
**Sent:** Friday, April 17, 2020 3:06 PM



**To:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>; Washington, Kendra <Kendra.Washington@flhealth.gov>

**Cc:** Landy, Riley <Riley.Landy@flhealth.gov>; Harkins, Renee <Renee.Harkins@flhealth.gov>; Lamia, Christine E <Christine.Lamia@flhealth.gov>

**Subject:** RE: Facility types

Good Afternoon Louise,

The search terms were:

"HOSPICE" or "HOSPITAL" or "CLINICAL LABORATORY" or "MULTIPHASIC HEALTH TESTING CENTER" or "TRANSITIONAL LIVING FACILITY" or "NURSING HOME" or "HOMEMAKER COMPANION" or "NURSE REGISTRY" or "SKILLED NURSING UNIT" or "HEALTH CARE SERVICES POOL".

The date range was 3/1/20 – 3/25/20.

Regards,

Torrece Porter  
Risk Manager  
Office of the General Counsel  
Florida Department of Health  
Phone: 850-245-4026

**From:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>

**Sent:** Friday, April 17, 2020 2:57 PM

**To:** Washington, Kendra <Kendra.Washington@flhealth.gov>

**Cc:** Landy, Riley <Riley.Landy@flhealth.gov>; Porter, Torrece <Torrece.Porter@flhealth.gov>; Harkins, Renee <Renee.Harkins@flhealth.gov>; Lamia, Christine E <Christine.Lamia@flhealth.gov>

**Subject:** RE: Facility types

Can you tell me the search criteria we used for those emails? Just want to make sure I'm clear before speaking with my superiors.

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02

Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)  
(850) 245-4790 (Fax)

**From:** Washington, Kendra  
**Sent:** Friday, April 17, 2020 2:42 PM  
**To:** St Laurent, Louise R <[Louise.StLaurent@flhealth.gov](mailto:Louise.StLaurent@flhealth.gov)>  
**Cc:** Landy, Riley <[Riley.Landy@flhealth.gov](mailto:Riley.Landy@flhealth.gov)>; Porter, Torrece <[Torrece.Porter@flhealth.gov](mailto:Torrece.Porter@flhealth.gov)>; Harkins, Renee <[Renee.Harkins@flhealth.gov](mailto:Renee.Harkins@flhealth.gov)>  
**Subject:** RE: Facility types

Updated invoice attached.

**From:** Washington, Kendra  
**Sent:** Thursday, April 16, 2020 4:02 PM  
**To:** St Laurent, Louise R <[Louise.StLaurent@flhealth.gov](mailto:Louise.StLaurent@flhealth.gov)>  
**Cc:** Landy, Riley <[Riley.Landy@flhealth.gov](mailto:Riley.Landy@flhealth.gov)>; Porter, Torrece <[Torrece.Porter@flhealth.gov](mailto:Torrece.Porter@flhealth.gov)>; Harkins, Renee <[Renee.Harkins@flhealth.gov](mailto:Renee.Harkins@flhealth.gov)>  
**Subject:** FW: Facility types

Hi Louise,

Attached are the invoice and search result export and screenshot. Please advise how to proceed.

Also, please see highlighted message below.

Thanks,  
Kendra

**From:** Porter, Torrece <[Torrece.Porter@flhealth.gov](mailto:Torrece.Porter@flhealth.gov)>  
**Sent:** Thursday, April 16, 2020 3:39 PM  
**To:** Landy, Riley <[Riley.Landy@flhealth.gov](mailto:Riley.Landy@flhealth.gov)>; Washington, Kendra <[Kendra.Washington@flhealth.gov](mailto:Kendra.Washington@flhealth.gov)>; Harkins, Renee <[Renee.Harkins@flhealth.gov](mailto:Renee.Harkins@flhealth.gov)>  
**Subject:** RE: Facility types

Good Afternoon All,

I have conducted a search in Veritas for the facility types designated as "Long Term Care". Please see the attached export reports. I am going to follow up with Matt DiPaolo at Veritas to ensure that the number difference is due to deduplication vs no deduplication.

Regards,

Torrece Porter  
Risk Manager  
Office of the General Counsel  
Florida Department of Health  
Phone: 850-245-4026

---

**From:** Landy, Riley <[Riley.Landy@flhealth.gov](mailto:Riley.Landy@flhealth.gov)>  
**Sent:** Thursday, April 16, 2020 2:14 PM  
**To:** Porter, Torrece <[Torrece.Porter@flhealth.gov](mailto:Torrece.Porter@flhealth.gov)>; Washington, Kendra <[Kendra.Washington@flhealth.gov](mailto:Kendra.Washington@flhealth.gov)>; Harkins, Renee <[Renee.Harkins@flhealth.gov](mailto:Renee.Harkins@flhealth.gov)>  
**Subject:** FW: Facility types

Riley Landy  
Chief Legal Counsel, Florida Department of Health  
Phone: 850-245-4023

---

**From:** St Laurent, Louise R <[Louise.StLaurent@flhealth.gov](mailto:Louise.StLaurent@flhealth.gov)>  
**Sent:** Thursday, April 16, 2020 2:13 PM  
**To:** Landy, Riley <[Riley.Landy@flhealth.gov](mailto:Riley.Landy@flhealth.gov)>  
**Subject:** FW: Facility types

Just do the long term care facilities

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)  
(850) 245-4790 (Fax)

---

**From:** Hoeler, Thomas <[Thomas.Hoeler@ahca.myflorida.com](mailto:Thomas.Hoeler@ahca.myflorida.com)>  
**Sent:** Wednesday, April 15, 2020 6:29 PM  
**To:** St Laurent, Louise R <[Louise.StLaurent@flhealth.gov](mailto:Louise.StLaurent@flhealth.gov)>

**Cc:** Grow, Stefan <[Stefan.Grow@ahca.myflorida.com](mailto:Stefan.Grow@ahca.myflorida.com)>

**Subject:** FW: Facility types

Louise – Please find attached a list of AHCA regulated providers. Depending upon what type of facility you are looking for, the unit type would most likely be Long Term Care Unit or the Assisted Living Unit. Please feel free to call if I can assist further.

Thank you,  
Tom

---

**Thomas Hoeler - SENIOR ATTORNEY**

Building 3, Room 3108 - GENERAL COUNSEL  
AHCA  
2727 MAHAN DR., TALLAHASSEE, FL. 32308  
+1 850-412-3647 (Office) - (850) 921-0158 (Fax)  
[Thomas.Hoeler@ahca.myflorida.com](mailto:Thomas.Hoeler@ahca.myflorida.com)

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**From:** Grow, Stefan <[Stefan.Grow@ahca.myflorida.com](mailto:Stefan.Grow@ahca.myflorida.com)>

**Sent:** Wednesday, April 15, 2020 5:28 PM

**To:** Hoeler, Thomas <[Thomas.Hoeler@ahca.myflorida.com](mailto:Thomas.Hoeler@ahca.myflorida.com)>

**Subject:** Fwd: Facility types

Would someone kindly make a list for Louise? She'll need it by the am.

Thanks,

S

Get [Outlook for iOS](#)

---

**From:** St Laurent, Louise R <[Louise.StLaurent@flhealth.gov](mailto:Louise.StLaurent@flhealth.gov)>

**Sent:** Wednesday, April 15, 2020 5:24:05 PM

**To:** Enriquez, Javier <[javier.enriquez@myflfamilies.com](mailto:javier.enriquez@myflfamilies.com)>; Grow, Stefan <[Stefan.Grow@ahca.myflorida.com](mailto:Stefan.Grow@ahca.myflorida.com)>; Carbone, Francis <[Francis.carbone@apdcares.org](mailto:Francis.carbone@apdcares.org)>

**Cc:** Landy, Riley <[Riley.Landy@flhealth.gov](mailto:Riley.Landy@flhealth.gov)>; Lamia, Christine E <[Christine.Lamia@flhealth.gov](mailto:Christine.Lamia@flhealth.gov)>

**Subject:** [ External ] Facility types

Javier, Stefan, and Francis,

Can I get a list of long term care facility designations that you license or regulate for each agency? For example: Nursing Homes are licensed by AHCA (which I know), but I need to do an email search and need to know what types of facility types I need to search for so I can prepare an invoice

without forgetting any. Feel free to pass along to someone to put together and send back to me to assist with response time. I'm trying to do the email search tomorrow, so it would be great to have it sooner than later.

Thank you!

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)  
(850) 245-4790 (Fax)

**Mission:** To protect, promote, and improve the health of all people in Florida through integrated state, county, & community efforts.

**Vision:** To be the **Healthiest State** in the Nation

**Values: ICARE**

I innovation: We search for creative solutions and manage resources wisely.

C collaboration: We use teamwork to achieve common goals & solve problems.

A accountability: We perform with integrity & respect.

R responsiveness: We achieve our mission by serving our customers & engaging our partners.

E excellence: We promote quality outcomes through learning & continuous performance improvement.

**Purpose:** To protect the public through health care licensure, enforcement and information.

**Focus:** To be the nation's leader in quality health care regulation.

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**Please note:**

Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

Please consider the environment before printing this e-mail.

## Dashboard for Saved Search 2-2 - Administrator as of 4/17/2020 2:33:38 PM

### Saved Search Parameter(s)

Advanced Search: Match Any

| Condition Name | Operator Name Before (Incl.) | Search Value                                                                                                                                                                                                                                      |
|----------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date Sent      |                              | 03/25/2020                                                                                                                                                                                                                                        |
| Entire Message | Contains                     | "HOSPICE" or "HOSPITAL" or "CLINICAL LABORATORY" or "MULTIPHASIC HEALTH TESTING CENTER" or "TRANSITIONAL LIVING FACILITY" or "NURSING HOME" or "HOMEMAKER COMPANION" or "NURSE REGISTRY" or "SKILLED NURSING UNIT" or "HEALTH CARE SERVICES POOL" |
| Date Sent      | After (Incl.)                | 03/01/2020                                                                                                                                                                                                                                        |

### Saved Search Result(s)

Showing 5000 of 2663375

| Date Received      | From                                              | To                                                 | Subject                                             | Attachment |
|--------------------|---------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|------------|
| 3/25/2020 11:59 PM | postmaster@mariannafi.city                        | tommy.harkrider@fihealth.gov                       | Delivered: JIC Update #1                            | Yes        |
| 3/25/2020 11:59 PM | postmaster@my.chipola.edu                         | tommy.harkrider@fihealth.gov                       | Delivered: JIC Update #1                            | Yes        |
| 3/25/2020 11:59 PM | postmaster@floridahealth.onmicrosoft.com          | bouncedemails@unitedwaymiami.org                   | Undeliverable: Census starts now, respond today     | Yes        |
| 3/25/2020 11:59 PM | news-q2@law360.com                                | miguel.mudafort@fihealth.gov                       | Senate Approves \$2T COVID-19 Economic Relief Bill  | No         |
| 3/25/2020 11:59 PM | tommy.harkrider@fihealth.gov                      | ehill@jacksoncountyfl.com;c_lockey@jacksoncountyfl | JIC Update #1                                       | No         |
| 3/25/2020 11:59 PM | itservicedesk@fihealth.gov                        | carol.jeffers@fihealth.gov                         | DOH IT Service Desk Ticket Number 286087 - Custom   | No         |
| 3/25/2020 11:58 PM | news-q2@law360.com                                | mark.whitten@fihealth.gov                          | Senate Approves \$2T COVID-19 Economic Relief Bill  | No         |
| 3/25/2020 11:58 PM | news-q2@law360.com                                | kenol.saint-fort@fihealth.gov                      | Senate Approves \$2T COVID-19 Economic Relief Bill  | No         |
| 3/25/2020 11:58 PM | news-q2@law360.com                                | judith.elfont@fihealth.gov                         | Senate Approves \$2T COVID-19 Economic Relief Bill  | No         |
| 3/25/2020 11:58 PM | terry.chartrand@fihealth.gov                      | cassandra.green@fihealth.gov;lisa.gemmill@fihealth | Re: To All Employees                                | No         |
| 3/25/2020 11:58 PM | terry.chartrand@fihealth.gov                      | cassandra.green@fihealth.gov;lisa.gemmill@fihealth | Re: To All Employees                                | No         |
| 3/25/2020 11:58 PM | incidentcommunication@fihealth.gov                | dwight.chastain@fihealth.gov;sylvia.maldonado@fihe | Florida Department of Health Incident Number 20191  | No         |
| 3/25/2020 11:58 PM | microsofexchange329e71ec88ae4615bbc36ab6ce41109e@ | incidentcommunication@fihealth.gov                 | Undeliverable: Florida Department of Health Incide  | Yes        |
| 3/25/2020 11:58 PM | elizabethoh12@gmail.com                           | elizabeth.o'hagan@fihealth.gov                     | my updated documents for file                       | Yes        |
| 3/25/2020 11:58 PM | anishamail17@gmail.com                            | sonia.mcnells@fihealth.gov                         | Re: FW: Welcome to the Florida Department of Healt  | No         |
| 3/25/2020 11:57 PM | incidentcommunication@fihealth.gov                | dwight.chastain@fihealth.gov;sylvia.maldonado@fihe | Florida Department of Health Incident Number 20191  | No         |
| 3/25/2020 11:57 PM | microsofexchange329e71ec88ae4615bbc36ab6ce41109e@ | incidentcommunication@fihealth.gov                 | Undeliverable: Florida Department of Health Incide  | Yes        |
| 3/25/2020 11:57 PM | mqa.nursing@fihealth.gov                          | inaashe13@gmail.com                                | Email Receipt Notification - Florida Board of Nurs  | Yes        |
| 3/25/2020 11:57 PM | mqa.nursing@fihealth.gov                          | inaashe13@gmail.com                                | Automatic reply: Reactivation                       | No         |
| 3/25/2020 11:57 PM | news-q2@law360.com                                | joe.baker@fihealth.gov                             | Senate Approves \$2T COVID-19 Economic Relief Bill  | No         |
| 3/25/2020 11:57 PM | azuredevops@microsoft.com                         | viswateja.dommaraju@fihealth.gov;roshanpareeth.sha | PR - Captcha user controller and electronic signat  | No         |
| 3/25/2020 11:57 PM | ada@messaging.ada.org                             | catherine.bridges@fihealth.gov                     | Senate passes CARES Act, 3rd COVID-19 relief bill   | No         |
| 3/25/2020 11:57 PM | news-q2@law360.com                                | loulse.staurent@fihealth.gov                       | Senate Approves \$2T COVID-19 Economic Relief Bill  | No         |
| 3/25/2020 11:56 PM | inaashe13@gmail.com                               | mqa.nursing@fihealth.gov                           | Reactivation                                        | No         |
| 3/25/2020 11:56 PM | itservicedesk@fihealth.gov                        | josefina.hunt@fihealth.gov                         | DOH IT Service Desk Ticket Number 286132 - Closed   | No         |
| 3/25/2020 11:56 PM | itservicedesk@fihealth.gov                        | josefina.hunt@fihealth.gov                         | DOH IT Service Desk Ticket Number 286132 - Custom   | No         |
| 3/25/2020 11:56 PM | rsanz@5ssl.com                                    | rafael.mendoza@fihealth.gov                        | Re: [EXTERNAL] Re: Urgent guidance                  | No         |
| 3/25/2020 11:56 PM | postmaster@floridahealth.onmicrosoft.com          | comcast51687@envfrm.rsys5.com                      | Undeliverable: Update your email preferences        | Yes        |
| 3/25/2020 11:56 PM | news-q2@law360.com                                | generalcounsel@fihealth.gov                        | Senate Approves \$2T COVID-19 Economic Relief Bill  | No         |
| 3/25/2020 11:56 PM | odmap@wb.hidta.org                                | patrick.jenkins@fihealth.gov                       | Broward, Florida Suspected Overdose Alert           | No         |
| 3/25/2020 11:56 PM | dlcloveleafsupport@fihealth.gov                   |                                                    | DOH File Mover - Report for route #1811 - ELR UF H  | No         |
| 3/25/2020 11:56 PM | dlcloveleafsupport@fihealth.gov                   |                                                    | DOH File Mover - Report for route #1811 - ELR UF H  | No         |
| 3/25/2020 11:56 PM | thwealth1@gmail.com                               | thwealth1@gmail.com                                | Letter Of Interest                                  | No         |
| 3/25/2020 11:55 PM | rn12@case.edu                                     | absabiosafety@mail-list.com                        | Re: [ABSABiosafety] Alcohol, Bleach, and Steriliza  | No         |
| 3/25/2020 11:55 PM | news-alt@law360.com                               | james.dock@fihealth.gov                            | BREAKING: Senate Approves \$2 Trillion COVID-19 Rel | No         |

# Public Records Request Invoice

**Mission:**

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



**Ron DeSantis**  
Governor

**Scott A. Rivkees, MD**  
State Surgeon General

April 17, 2020

Re: Public Records Request No. P058467-032620

Dear Cindy Goodman:

This invoice is in response to your public records request. Below are estimated fees associate with your request. If a legal review is necessary, an additional invoice will be sent.

| Services                     | Quantity | Rate    | Hours   | Item Total          |
|------------------------------|----------|---------|---------|---------------------|
| Paper Copies                 |          | \$0.15  | 0.00    | \$0.00              |
| Double Sided Copies          |          | \$0.20  | 0.00    | \$0.00              |
| Emails - Review & Redaction* | 218,359  | \$57.91 | 2183.59 | \$126,451.70        |
| IT Charge **                 | 1        | \$9.54  | 0.00    | \$9.54              |
| Additional CD                |          | \$1.00  | 0.00    | \$0.00              |
| Additional Flash Drive       |          | \$5.00  | 0.00    | \$0.00              |
| Program Office Staff Time    |          | \$0.00  | 0.00    | \$0.00              |
| Attorney Review              |          | \$0.00  | 0.00    | \$0.00              |
| Public Records Staff Time    | 1        | \$12.00 | 0.00    | \$0.00              |
| <b>Invoice Total=</b>        |          |         |         | <b>\$126,461.24</b> |

All payments must be received prior to review, processing, and/or release of records.

**Please make checks payable to:**

Florida Department of Health  
Public Records Office  
Attn: Kendra Washington  
4052 Bald Cypress Way, Bin A-02  
Tallahassee, FL 32399-1703

\* Estimated 100 emails reviewed per hour

\*\* For searching, formatting, and processing emails (1 CD or Flash Drive included if receive via U.S. Mail)

**Estimate is subject to change. If estimate changes, you will be provided a revised invoice.**

Revised 01/18



# Public Records Request Invoice

Revised 01/18



**Tampa**

601 South Boulevard, Tampa, FL 33606  
ph 813-984-3080 fax 813-984-3070 toll free 866-396-7100

**South Florida**

915 Middle River Drive, Ste. 309, Fort Lauderdale, FL 33304  
ph 954-703-3416 fax 954-400-5415

[www.tlolawfirm.com](http://www.tlolawfirm.com)

Dana J. McElroy  
Direct Dial: (954) 703-3417  
dmcelroy@tlolawfirm.com

Reply to South Florida

April 13, 2020

**VIA ELECTRONIC MAIL**

Florida Department of Health  
Communications Office  
Attn: Alberto Moscoso, Director of Communications & Public Records Coordinator  
4052 Bald Cypress Way-Bin A02  
Tallahassee, Florida 32399  
[Alberto.moscoso@flhealth.gov](mailto:Alberto.moscoso@flhealth.gov)

**Re: Notice by Sun-Sentinel Company, LLC pursuant to Fla. Stat. § 119.12**

Dear Mr. Moscoso:

This firm represents Sun-Sentinel Company, LLC, publisher of the *South Florida Sun Sentinel* ("Sun Sentinel"), regarding its request for certain records pursuant to the Public Records Act (Chapter 119 of the Florida Statutes). This will serve as written notice required by Fla. Stat. § 119.12 prior to filing a civil action.

Specifically, on March 25, 2020, the Sun Sentinel, through its reporter Cindy Goodman, made a public records request to the Florida Department of Health for the names of all Florida long-term care facilities with residents who are positive for COVID-19 as of March 26, 2020 pursuant to the Public Records Act, Chapter 119 of the Florida Statutes.

The next day, the Department acknowledged receipt of the request. She followed up with an email on April 2, 2020 requesting an update but received no response.

The Department, through its counsel, denied the request on April 6, 2020. The email correspondence is enclosed.

Florida Department of Health  
Alberto Moscoso, Custodian of Records  
April 13, 2020  
Page 2

Because there is no legal basis to withhold these records and information, the Department's refusal to produce the records constitutes an unlawful refusal to permit inspection or copying under Chapter 119.

Sincerely,

/s/ Dana J. McElroy

Dana J. McElroy  
Counsel for Sun-Sentinel Company, LLC

Enclosure

cc: Louise St. Laurent, [louise.stlaurent@flhealth.gov](mailto:louise.stlaurent@flhealth.gov)  
State Surgeon General Scott A. Rivkees, [scott.rivkees@flhealth.gov](mailto:scott.rivkees@flhealth.gov)  
[NewsMedia@flhealth.gov](mailto:NewsMedia@flhealth.gov)  
[hcpm@flhealth.gov](mailto:hcpm@flhealth.gov)  
[PublicRecordsRequest@flhealth.gov](mailto:PublicRecordsRequest@flhealth.gov)

**From:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Sent:** Monday, April 6, 2020 11:42 AM  
**To:** Daniela Abratt  
**Cc:** Rivkees, Scott A; Moscoso, Alberto; zzzz Feedback, PublicRecordsRequest; Feedback, NewsMedia; Dana J. McElroy; Washington, Kendra; Landy, Riley; Lamia, Christine E; Bush, Amanda  
**Subject:** RE: Sun-Sentinel Public Records Request  
**Importance:** High

Ms. Abratt,

My apologies for the delay in responding to you, and thank you for following back up. As you can imagine, my email inbox is a bit unwieldy lately.

The request we received for Cindy Goodman on March 25 for the names of all Florida long-term care facilities with individuals that tested positive for COVID-19 as of March 26, 2020 (Reference Number P058467-032620) is not a Public Records Request. A public records request is a request for any public document, paper, letter, map, book, tape, photograph, film, sound recording, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received by the Department, pursuant to law or in connection with the transaction of official business.

Additionally, should such documents be requested, the documents containing that information would be redacted or not otherwise produced pursuant to section 381.0031, Florida Statutes, and rule 64D-3, Florida Administrative Code. I apologize that we are not able to accommodate Ms. Goodman's questions as a result of the confidentiality requirements in our epidemiological investigations.

Thank you,

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)  
(850) 245-4790 (Fax)

**From:** Daniela Abratt <dabratt@tlolawfirm.com>  
**Sent:** Monday, April 6, 2020 11:06 AM  
**To:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Cc:** Rivkees, Scott A <Scott.Rivkees@flhealth.gov>; Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>; zzzz Feedback, PublicRecordsRequest <PublicRecordsRequest@flhealth.gov>; Feedback, NewsMedia <NewsMedia@flhealth.gov>; Dana J. McElroy <DMcElroy@tlolawfirm.com>  
**Subject:** RE: Sun-Sentinel Public Records Request

Good morning, Ms. St. Laurent,

I hope you are doing well. I am just following up on my email from Friday afternoon regarding the request for the names of the nursing homes with positive cases of COVID-19. Please advise.

Thank you,

**Daniela B. Abratt**  
**Thomas & LoCicero PL**  
*Focused on Business Litigation, Media and IP Law*  
**Member of The National Association of Minority and Women Owned Law Firms, Inc. (NAMWOLF®)**

[dabratt@tlolawfirm.com](mailto:dabratt@tlolawfirm.com) | [tlolawfirm.com](http://tlolawfirm.com)

ph: 954.703.3416 | direct: 954.703.3418  
fax: 954.400.5415 | toll-free: 866.395.7100  
915 Middle River Drive  
Suite 309  
Ft. Lauderdale, Florida 33304

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**From:** Daniela Abratt  
**Sent:** Friday, April 3, 2020 5:15 PM  
**To:** 'louise.stlaurent@flhealth.gov' <[louise.stlaurent@flhealth.gov](mailto:louise.stlaurent@flhealth.gov)>  
**Cc:** 'scott.rivkees@flhealth.gov' <[scott.rivkees@flhealth.gov](mailto:scott.rivkees@flhealth.gov)>; 'Alberto.moscoso@flhealth.gov' <[Alberto.moscoso@flhealth.gov](mailto:Alberto.moscoso@flhealth.gov)>; 'PublicRecordsRequest@flhealth.gov' <[PublicRecordsRequest@flhealth.gov](mailto:PublicRecordsRequest@flhealth.gov)>; 'NewsMedia@flhealth.gov' <[NewsMedia@flhealth.gov](mailto:NewsMedia@flhealth.gov)>; Dana J. McElroy <[DMcElroy@tlolawfirm.com](mailto:DMcElroy@tlolawfirm.com)>  
**Subject:** Sun-Sentinel Public Records Request

Good afternoon, Ms. St. Laurent,

This firm represents the *South Florida Sun Sentinel*. I'm writing with respect to a public records request the Sun Sentinel made through its reporter Cindy Goodman over a week ago on March 25 for the names of all Florida long-term care facilities with residents who are positive for COVID-19 as of March 26, 2020. While she has received an

acknowledgement of that request, she has not received any records or information or any other response. Her follow-up email of April 2 has also gone unanswered.

I'm writing with the hope that you can help address this issue since the information requested is of critical importance for the people of Florida right now.

Thank you for your assistance.

**Daniela B. Abratt**  
**Thomas & LoCicero PL**  
*Focused on Business Litigation, Media and IP Law*  
**Member of The National Association of Minority and Women Owned Law Firms, Inc. (NAMWOLF®)**

[dabratt@tlolawfirm.com](mailto:dabratt@tlolawfirm.com) | [tlolawfirm.com](http://tlolawfirm.com)

ph: 954.703.3416 | direct: 954.703.3418  
fax: 954.400.5415 | toll-free: 866.395.7100  
915 Middle River Drive  
Suite 309  
Ft. Lauderdale, Florida 33304

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Tampa | South Florida

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**From:** Goodman, Cindy  
**Sent:** Thursday, April 2, 2020 2:22 PM  
**To:** PublicRecordsRequest@flhealth.gov  
**Subject:** Can you please provide me the status of two requests?

Can you provide me the status of two requests?

**P057865-022820**

**And**

**P058467-032620**

**Cindy Goodman**  
[cgoodman@sunsentinel.com](mailto:cgoodman@sunsentinel.com)



**From:** Florida Department of Health <fdh@mycusthelp.net>  
**Sent:** Thursday, March 26, 2020 11:38 AM  
**To:** Goodman, Cindy <cgoodman@sunsentinel.com>  
**Subject:** Public Records Request :: P058467-032620

Caution: External Sender

Dear Cindy Goodman:

This email is to confirm receipt of your public records request. If this request requires extensive use of resources, this office will contact you again once an estimate of the costs associated with producing the records you seek is prepared. The tracking number associated with your request is in the subject line of this email. If you have any questions, please let me know. Your request was received in this office on 3/26/2020 and given the reference number **P058467-032620** for tracking purposes.

**Records Requested:** I am writing to request the names of all Florida long term care facilities with residents who are positive for COVID-19 as of March 26, 2020 pursuant to the Public Records Act, Chapter 119 of the Florida Statutes.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

Florida Department of Health

---

To track your request and respond, visit the [Public Records Center](#), then click on "View My Public Records Requests."

**From:** Goodman, Cindy  
**Sent:** Wednesday, March 25, 2020 2:37 PM  
**To:** publicrecordsrequest@flhealth.gov  
**Subject:** Sun Sentinel request

Dear Records Custodian:

I am writing to request the names of all Florida long term care facilities with residents who are positive for COVID-19 as of March 26, 2020 pursuant to the Public Records Act, Chapter 119 of the Florida Statutes.

This request includes copies of every document related to the matter, regardless of the format in which the information is stored.

If you refuse to provide this information, Chapter 119 requires you advise me in writing and indicate the applicable exemption to the Public Records Act. Also, please state with particularity the reasons for your decision, as required by Section 119.07(2)(a). If the exemption you are claiming only applies to a portion of the records, please delete that portion and provide photocopies of the remainder of the records, according to Section 119.07(2)(a).

I agree to pay the actual cost of duplication as defined in Section 119.07(1)(a). However, if you anticipate that in order to satisfy this request, "extensive use" of information technology resources or extensive clerical or supervisory assistance as defined in Section 119.07(1)(b) will be required, please provide a written estimate and justification.

I request these records be sent by email. If you have any questions or need more information in order to expedite this request, please call me at 954-304-5980 or email me at [cgoodman@sunsentinel.com](mailto:cgoodman@sunsentinel.com).

Sincerely,

Cindy Goodman

South Florida Sun Sentinel



Tampa

601 South Boulevard, Tampa, FL 33606  
ph 813-984-3060 fax 813-984-3070 toll free 866-395-7100

South Florida

915 Middle River Drive, Ste. 308, Fort Lauderdale, FL 33304  
ph 954-703-3416 fax 954-400-5415

[www.tlolaawfirm.com](http://www.tlolaawfirm.com)

Dana J. McElroy  
Direct Dial: (954) 703-3417  
[dmcelroy@tlolaawfirm.com](mailto:dmcelroy@tlolaawfirm.com)

Reply to South Florida

April 13, 2020

VIA ELECTRONIC MAIL

Florida Department of Health  
Communications Office  
Attn: Alberto Moscoso, Director of Communications & Public Records Coordinator  
4052 Bald Cypress Way-Bin A02  
Tallahassee, Florida 32399  
[Alberto.moscoso@flhealth.gov](mailto:Alberto.moscoso@flhealth.gov)

Re: Notice by Sun-Sentinel Company, LLC pursuant to Fla. Stat. § 119.12

Dear Mr. Moscoso:

This firm represents Sun-Sentinel Company, LLC, publisher of the *South Florida Sun Sentinel* ("Sun Sentinel"), regarding its request for certain records pursuant to the Public Records Act (Chapter 119 of the Florida Statutes). This will serve as written notice required by Fla. Stat. § 119.12 prior to filing a civil action.

Specifically, on March 25, 2020, the Sun Sentinel, through its reporter Cindy Goodman, made a public records request to the Florida Department of Health for the names of all Florida long-term care facilities with residents who are positive for COVID-19 as of March 26, 2020 pursuant to the Public Records Act, Chapter 119 of the Florida Statutes.

The next day, the Department acknowledged receipt of the request. She followed up with an email on April 2, 2020 requesting an update but received no response.

The Department, through its counsel, denied the request on April 6, 2020. The email correspondence is enclosed.

Florida Department of Health  
Alberto Moscoso, Custodian of Records  
April 13, 2020  
Page 2

Because there is no legal basis to withhold these records and information, the Department's refusal to produce the records constitutes an unlawful refusal to permit inspection or copying under Chapter 119.

Sincerely,

/s/ Dana J. McElroy

Dana J. McElroy  
Counsel for Sun-Sentinel Company, LLC

Enclosure

cc: Louise St. Laurent, [louise.stlaurent@flhealth.gov](mailto:louise.stlaurent@flhealth.gov)  
State Surgeon General Scott A. Rivkees, [scott.rivkees@flhealth.gov](mailto:scott.rivkees@flhealth.gov)  
[NewsMedia@flhealth.gov](mailto:NewsMedia@flhealth.gov)  
[hcpm@flhealth.gov](mailto:hcpm@flhealth.gov)  
[PublicRecordsRequest@flhealth.gov](mailto:PublicRecordsRequest@flhealth.gov)

**From:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Sent:** Monday, April 6, 2020 11:42 AM  
**To:** Daniela Abratt  
**Cc:** Rivkees, Scott A; Moscoso, Alberto; zzzz Feedback, PublicRecordsRequest; Feedback, NewsMedia; Dana J. McElroy; Washington, Kendra; Landy, Riley; Lamia, Christine E; Bush, Amanda  
**Subject:** RE: Sun-Sentinel Public Records Request  
**Importance:** High

Ms. Abratt,

My apologies for the delay in responding to you, and thank you for following back up. As you can imagine, my email inbox is a bit unwieldy lately.

The request we received for Cindy Goodman on March 25 for the names of all Florida long-term care facilities with individuals that tested positive for COVID-19 as of March 26, 2020 (Reference Number P058467-032620) is not a Public Records Request. A public records request is a request for any public document, paper, letter, map, book, tape, photograph, film, sound recording, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received by the Department, pursuant to law or in connection with the transaction of official business.

Additionally, should such documents be requested, the documents containing that information would be redacted or not otherwise produced pursuant to section 381.0031, Florida Statutes, and rule 64D-3, Florida Administrative Code. I apologize that we are not able to accommodate Ms. Goodman's questions as a result of the confidentiality requirements in our epidemiological investigations.

Thank you,

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)  
(850) 245-4790 (Fax)

**From:** Daniela Abratt <dabratt@tlolawfirm.com>  
**Sent:** Monday, April 6, 2020 11:06 AM  
**To:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Cc:** Rivkees, Scott A <Scott.Rivkees@flhealth.gov>; Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>; zzzz Feedback, PublicRecordsRequest <PublicRecordsRequest@flhealth.gov>; Feedback, NewsMedia <NewsMedia@flhealth.gov>; Dana J. McElroy <DMcElroy@tlolawfirm.com>  
**Subject:** RE: Sun-Sentinel Public Records Request

Good morning, Ms. St. Laurent,

I hope you are doing well. I am just following up on my email from Friday afternoon regarding the request for the names of the nursing homes with positive cases of COVID-19. Please advise.

Thank you,

**Daniela B. Abratt**  
**Thomas & LoCicero PL**  
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fax: 954.400.5415 | toll-free: 866.395.7100  
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Ft. Lauderdale, Florida 33304

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**From:** Daniela Abratt  
**Sent:** Friday, April 3, 2020 5:15 PM  
**To:** 'louise.stlaurent@flhealth.gov' <[louise.stlaurent@flhealth.gov](mailto:louise.stlaurent@flhealth.gov)>  
**Cc:** 'scott.rivkees@flhealth.gov' <[scott.rivkees@flhealth.gov](mailto:scott.rivkees@flhealth.gov)>; 'Alberto.moscoso@flhealth.gov' <[Alberto.moscoso@flhealth.gov](mailto:Alberto.moscoso@flhealth.gov)>; 'PublicRecordsRequest@flhealth.gov' <[PublicRecordsRequest@flhealth.gov](mailto:PublicRecordsRequest@flhealth.gov)>; 'NewsMedia@flhealth.gov' <[NewsMedia@flhealth.gov](mailto:NewsMedia@flhealth.gov)>; Dana J. McElroy <[DMcElroy@tlolawfirm.com](mailto:DMcElroy@tlolawfirm.com)>  
**Subject:** Sun-Sentinel Public Records Request

Good afternoon, Ms. St. Laurent,

This firm represents the *South Florida Sun Sentinel*. I'm writing with respect to a public records request the Sun Sentinel made through its reporter Cindy Goodman over a week ago on March 25 for the names of all Florida long-term care facilities with residents who are positive for COVID-19 as of March 26, 2020. While she has received an

acknowledgement of that request, she has not received any records or information or any other response. Her follow-up email of April 2 has also gone unanswered.

I'm writing with the hope that you can help address this issue since the information requested is of critical importance for the people of Florida right now.

Thank you for your assistance.

**Daniela B. Abratt**  
**Thomas & LoCicero PL**  
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**From:** Goodman, Cindy  
**Sent:** Thursday, April 2, 2020 2:22 PM  
**To:** PublicRecordsRequest@flhealth.gov  
**Subject:** Can you please provide me the status of two requests?

Can you provide me the status of two requests?

**P057865-022820**

**And**

**P058467-032620**

**Cindy Goodman**  
[cgoodman@sunsentinel.com](mailto:cgoodman@sunsentinel.com)

**From:** Florida Department of Health <fdh@mycusthelp.net>  
**Sent:** Thursday, March 26, 2020 11:38 AM  
**To:** Goodman, Cindy <cgoodman@sunsentinel.com>  
**Subject:** Public Records Request :: P058467-032620

Caution: External Sender

Dear Cindy Goodman:

This email is to confirm receipt of your public records request. If this request requires extensive use of resources, this office will contact you again once an estimate of the costs associated with producing the records you seek is prepared. The tracking number associated with your request is in the subject line of this email. If you have any questions, please let me know. Your request was received in this office on 3/26/2020 and given the reference number **P058467-032620** for tracking purposes.

Records Requested: I am writing to request the names of all Florida long term care facilities with residents who are positive for COVID-19 as of March 26, 2020 pursuant to the Public Records Act, Chapter 119 of the Florida Statutes.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

Florida Department of Health

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To track your request and respond, visit the [Public Records Center](#), then click on "View My Public Records Requests."

■

**From:** Goodman, Cindy  
**Sent:** Wednesday, March 25, 2020 2:37 PM  
**To:** publicrecordsrequest@flhealth.gov  
**Subject:** Sun Sentinel request

Dear Records Custodian:

I am writing to request the names of all Florida long term care facilities with residents who are positive for COVID-19 as of March 26, 2020 pursuant to the Public Records Act, Chapter 119 of the Florida Statutes.

This request includes copies of every document related to the matter, regardless of the format in which the information is stored.

If you refuse to provide this information, Chapter 119 requires you advise me in writing and indicate the applicable exemption to the Public Records Act. Also, please state with particularity the reasons for your decision, as required by Section 119.07(2)(a). If the exemption you are claiming only applies to a portion of the records, please delete that portion and provide photocopies of the remainder of the records, according to Section 119.07(2)(a).

I agree to pay the actual cost of duplication as defined in Section 119.07(1)(a). However, if you anticipate that in order to satisfy this request, "extensive use" of information technology resources or extensive clerical or supervisory assistance as defined in Section 119.07(1)(b) will be required, please provide a written estimate and justification.

I request these records be sent by email. If you have any questions or need more information in order to expedite this request, please call me at 954-304-5980 or email me at [cgoodman@sunsentinel.com](mailto:cgoodman@sunsentinel.com).

Sincerely,

Cindy Goodman

South Florida Sun Sentinel

**From:** Ernst, Colleen  
**To:** Jacquot, Joe; Grow, Stefan  
**Subject:** FW: Public Records Request  
**Date:** Wednesday, April 22, 2020 10:26:05 AM

---

FYI

**From:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Sent:** Wednesday, April 22, 2020 10:08 AM  
**To:** Ernst, Colleen <Colleen.Ernst@eog.myflorida.com>  
**Subject:** Fwd: Public Records Request

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**From:** Carol Jean LoCicero <clocicero@tlolawfirm.com>  
**Sent:** Wednesday, April 22, 2020 10:06:46 AM  
**To:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Cc:** Mark R. Caramanica <mcaramanica@tlolawfirm.com>  
**Subject:** RE: Public Records Request

Good morning, Louise. Any update on the request below? As you can imagine, these records flushing out details on the state of the virus in elder care facilities are of critical importance to reporting on the epidemic and necessary for informed decision-making by the public.

I'd appreciate a response. Again, my cell is 813/220-9382.

Thank you,  
Carol

Carol Jean LoCicero  
Thomas & LoCicero PL  
[clocicero@tlolawfirm.com](mailto:clocicero@tlolawfirm.com) | [tlolawfirm.com](http://tlolawfirm.com)  
ph: 813.984.3060 | direct: 813.984.3061

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**From:** Carol Jean LoCicero  
**Sent:** Monday, April 20, 2020 4:54 PM  
**To:** Louise.StLaurent@flhealth.gov  
**Cc:** Mark R. Caramanica <mcaramanica@tlolawfirm.com>  
**Subject:** Fwd: Public Records Request

Louise,

Thank you for talking with me. Please see the request I mentioned below.

Carol

Sent from my iPhone

Begin forwarded message:

**From:** "Mark R. Caramanica" <mcaramanica@tlolawfirm.com>  
**Date:** April 20, 2020 at 4:15:18 PM EDT  
**To:** "alberto.moscoso@flhealth.gov" <alberto.moscoso@flhealth.gov>, "publicrecordsrequest@flhealth.gov" <publicrecordsrequest@flhealth.gov>, "scott.rivkees@flhealth.gov" <scott.rivkees@flhealth.gov>, "Newsmedia@flhealth.gov" <Newsmedia@flhealth.gov>, "hcpm@flhealth.gov" <hcpm@flhealth.gov>, "katie.strickland@ahca.myflorida.com" <katie.strickland@ahca.myflorida.com>, "mary.mayhew@ahca.myflorida.com"

<mary.mayhew@ahca.myflorida.com>, "desantis.opengov@eog.myflorida.com"  
<desantis.opengov@eog.myflorida.com>, "Ferre, Helen" <Helen.Ferre@eog.myflorida.com>,  
"joe.jacquot@eog.myflorida.com" <joe.jacquot@eog.myflorida.com>, "publicrecordsreq@ahca.myflorida.com"  
<publicrecordsreq@ahca.myflorida.com>, "ahcacomunications@ahca.myflorida.com"  
<ahcacomunications@ahca.myflorida.com>

Cc: Carol Jean LoCicero <clocicero@tlolawfirm.com>

**Subject: Public Records Request**

Good afternoon,

Our law firm represents Gannett (USA Today and various FL-based news outlets); Times Publishing Company (Tampa Bay Times); Orlando Sentinel Communications Company, LLC; Sun-Sentinel Company, LLC; The Associated Press, the First Amendment Foundation, The E.W. Scripps Company (various FL broadcast stations), WP Company LLC (Washington Post), and The New York Times Company.

On the behalf of our above clients, we are making the following public records request pursuant to Chapter 119, Florida Statutes, and Article 1, Section 24 of the Florida Constitution for records detailing the following:

1. The addresses tied to the names of every Florida nursing home, assisted living facility, rehab facility, intermediate care facility for the developmentally disabled, group home for the developmentally disabled, and mental health facility (including forensic hospitals) in which at least one resident and/or staff member has tested positive for COVID-19;
2. The number of corresponding residents at each facility who have tested positive;
3. The number of corresponding staff members at each facility who have tested positive;
4. The number of corresponding residents at each facility who have died from COVID-19;
5. The number of corresponding staff members at each facility who have died from COVID-19; and
6. The number of COVID-19 tests performed at each facility, and their outcomes (positive, negative or pending) by number involving residents or staff at each facility.

If the above information is held in electronic, spreadsheet format please provide it in that native spreadsheet format.

If your agency asserts any exemptions in responding to the above request please specifically assert with particularity how the cited exemption applies to the withheld information, and release all other information for which no exemption is being claimed.

Please note that we also represent Miami Herald Media Company and Miami Herald reporter Carol Marbin Miller. We understand Ms. Miller made a similar, independent records request earlier today for much of the same of information detailed above. Please consider Miami Herald Media Company and Ms. Miller to be additionally included on this request.

This request also serves as written notice pursuant to Section 119.12, Florida Statutes.

Finally, we anticipate obtaining these records from you on a daily basis with updated, then-current information and therefore request you make this information proactively available daily on a publicly accessible website.

Kind regards,

Mark R. Caramanica

Thomas & LoCicero PL

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ph: 813.984.3060 | direct: 813.984.3073  
fax: 813.984.3070 | toll-free: 866.395.7100  
601 South Boulevard, Tampa, FL 33606



**From:** Ernst, Colleen  
**To:** Grow, Stefan; StLaurent, Louise  
**Subject:** Fwd: Associated Press et al. v. AHCA et al., No. 2020-CA-000812 (2nd Jud. Cir.)  
**Date:** Tuesday, April 28, 2020 10:10:31 AM  
**Attachments:** [Associated Press et al. v. AHCA et al. - Complaint.pdf](#)  
[Associated Press et al. v. AHCA et al. - Docket.pdf](#)  
[Associated Press et al. v. AHCA et al. - Civil Cover Sheet.pdf](#)

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**From:** Pratt, Joshua <Joshua.Pratt@eog.myflorida.com>  
**Sent:** Tuesday, April 28, 2020 10:06:47 AM  
**To:** Jacquot, Joe <Joe.Jacquot@eog.myflorida.com>; Ernst, Colleen <Colleen.Ernst@eog.myflorida.com>  
**Subject:** Associated Press et al. v. AHCA et al., No. 2020-CA-000812 (2nd Jud. Cir.)

FYI.

--

Joshua E. Pratt  
Assistant General Counsel  
Executive Office of the Governor  
850-717-9267

\*Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.\*

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL  
CIRCUIT IN AND FOR LEON COUNTY, FLORIDA**

THE ASSOCIATED PRESS; FIRST  
AMENDMENT FOUNDATION; GANNETT CO.,  
INC.; MIAMI HERALD MEDIA COMPANY;  
ORLANDO SENTINEL COMMUNICATIONS CO.;  
NEW YORK TIMES COMPANY; SCRIPPS  
MEDIA, INC.; SUN-SENTINEL COMPANY, LLC;  
TIMES PUBLISHING CO., and WP COMPANY LLC,

Plaintiffs,

Case No.: \_\_\_\_\_

**IMMEDIATE HEARING  
REQUESTED PURSUANT TO  
SECTION 119.11(1), FLA. STAT.**

v.

AGENCY FOR HEALTH CARE ADMINISTRATION;  
SECRETARY MARY C. MAYHEW, in her official  
capacity as the custodian of public records; FLORIDA  
DEPARTMENT OF HEALTH; SURGEON GENERAL  
SCOTT A. RIVKEES, M.D., in his official capacity as  
custodian of public records; the EXECUTIVE OFFICE  
OF THE GOVERNOR; and GOVERNOR RON  
DESANTIS, in his official capacity as custodian of  
public records;

Defendants.

**COMPLAINT TO ENFORCE PUBLIC RECORDS ACT**

Pursuant to Article I, Section 24 of the Florida Constitution and Chapter 119 of the Florida Statutes, The Associated Press; the First Amendment Foundation; Gannett Co., Inc.; Miami Herald Media Company; The New York Times Company; Orlando Sentinel Communications Co.; Scripps Media, Inc.; Sun-Sentinel Company, LLC; Times Publishing Co.; and WP Company LLC (collectively, the "News Media") file this Complaint to enforce the Florida Public Records Act against the Agency for Health Care Administration, Secretary Mary C. Mayhew, the Florida Department of Health, Surgeon General Scott A. Rivkees, M.D., the Executive Office of the Governor, and Governor Ron DeSantis.



Since the onset of COVID-19 infections in Florida long term care facilities, the News Media have pushed for access to critical records about the virus' presence there. The virus presents the greatest risk to Florida's most vulnerable, isolated, and, for some, mentally infirm, population: citizens living within our state's long-term care facilities. First, the News Media pursued access to records revealing the names of facilities. On the eve of a lawsuit and weeks after the request was made, the State released for the first time a list naming the facilities with COVID-19 cases. The names alone, however, provided little context for families. The News Media then sought records identifying information on COVID-19 infections at facilities, including infection numbers for residents by facility, infection numbers for staff by facility, resident death numbers by facility, staff death numbers by facility, and testing numbers and results. On the day that the statutory litigation notice period ran, the State released some of what the News Media requested in chart form. Most importantly, however, the State has yet to release perhaps the most critical records requested: the numbers of resident and staff deaths by facility. The need for this information is heightened given Governor DeSantis' emergency orders restricting public access to such facilities, walling off residents from outside contact. The News Media do not seek any information identifying specific residents or staff infected by the virus, but they do seek immediate access to the remaining records requested. The ongoing delay remains unlawful.

As grounds for this Complaint, the News Media state:

#### **JURISDICTION AND VENUE**

1. This Court has subject matter jurisdiction pursuant to Article V, Section 5(b) of the Florida Constitution and Section 119.11 of the Florida Statutes.
2. Venue is proper in Leon County because the public records at issue are located there.

3. All conditions precedent to this action have occurred, or have been excused or waived.

### PARTIES

4. Plaintiff The Associated Press (“AP”) is an independent, not-for-profit corporation that operates in more than one hundred countries and provides news content, including original AP reporting, to its members. AP uses public records, including the records of the Defendants, as important newsgathering sources.

5. Plaintiff the First Amendment Foundation (“FAF”) is a charitable organization dedicated to open government and public access, headquartered in Tallahassee, Florida.

6. Plaintiff Gannett Co., Inc. (“Gannett”) is the largest local newspaper company in the United States. Its 260 local daily brands in 46 states and Guam—together with USA TODAY—reach an estimated digital audience of 140 million each month. Gannett publications in Florida include: *Daily Commercial*, *Daytona Beach News-Journal*, *Florida Today*, *Herald-Tribune*, *Naples Daily News*, *Northwest Florida Daily News*, *Ocala Star Banner*, *Panama City News Herald*, *Pensacola News Journal*, *Tallahassee Democrat*, *TC Palm*, *The Destin Log*, *The Florida Times-Union*, *The Gainesville Sun*, *The Ledger*, *The News-Press*, *The Palm Beach Post*, *The Star*, *The Walton Sun*, and *Washington County News*. Gannett uses public records, including the records of the Defendants, as important newsgathering sources.

7. Plaintiff Miami Herald Media Company (the “Herald”) publishes *The Miami Herald*, a newspaper of general circulation in Miami-Dade County, Florida. The Herald also maintains a news website at [www.miamiherald.com](http://www.miamiherald.com). The Herald uses public records, including records of the Defendants, as important newsgathering sources.

8. Plaintiff Orlando Sentinel Communications Company (the “Sentinel”) publishes the *Orlando Sentinel*, a newspaper of general circulation in Orange County, Florida. The Sentinel also maintains a website at [www.orlandosentinel.com](http://www.orlandosentinel.com). The Sentinel uses public records, including records of the Defendants, as important newsgathering sources.

9. Plaintiff The New York Times Company (the “NYT”) publishes *The New York Times*, a newspaper of general circulation nationwide. The NYT also maintains a news website at [www.nytimes.com](http://www.nytimes.com). The NYT uses public records, including records of the Defendants, as important newsgathering sources.

10. Plaintiff Scripps Media, Inc. (“Scripps”) owns five Florida television stations: WFTS (Tampa Bay), WFTX (Ft. Myers-Naples), WPTV (West Palm Beach), WSFL (Miami-Ft. Lauderdale) and WTXL (Tallahassee) and their associated news websites. Scripps uses public records, including records of the Defendants, as important newsgathering sources.

11. Plaintiff Sun-Sentinel Company, LLC (the “Sun Sentinel”) publishes the *South Florida Sun Sentinel*, a newspaper of general circulation, primarily in Broward County, Florida. The Sun Sentinel also maintains a news website at [www.sun-sentinel.com](http://www.sun-sentinel.com). The Sun Sentinel uses public records, including records of the Defendants, as important newsgathering sources.

12. Plaintiff Times Publishing Co. (“TBT”) publishes the *Tampa Bay Times*, a newspaper of general circulation in the greater Tampa Bay area. TBT also maintains a news website at [www.tampabay.com](http://www.tampabay.com). TBT uses public records, including records of the Defendants, as important newsgathering sources.

13. Plaintiff WP Company LLC (“The Post”) publishes *The Washington Post*, a newspaper of general circulation nationwide. The Post also maintains a news website at

[www.washingtonpost.com](http://www.washingtonpost.com). The Post uses public records, including records of the Defendants, as important newsgathering sources.

14. Defendant Agency for Health Care Administration (“AHCA”) is a public agency as defined by Section 119.011(2) of the Florida Statutes and an executive branch agency subject to Article I, Section 24 of the Florida Constitution and Chapter 119.

15. Defendant Mary C. Mayhew is the Secretary of AHCA. Secretary Mayhew is the custodian of AHCA’s public records and is sued in her official capacity.

16. Defendant Florida Department of Health (“DOH”) is a public agency as defined by Section 119.011(2) of the Florida Statutes and an executive branch component subject to Article I, Section 24 of the Florida Constitution and Chapter 119.

17. Defendant Dr. Scott A. Rivkees is Surgeon General of Florida and the State Health Officer for DOH. Dr. Rivkees is the custodian of DOH’s public records and is sued in his official capacity.

18. Defendant Executive Office of the Governor (“EOG”) is a public agency as defined by Section 119.011(2) of the Florida Statutes and part of the executive branch subject to Article I, Section 24 of the Florida Constitution and Chapter 119.

19. Defendant Ron DeSantis is the Governor of Florida. Governor DeSantis is the custodian of EOG’s public records and is sued in his official capacity.

### **FACTUAL BACKGROUND**

#### **Pursuing Records Concerning COVID-19 & Florida’s Long-Term Care Facilities**

20. Florida’s elderly residents are among those most vulnerable to COVID-19 and at greatest risk for fatalities. Florida’s long-term care facilities include assisted living facilities, nursing homes, long-term care facilities, and other elderly care residential facilities (for ease,

collectively referred to as “Long-Term Care Facilities”). These are group homes where many of Florida’s elderly live in close proximity to one another. Due to the highly contagious nature of COVID-19, a single infection among a Long-Term Care Facility’s staff or residents can spread quickly to disastrous effect. Knowing statistics on the virus when loved ones reside in Long-Term Care Facilities where there are infections allows families and caregivers to make informed decisions regarding whether their loved ones should remain at the facility—and whether, and under what circumstances, they should be moved or brought home.

21. Records revealing information about the Long-Term Care Facilities with active cases of the virus are of obvious public importance. Beginning at least by March 23, 2020, the News Media began making various public records requests to the Defendants related to records identifying facilities where there were COVID-19 cases involving residents or staff. After the News Media pressed for the records and after a public outcry over identifying the facilities, the State began posting a facility list that is periodically updated. The list is available at the last “See the report” button here: <https://floridahealthcovid19.gov/#latest-stats>. The first list was posted on Saturday, April 18, 2020, a copy of which is attached as **Exhibit 1**. More than 300 Long-Term Care Facilities are named. From the beginning, the list was flawed.<sup>1</sup>

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<sup>1</sup> See, e.g., April 19 & April 20 reporting in the *Sun Sentinel* and *Orlando Sentinel*, available at: <https://www.sun-sentinel.com/coronavirus/fl-ne-coronavirus-nursing-home-nuances-20200420-sz7lj4yvf23jvuh7fgvxtsmi-story.html> and <https://www.orlandosentinel.com/coronavirus/os-ne-coronavirus-orange-county-nursing-home-list-20200419-2t2pyhxgxvgjrmaoeegehi63i-story.html>. The State’s reporting on overall numbers of COVID-19 infections and deaths by county has been equally flawed. See, e.g., April 23 reporting in the *Bradenton Herald*, noting that total reported long-term care facility deaths in Manatee County are being underreported. That article is available at: <https://www.bradenton.com/news/coronavirus/article242203351.html>.

22. Certain facilities where there are known and publicly reported COVID-19 cases are not on the list. Conversely, the list contains facilities that dispute their inclusion on the list. Moreover, the list contained no information about the virus at any given facility.

23. On Monday, April 20, 2020, a public records request was sent by counsel on behalf of the News Media seeking records detailing:

1. The addresses tied to the names of every Florida nursing home, assisted living facility, rehab facility, intermediate care facility for the developmentally disabled, group home for the developmentally disabled, and mental health facility (including forensic hospitals) in which at least one resident and/or staff member has tested positive for COVID-19;

2. The number of corresponding residents at each facility who have tested positive;

3. The number of corresponding staff members at each facility who have tested positive;

4. The number of corresponding residents at each facility who have died from COVID-19;

5. The number of corresponding staff members at each facility who have died from COVID-19; and

6. The number of COVID-19 tests performed at each facility, and their outcomes (positive, negative or pending) by number involving residents or staff at each facility.

See Exhibit 2. Earlier the same day, the Herald made a similar public records request. See Exhibit

3. For ease of reference, the records requested in **Exhibits 2 and 3** are collectively referred to herein as the “Long-Term Care Facilities COVID-19 Records.”

24. The News Media’s public records requests found at **Exhibits 2 and 3** do not seek any information that would personally identify individuals who have been diagnosed with COVID-19.

25. The public records requests were acknowledged by the Defendants. Despite repeated requests for information on the status of the request, no records were provided or release dates given. Then today, Monday, April 27, 2020, the very day the attorneys' fee litigation notice period expired, the State released a chart with additional information about the virus by facility: <https://floridahealthcovid19.gov/wp-content/uploads/2020/04/lcf-list.pdf>. A copy of this chart is attached as **Exhibit 4**. The chart, however, does not contain all of the information requested -- most importantly, records revealing staff and resident deaths by facility.

26. An enormous amount of time and effort have been invested in obtaining records providing information about COVID-19 infections in specific Long Term Care Facilities. Still, the State has released no records revealing death totals by facility. The public cannot continue to wait for the crucial fatality information contained in the records sought by the News Media.

#### **The Public Emergency & Long-Term Care Facilities**

27. The State has taken extraordinary steps related to controlling COVID-19 spread. On March 1, 2020, Governor DeSantis issued Executive Order 20-51. A true and correct copy of that order is attached as **Exhibit 5**. In that order, Governor DeSantis recognized that COVID-19 "is a severe acute respiratory illness that can spread among humans through respiratory transmission" and directed Dr. Rivkees to declare a state of emergency within Florida due to the worldwide COVID-19 outbreak. See id. at pp. 1-2.

28. Eight days later, on March 9, 2020, Governor DeSantis issued Executive Order 20-52. A true and correct copy of that order is attached as **Exhibit 6**. That order again recognized the public health threat posed by COVID-19 "to the entire State of Florida" and the need for social distancing/enhanced personal hygiene habits to help prevent its spread. See id. at pp. 1-2.

Governor DeSantis also noted that he is “responsible for meeting the dangers presented to this state and its people by this emergency.” See id. at p. 2.

29. Recognizing the particular threat COVID-19 poses to Long-Term Care Facilities’ populations, the Division of Emergency Management (“DEM”), at Governor DeSantis’ direction, has issued orders specifically designed to prevent COVID-19 spread within such facilities.

30. On March 11, 2020, DEM issued an order prohibiting Long-Term Care Facility access to persons showing symptoms of respiratory infection, persons who have had recent contact with anyone infected with COVID-19, and those who have recently traveled internationally or on a cruise ship. See DEM Order No. 20-002, Mar. 11, 2020 at p. 2. A true and correct copy of the order is attached as **Exhibit 7**.

31. DEM followed up four days later by issuing an additional order further restricting access to Long-Term Care Facilities. See DEM Order No. 20-006, Mar. 15, 2020. A true and correct copy of the order is attached as **Exhibit 8**. Among other things, this second order prohibited “the entry of any individual” except under certain limited and enumerated circumstances. Notably, the order permits entry only by “family members, friends, and visiting residents in end-of-life situations.” See id. at p. 2.

32. The State is tracking incidents of COVID-19 in Long-Term Care Facilities. Since approximately March 16, 2020, it has produced daily (twice daily until April 24) COVID-19 Data Daily Reports<sup>2</sup> that provide the total number of COVID-19 cases diagnosed in Long-Term Care Facilities by county. They do not further identify numbers of cases by specific Long-Term Care Facility. Examples of these county-by-county breakdowns for Long-Term Care Facilities taken

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<sup>2</sup> The most recent daily report, along with a daily report archive, can be found at: <https://floridadisaster.org/covid19/>.



from the April 21-24 daily reports are attached as **Composite Exhibit 9**. In the span of just four days, reported cases in such facilities jumped from 2,153 to 2,682. See id.

33. The April 24 report reveals that Miami-Dade County and Broward County together account for approximately 33% of total reported Long-Term Care Facility cases (907 cases). See id. Leon County had seen the tenth largest outbreak of Long-Term Care Facility COVID-19 cases with 72. See id.

34. The April 24 data also shows that counties with smaller populations are not immune from COVID-19 spread. Suwannee County in fact had more cases than Leon County, reporting 92 total cases within Long-Term Care Facilities. See id. Likewise, Clay County also experienced disproportionately high infections rates (124 cases). See id.

35. The daily reports breakdown by county the total number of deaths at Long Term Care Facilities. All told, as of April 24 approximately 28% of all reported COVID-19 deaths (296) occurred at Long-Term Care Facilities. See Exhibit 10 (also noting that as of April 24, 1,046 total COVID-19 deaths occurred in Florida).<sup>3</sup> By today, Monday, April 27, 2020, the death toll in Long Term Care Facilities had risen to 319.

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<sup>3</sup> These figures surpass national statistics showing that, overall, approximately 20% of all COVID-19 deaths are linked to nursing home facilities. See, e.g., an April 17, 2020 *New York Times* article analyzing those nationwide figures, available at: <https://www.nytimes.com/2020/04/17/us/coronavirus-nursing-homes.html>. In that article, former New York lieutenant governor Betsy McCaughy—who founded the Committee to Reduce Infection Deaths—described nursing homes as “death pits,” noting that “[o]ne Covid-positive patient in a nursing home produces carnage.” A recent *Washington Post* article reported even starker statistics for European long-term care facilities, where half of all COVID-19 deaths in Europe are linked to such facilities. A copy of that article is available at: [https://www.washingtonpost.com/world/europe/nursing-homes-coronavirus-deaths-europe/2020/04/23/d635619c-8561-11ea-81a3-9690c9881111\\_story.html](https://www.washingtonpost.com/world/europe/nursing-homes-coronavirus-deaths-europe/2020/04/23/d635619c-8561-11ea-81a3-9690c9881111_story.html).

36. Governor DeSantis has also been vocal about the relatively large number of COVID-19 deaths experienced at a Broward County Long-Term Care Facility he publicly named, Atria Willow Wood. On March 20, 2020, Governor DeSantis accused the facility of failing to take necessary precautions and putting their residents at risk and demanded Long-Term Care Facility administrators take action to protect their residents.<sup>4</sup>

37. As of April 6, 2020, seven COVID-19 deaths had occurred at Atria Willow Wood and an additional twelve residents were infected.<sup>5</sup>

38. To stem COVID-19's spread in Florida's Long-Term Care Facilities, Governor DeSantis deployed the National Guard to aid in testing.<sup>6</sup>

#### **COUNT I (Unlawful Refusal to Provide Public Records)**

39. The News Media incorporate the allegations contained in paragraphs 1 through 38, and all referenced exhibits and embedded links, as if fully set forth herein.

40. The Long-Term Care Facilities COVID-19 Records, specifically including the records related to staff and resident deaths by facility, are public records as encompassed by Article

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<sup>4</sup> See video of the Governor's March 20, 2020 press conference, available at: <https://www.miamiherald.com/news/coronavirus/article241405066.html>, and a March 24, 2020 press conference where Governor DeSantis called Atria Willow Wood's negligent actions potentially criminal, available at: <https://www.sun-sentinel.com/c3b1b8ec-ade7-4815-a3a8-ce5e1e128068-132.html>. See also a March 26, 2020 *Miami Herald* editorial regarding Governor DeSantis' comments on the facility's diagnoses, along with a call for greater transparency, available at: <https://www.miamiherald.com/opinion/editorials/article241526761.html>.

<sup>5</sup> See an April 6, 2020 *South Florida Sun Sentinel* news article reporting on the matter, available at: <https://www.sun-sentinel.com/coronavirus/fl-ne-seventh-senior-dies-at-atria-willow-wood-nursing-home-20200406-aydoubszjnh2lm3vq4eroomxcm-story.html>.

<sup>6</sup> See an April 13, 2020 *Miami Herald* news article reporting on this decision, available at: <https://www.miamiherald.com/news/politics-government/state-politics/article241982526.html>.

I, Section 24(a) of the Florida Constitution, defined in Section 119.011(12) of the Florida Statutes, and interpreted by Florida courts.

41. The constitutional right of access to public records applies to “any public body, officer, or employee of the state, or persons acting on their behalf . . .” Art. I, § 24, Fla. Const. AHCA, DOH, and EOG are “public bodies” under Article I, Section 24 of the Florida Constitution.

42. AHCA, DOH, and EOG are also public agencies as defined in Section 119.011(2) of the Florida Statutes. Secretary Mayhew, Dr. Rivkees, and Governor DeSantis are the respective custodians of the public records of AHCA, DOH, and EOG.

43. The Defendants have both a constitutional and statutory legal obligation pursuant to Section 119.07 of the Florida Statutes to provide access to and copies of any non-exempt public records upon request.

44. No public records law exemptions exist that would prevent the inspection or copying of the Long-Term Care Facilities COVID-19 Records, specifically including those records related to COVID-19 deaths in Long Term Care Facilities.

45. The Defendants have failed and refused to provide all of the Long-Term Care Facilities COVID-19 Records.

46. The Defendants’ failure and refusal to provide all of the Long-Term Care Facilities COVID-19 Records violates Chapter 119 of the Florida Statutes, and Article I, Section 24(a) of the Florida Constitution, and is unlawful.

### **REQUEST FOR IMMEDIATE HEARING**

47. Section 119.11(1) of the Florida Statutes provides that courts are to set immediate hearings in actions to enforce the provisions of the Public Records Act and are to give such cases priority over other pending cases. See Salvador v. Fennelly, 593 So. 2d 1091, 1094 (Fla. 4th DCA

1992) (recognizing the importance of the statutory provision for immediate hearings in Public Records Act cases because “time can be an important element in the right of access to public records”).

48. As the Florida Supreme Court has recognized: “News delayed is news denied.” State ex. Rel. Miami Herald Publ’g Co. v. McIntosh, 340 So. 2d 904, 910 (Fla. 1976). The News Media therefore request an immediate hearing (telephonic or otherwise) and that this case be given priority over other pending cases. Accordingly, any delay in producing public records beyond the limited time required to retrieve records and review/redact for exemption is unlawful. See Tribune Co. v. Cannella, 458 So. 2d 1075, 1078-79 (Fla. 1984) (rejecting agency policy of automatic 48-hour delay before releasing public records). In addition to the requirements of Chapter 119, the present public need for the information contained in the requested records justifies an immediate hearing.

#### **REQUEST FOR ATTORNEYS’ FEES**

49. Section 119.12 of the Florida Statutes provides that “[i]f a civil action is filed against an agency to enforce the provisions of this chapter and if the court determines that such agency unlawfully refused to permit a public record to be inspected or copied, the court shall assess and award, against the agency responsible, the reasonable costs of enforcement including reasonable attorneys’ fees.”

50. To the extent applicable, the News Media have complied with the written notice provisions set forth in Section 119.12(1)(b) of the Florida Statutes related to the recoupment of attorneys’ fees.

51. The News Media have retained undersigned counsel in this matter and are obligated to pay to counsel attorneys' fees, costs, and expenses in connection with this matter. Counsel is entitled to a reasonable attorneys' fee.

52. The News Media will serve a copy of this lawsuit on the Department of Financial Services per Section 284.30, Florida Statutes.

### **RELIEF REQUESTED**

WHEREFORE, the News Media request that this Court:

- (a) Set an immediate hearing pursuant to Section 119.11(1) of the Florida Statutes;
- (b) Find that the Long-Term Care Facilities COVID-19 Records are public records subject to disclosure under the Public Records Act and Article I, Section 24 of the Florida Constitution, to which no valid exemption applies;
- (c) Find that the Defendants unlawfully refused to permit access to those portions of the Long-Term Care Facilities COVID-19 Records yet to be released, specifically including the records relating to staff and resident deaths by facility, in violation of the Public Records Act and Article I, Section 24 of the Florida Constitution;
- (d) Order the Defendants to immediately provide to the News Media all outstanding records responsive to the News Media's public records requests at issue in this lawsuit;
- (e) Award the News Media their reasonable attorneys' fees, costs, and expenses incurred in this action, as provided in Section 119.12 of the Florida Statutes; and
- (f) Grant the News Media such additional and further relief as this Court deems just and proper.

Dated: April 27, 2020

Respectfully submitted,

THOMAS & LOCICERO PL

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*Attorneys for Plaintiffs*

# EXHIBIT 1



Data in this table are provisional and subject to change.

| Facility name                                          | County   |
|--------------------------------------------------------|----------|
| Oak Hammock At The University Of Florida               | Alachua  |
| Parklands Care Center                                  | Alachua  |
| Maccleddy Nursing And Rehab Center                     | Baker    |
| W Frank Wells Nursing Home                             | Baker    |
| Riverwood Health & Rehabilitation Center               | Bradford |
| Windsor Health And Rehabilitation Center               | Bradford |
| Brookdale Melbourne                                    | Brevard  |
| Life Care Center Of Palm Bay                           | Brevard  |
| Sonata Viera                                           | Brevard  |
| Victoria Landing Alf                                   | Brevard  |
| Viera Health And Rehabilitation Center                 | Brevard  |
| Zon Beachside Llc                                      | Brevard  |
| Alexander "Sandy" Nininger State Veterans Nursing Home | Broward  |
| Atria Tamarac                                          | Broward  |
| Atria Willow Wood                                      | Broward  |
| Avalon Park Retirement Residence Inc.                  | Broward  |
| Belmont Village Assisted Living                        | Broward  |
| Bright Horizons Of Ramblewood Inc.                     | Broward  |
| Broward Nursing & Rehabilitation Center                | Broward  |
| Buckingham Place Llc                                   | Broward  |
| Colony Club Alf (The)                                  | Broward  |
| Court At Palm Aire The                                 | Broward  |
| Covenant Village Care Center                           | Broward  |
| Cross Pointe Care Center                               | Broward  |
| Five Star Premier Residences Of Hollywood              | Broward  |
| Five Star Premier Residences Of Plantation             | Broward  |
| Five Star Premier Residences Of Pompano Beach          | Broward  |
| Ft Lauderdale Health And Rehabilitation Center         | Broward  |
| Golden Age Manor Alf                                   | Broward  |
| Golfcrest Healthcare Center                            | Broward  |
| Harborage Of Coral Springs                             | Broward  |
| Harborage Of Tamarac                                   | Broward  |
| Hillcrest Health Care And Rehabilitation Center        | Broward  |
| Horizon Club (The)                                     | Broward  |
| Leisure Living Of Victoria Park                        | Broward  |
| Life Care Center Of Inverrary                          | Broward  |
| Manor Pines Convalescent Center                        | Broward  |
| Memorial Manor                                         | Broward  |
| Nspire Healthcare Plantation                           | Broward  |
| Oakmonte Village Of Davie                              | Broward  |
| Palms Care Center                                      | Broward  |
| Park Summit At Coral Springs                           | Broward  |
| Pompano Health And Rehabilitation Center               | Broward  |
| Presidential Place                                     | Broward  |
| Saejca'S Castle Llc                                    | Broward  |



|                                                 |           |
|-------------------------------------------------|-----------|
| St. John'S Nursing Center                       | Broward   |
| Sunrise Health And Rehabilitation Center        | Broward   |
| Tamarac Rehabilitation And Health Center, Inc.  | Broward   |
| The Preserve At Palm Aire                       | Broward   |
| The Sheridan At Cooper City                     | Broward   |
| Villa Rio Vista                                 | Broward   |
| Douglas Jacobson State Veterans Nursing Home    | Charlotte |
| Harbour Health Center                           | Charlotte |
| Port Charlotte Rehabilitation Center            | Charlotte |
| Signature Healthcare Of Port Charlotte          | Charlotte |
| South Port Square Senior Living Facility        | Charlotte |
| Crown Court                                     | Citrus    |
| Brookdale Orange Park                           | Clay      |
| Diamond Alf Lic                                 | Clay      |
| Governors Creek Health And Rehabilitation       | Clay      |
| Heartland Health Care Center - Orange Park      | Clay      |
| Isle Health And Rehabilitation Center           | Clay      |
| Seagrass Village Of Fleming Island              | Clay      |
| All Seasons Of Naples                           | Collier   |
| Bentley Village                                 | Collier   |
| Keystone Place At Naples Preserve               | Collier   |
| Manorcare Nursing And Rehabilitation Center     | Collier   |
| Naples Green Village                            | Collier   |
| Blessing Alf Lic                                | Dade      |
| Bosch Alf Inc                                   | Dade      |
| Buena Vista Assisted Living                     | Dade      |
| Claridge House Nursing & Rehabilitation Center  | Dade      |
| Coral Gables Nursing And Rehabilitation Center  | Dade      |
| Cross Gardens Care Center                       | Dade      |
| East Ridge Retirement Village Inc               | Dade      |
| Epworth Village Retirement Community            | Dade      |
| Floridean Nursing And Rehabilitation Center The | Dade      |
| Fountain Manor Health & Rehabilitation Center   | Dade      |
| Franco Nursing & Rehabilitation Center          | Dade      |
| Golden Glades Nursing And Rehabilitation Center | Dade      |
| Hainat Inc                                      | Dade      |
| Hialeah Nursing And Rehabilitation Center       | Dade      |
| Jackson Memorial Long Term Care Center          | Dade      |
| Jean Carlos Alf Inc                             | Dade      |
| Krystal Bay Nursing And Rehabilitation          | Dade      |
| Marla Grove Alf Inc                             | Dade      |
| Miami Cerebral Palsy Residential Services       | Dade      |
| Miami Cerebral Palsy Residential Services       | Dade      |
| Miami Jewish Health Systems Inc.                | Dade      |
| Miami Shores Nursing And Rehab Center           | Dade      |
| New Age Adultcare Inc                           | Dade      |
| North Beach Rehabilitation Center               | Dade      |

|                                                        |          |
|--------------------------------------------------------|----------|
| North Dade Nursing And Rehabilitation Center           | Dade     |
| Nspire Healthcare Miami Lakes                          | Dade     |
| Palace At Homestead Llc                                | Dade     |
| Palm Garden Of Aventura                                | Dade     |
| Palmetto Care Center                                   | Dade     |
| Pavilion Gardens                                       | Dade     |
| Pinecrest Rehabilitation Center                        | Dade     |
| Pines Nursing Home                                     | Dade     |
| Pointe Of North Gables                                 | Dade     |
| Ponce Plaza Nursing & Rehabilitation Center            | Dade     |
| Professional Home Care I                               | Dade     |
| Regents Park At Aventura                               | Dade     |
| Residential Plaza At Blue Lagoon                       | Dade     |
| Riverside Care Center                                  | Dade     |
| Riviera Health Resort                                  | Dade     |
| Signature Healthcare Center Of Waterford               | Dade     |
| Silver Palm Assisted Living Llc                        | Dade     |
| Sinai Plaza Nursing And Rehab Center                   | Dade     |
| St Annes Nursing Center St Annes Residence Inc         | Dade     |
| Sterling Aventura                                      | Dade     |
| Sunrise Community Center                               | Dade     |
| Susanna Wesley Health Center                           | Dade     |
| The Palace At Coral Gables                             | Dade     |
| Treasure Isle Care Center                              | Dade     |
| Unity Health And Rehabilitation Center                 | Dade     |
| University Plaza Rehabilitation And Nursing Center Inc | Dade     |
| Vi At Aventura                                         | Dade     |
| Villa Maria Nursing Center                             | Dade     |
| Villa Maria Pia Inc                                    | Dade     |
| West Gables Health Care Center                         | Dade     |
| Arcadia Oaks Assisted Living                           | Desoto   |
| Desoto Health And Rehab                                | Desoto   |
| Brookdale Avondale                                     | Duval    |
| Camellia At Deerwood                                   | Duval    |
| Cathedral Gerontology Center Inc                       | Duval    |
| Fannie E. Taylor Home For The Aged- Taylor Manor, INC  | Duval    |
| Jacksonville Nursing And Rehab Center                  | Duval    |
| Lanier Rehabilitation Center                           | Duval    |
| Palm Garden Of Jacksonville                            | Duval    |
| Wyndham Lakes Jacksonville                             | Duval    |
| Arcadia Health & Rehabilitation Center                 | Escambia |
| Asbury Place                                           | Escambia |
| Brookdale Pensacola                                    | Escambia |
| De Luna Health And Rehabilitation Center               | Escambia |
| Homestead Village Retirement Community                 | Escambia |
| Olive Branch Health And Rehabilitation Center          | Escambia |
| Rehabilitation Center At Park Place                    | Escambia |



|                                                        |              |
|--------------------------------------------------------|--------------|
| Rosewood Healthcare And Rehabilitation Center          | Escambia     |
| Southern Oaks Care Center                              | Escambia     |
| Specialty Health And Rehabilitation Center             | Escambia     |
| Westpointe Retirement Community Inc                    | Escambia     |
| Magnolia House                                         | Gadsden      |
| Clewiston Nursing & Rehabilitation                     | Hendry       |
| Oakbrook Health And Rehabilitation Center              | Hendry       |
| Palms Of Sebring (The)                                 | Highlands    |
| Freedom Plaza                                          | Hillsborough |
| Inspired Living At Tampa                               | Hillsborough |
| Promise Pointe At Tampa Oaks                           | Hillsborough |
| Rocky Creek Village                                    | Hillsborough |
| Harborage Of Vero Beach                                | Indian River |
| Cross Landings Health And Rehabilitation Center        | Jefferson    |
| Adventhealth Care Center Waterman                      | Lake         |
| Lake Eustis Health And Rehabilitation Center           | Lake         |
| The Cove At Tavares Village                            | Lake         |
| American House Senior Living                           | Lee          |
| Arbor At Shell Point (The)                             | Lee          |
| Barkey Place                                           | Lee          |
| Cypress Cove At Healthpark Florida                     | Lee          |
| Discovery Village At The Forum                         | Lee          |
| Healthpark Care Center                                 | Lee          |
| Lehigh Acres Health And Rehabilitation Center          | Lee          |
| Life Care Center Of Estero                             | Lee          |
| Manorcare Health Services                              | Lee          |
| Palms Of Fort Myers                                    | Lee          |
| Shell Point Nursing Pavillion                          | Lee          |
| Signature Healthcare At College Park                   | Lee          |
| Springs At Shell Point Retirement Community, The       | Lee          |
| Springwood Court                                       | Lee          |
| Tallahassee Developmental Center                       | Leon         |
| Williston Care Center                                  | Levy         |
| Lake Park Of Madison Nursing And Rehabilitation Center | Madison      |
| Braden River Rehabilitation Center Llc                 | Manatee      |
| Bradenton Health Care                                  | Manatee      |
| Brookdale Bradenton Gardens                            | Manatee      |
| Casa Mora Rehabilitation And Extended Care             | Manatee      |
| Manatee Springs Rehabilitation And Nursing Center      | Manatee      |
| Residence At Bay Vue                                   | Manatee      |
| Riviera Palms Rehabilitation Center                    | Manatee      |
| Westminster Point Pleasant                             | Manatee      |
| Pacifica Senior Living Ocala                           | Marion       |
| Palm Garden Of Ocala                                   | Marion       |
| Brookdale Stuart                                       | Martin       |
| Grand Oaks Of Palm City Llc                            | Martin       |
| Salerno Bay Health And Rehabilitation Center           | Martin       |

|                                                                  |            |
|------------------------------------------------------------------|------------|
| Terrace At Hobe Sound, The                                       | Martin     |
| Life Care Center Of Hilliard                                     | Nassau     |
| Fort Walton Rehabilitation Facility                              | Okaloosa   |
| Manor At Blue Water Bay The                                      | Okaloosa   |
| Adventist Care Center Orlando North                              | Orange     |
| Bridge Assisted Living At Life Care Center Of Orlando (The)      | Orange     |
| Encore At Avalon Park                                            | Orange     |
| Gentry Park Orlando                                              | Orange     |
| Guardian Care Nursing & Rehabilitation Center                    | Orange     |
| Hunters Creek Nursing And Rehab Center                           | Orange     |
| Orlando Va Medical Center At Lake Nona - Community Living Center | Orange     |
| Orlando Va Medical Center- Community Living Center Dementia Care | Orange     |
| Rosewood Health And Rehabilitation Center                        | Orange     |
| Savannah Court Of Maitland                                       | Orange     |
| Serenades By Sonata - West Orange                                | Orange     |
| Sonata West                                                      | Orange     |
| Sonata Hunter'S Creek                                            | Osceola    |
| 1 AAA Assisted Living At Wellington                              | Palm Beach |
| Abbey Delray Health Center                                       | Palm Beach |
| Allegro                                                          | Palm Beach |
| Arbor Oaks At Greenacres                                         | Palm Beach |
| Avante At Lake Worth Inc.                                        | Palm Beach |
| Barrington Terrace At Boynton Beach                              | Palm Beach |
| Boulevard Rehabilitation Center                                  | Palm Beach |
| Boynton Beach Rehabilitation Center                              | Palm Beach |
| Brighton Gardens Of Boca Raton                                   | Palm Beach |
| Brookdale West Boynton Beach                                     | Palm Beach |
| Carlisle Palm Beach The                                          | Palm Beach |
| Colonial Assisted Living At Boynton Beach                        | Palm Beach |
| Cresthaven                                                       | Palm Beach |
| Fountainview                                                     | Palm Beach |
| Gardens Court The                                                | Palm Beach |
| Hamlin Place Of Boynton Beach                                    | Palm Beach |
| Heartland Health Care And Rehabilitation Center Of Boca Raton    | Palm Beach |
| Heartland Health Care Center - Boynton Beach                     | Palm Beach |
| Manorcare Health Services - Boynton Beach                        | Palm Beach |
| Manorcare Health Services- Delray Beach                          | Palm Beach |
| Medicana Nursing And Rehab Center                                | Palm Beach |
| Morselife Health System                                          | Palm Beach |
| North Lake Care Center                                           | Palm Beach |
| Palm Garden Of West Palm Beach                                   | Palm Beach |
| Regents Park Nursing & Rehabilitation Center                     | Palm Beach |
| Rehabilitation Center Of The Palm Beaches The                    | Palm Beach |
| Renaissance Health And Rehabilitation                            | Palm Beach |
| Sonata Boca Raton                                                | Palm Beach |
| Sonata Boynton Beach                                             | Palm Beach |
| Sonata Delray Beach                                              | Palm Beach |



|                                                            |            |
|------------------------------------------------------------|------------|
| Stratford Court Of Boca Raton                              | Palm Beach |
| Terraces Of Lake Worth Care Center                         | Palm Beach |
| The Addington At Wellington Green                          | Palm Beach |
| The Encore At Boca Raton Rehabilitation And Nursing Center | Palm Beach |
| Vi At Lakeside Village Independent Living                  | Palm Beach |
| Wood Lake Health And Rehabilitation Center                 | Palm Beach |
| Grand Villa Of New Port Richey                             | Pasco      |
| Royal Oaks Nursing Center                                  | Pasco      |
| Arc Of Tampa Bay: Al Hambra                                | Pinellas   |
| Arc Of Tampa Bay: Clearwater                               | Pinellas   |
| Arc Of Tampa Bay: Safety Harbor                            | Pinellas   |
| Bay Tree Center                                            | Pinellas   |
| Belleair Health Care Center                                | Pinellas   |
| Consulate Health Care of Safety Harbor                     | Pinellas   |
| Consulate Health Care of St. Petersburg                    | Pinellas   |
| Heron House Of Largo                                       | Pinellas   |
| Highland Pines Rehabilitation Center                       | Pinellas   |
| Inn At Freedom Square (The)                                | Pinellas   |
| Inn At Lake Seminole Square (The)                          | Pinellas   |
| Lakeside Oaks Care Center                                  | Pinellas   |
| Manorcare Health Services Dunedin                          | Pinellas   |
| Masonic Home Of Florida                                    | Pinellas   |
| Morton Plant Rehabilitation Center                         | Pinellas   |
| Palm Garden Of Clearwater                                  | Pinellas   |
| Palm Garden Of Largo                                       | Pinellas   |
| Pinellas Point Nursing And Rehab Center                    | Pinellas   |
| Regal Palms                                                | Pinellas   |
| Seminole Pavilion Rehabilitation & Nursing Services        | Pinellas   |
| South Heritage Health & Rehabilitation Center              | Pinellas   |
| St. Mark Assisted Living Center                            | Pinellas   |
| St. Mark Village                                           | Pinellas   |
| Stratford Court Of Palm Harbor                             | Pinellas   |
| Tierra Pines Center                                        | Pinellas   |
| Consulate Health Care Of Lakeland                          | Polk       |
| Highlands Lake Center                                      | Polk       |
| Lakeland Hills Center                                      | Polk       |
| Merrill Gardens At Championsgate                           | Polk       |
| Palm Garden Of Winter Haven                                | Polk       |
| Vintage Care Senior Housing                                | Putnam     |
| Arbors Of Gulf Breeze                                      | Santa Rosa |
| A Banyan Residence                                         | Sarasota   |
| Bay Breeze Health And Rehabilitation Center                | Sarasota   |
| Beneva Lakes Healthcare And Rehabilitation Center          | Sarasota   |
| Brookdale Deer Creek Sarasota                              | Sarasota   |
| Consulate Health Care Of Sarasota                          | Sarasota   |
| Glenridge On Palmer Ranch Inc.                             | Sarasota   |
| Magnolia Acres                                             | Sarasota   |

|                                                                    |                  |
|--------------------------------------------------------------------|------------------|
| <b>Magnolia Health And Rehabilitation Center</b>                   | <b>Sarasota</b>  |
| <b>Pines Of Sarasota</b>                                           | <b>Sarasota</b>  |
| <b>Sarasota Point Rehabilitation Center</b>                        | <b>Sarasota</b>  |
| <b>Brookdale Lake Orienta</b>                                      | <b>Seminole</b>  |
| <b>Consulate Health Care At West Altamonte</b>                     | <b>Seminole</b>  |
| <b>Faith House Assisted Living Facility</b>                        | <b>Seminole</b>  |
| <b>Serenades By Sonata</b>                                         | <b>Seminole</b>  |
| <b>Starling At Nocatee</b>                                         | <b>St. Johns</b> |
| <b>Emerald Health Care Center</b>                                  | <b>St. Lucie</b> |
| <b>Lawnwood Physical Rehabilitation Center</b>                     | <b>St. Lucie</b> |
| <b>The Broadmoor Alf</b>                                           | <b>St. Lucie</b> |
| <b>Watercrest Of St Lucie West Assisted Living And Memory Care</b> | <b>St. Lucie</b> |
| <b>Buffalo Crossing Assisted Living</b>                            | <b>Sumter</b>    |
| <b>Osprey Point Nursing Center</b>                                 | <b>Sumter</b>    |
| <b>Serenades In The Villages</b>                                   | <b>Sumter</b>    |
| <b>Suwannee Health And Rehabilitation Center</b>                   | <b>Suwannee</b>  |
| <b>Avante At Ormond Beach Inc</b>                                  | <b>Volusia</b>   |
| <b>Coquina Center</b>                                              | <b>Volusia</b>   |
| <b>Debary Health And Rehabilitation Center</b>                     | <b>Volusia</b>   |
| <b>Deltona Health Care</b>                                         | <b>Volusia</b>   |
| <b>Grand Villa Of Ormond Beach</b>                                 | <b>Volusia</b>   |
| <b>Majestic Oaks</b>                                               | <b>Volusia</b>   |
| <b>Chautauqua Rehabilitation And Nursing Center</b>                | <b>Walton</b>    |

# EXHIBIT 2

**From:** Mark R. Caramanica  
**Sent:** Monday, April 20, 2020 4:15 PM  
**To:** 'alberto.moscoso@flhealth.gov'; 'publicrecordsrequest@flhealth.gov'; 'scott.rivkees@flhealth.gov'; 'Newsmedia@flhealth.gov'; 'hcpm@flhealth.gov'; 'katie.strickland@ahca.myflorida.com'; 'mary.mayhew@ahca.myflorida.com'; 'desantis.opengov@eog.myflorida.com'; Ferre, Helen; 'joe.jacquot@eog.myflorida.com'; 'publicrecordsreq@ahca.myflorida.com'; 'ahcacommunications@ahca.myflorida.com'  
**Cc:** Carol Jean LoCicero  
**Subject:** Public Records Request

Good afternoon,

Our law firm represents Gannett (USA Today and various FL-based news outlets); Times Publishing Company (Tampa Bay Times); Orlando Sentinel Communications Company, LLC; Sun-Sentinel Company, LLC; The Associated Press, the First Amendment Foundation, The E.W. Scripps Company (various FL broadcast stations), WP Company LLC (Washington Post), and The New York Times Company.

On the behalf of our above clients, we are making the following public records request pursuant to Chapter 119, Florida Statutes, and Article 1, Section 24 of the Florida Constitution for records detailing the following:

1. The addresses tied to the names of every Florida nursing home, assisted living facility, rehab facility, intermediate care facility for the developmentally disabled, group home for the developmentally disabled, and mental health facility (including forensic hospitals) in which at least one resident and/or staff member has tested positive for COVID-19;
2. The number of corresponding residents at each facility who have tested positive;
3. The number of corresponding staff members at each facility who have tested positive;
4. The number of corresponding residents at each facility who have died from COVID-19;
5. The number of corresponding staff members at each facility who have died from COVID-19; and
6. The number of COVID-19 tests performed at each facility, and their outcomes (positive, negative or pending) by number involving residents or staff at each facility.

If the above information is held in electronic, spreadsheet format please provide it in that native spreadsheet format.

If your agency asserts any exemptions in responding to the above request please specifically assert with particularity how the cited exemption applies to the withheld information, and release all other information for which no exemption is being claimed.



Please note that we also represent Miami Herald Media Company and Miami Herald reporter Carol Marbin Miller. We understand Ms. Miller made a similar, independent records request earlier today for much of the same of information detailed above. Please consider Miami Herald Media Company and Ms. Miller to be additionally included on this request.

This request also serves as written notice pursuant to Section 119.12, Florida Statutes.

Finally, we anticipate obtaining these records from you on a daily basis with updated, then-current information and therefore request you make this information proactively available daily on a publicly accessible website.

Kind regards,

**Mark R. Caramanica**  
**Thomas & LoCicero PL**  
*Focused on Business Litigation, Media and IP Law*  
*Member of The National Association of Minority and Women Owned Law Firms, Inc. (NAMWOLF®)*

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fax: 813.984.3070 | toll-free: 866.396.7100  
601 South Boulevard, Tampa, FL 33606



# EXHIBIT 3

**From:** Marbin, Carol <[cmarbin@miamiherald.com](mailto:cmarbin@miamiherald.com)>

**Sent:** Monday, April 20, 2020 11:38 AM

**To:** Moscoso, Alberto <[Alberto.Moscoso@flhealth.gov](mailto:Alberto.Moscoso@flhealth.gov)>; [publicrecordsrequest@flhealth.gov](mailto:publicrecordsrequest@flhealth.gov); Rivkees, Scott <[scott.rivkees@flhealth.gov](mailto:scott.rivkees@flhealth.gov)>; News Media <[Newsmedia@flhealth.gov](mailto:Newsmedia@flhealth.gov)>; [hcpm@flhealth.gov](mailto:hcpm@flhealth.gov); Strickland, K <[Katie.Strickland@ahca.myflorida.com](mailto:Katie.Strickland@ahca.myflorida.com)>; [PublicRecordsReq@ahca.myflorida.com](mailto:PublicRecordsReq@ahca.myflorida.com); [AHCACommunications@ahca.myflorida.com](mailto:AHCACommunications@ahca.myflorida.com); Mayhew, Mary <[mary.mayhew@ahca.myflorida.com](mailto:mary.mayhew@ahca.myflorida.com)>; Desantis.OpenGovernment <[Desantis.OpenGov@eog.myflorida.com](mailto:Desantis.OpenGov@eog.myflorida.com)>; Ferre, Helen <[Helen.Ferre@eog.myflorida.com](mailto:Helen.Ferre@eog.myflorida.com)>  
**Cc:** Mary Ellen Klas <[meklas@miamiherald.com](mailto:meklas@miamiherald.com)>; Casey Frank <[cfrank@miamiherald.com](mailto:cfrank@miamiherald.com)>; Carol Jean LoCicero <[clcicero@tlolawfirm.com](mailto:clcicero@tlolawfirm.com)>; Rick Hirsch <[rhirsch@miamiherald.com](mailto:rhirsch@miamiherald.com)>  
**Subject:** Public records under Chapter 119

Good morning.

First, we thank you for your preliminary efforts to comply with previous requests for public records.

This is a request for public records under Chapter 119 of the Florida Statutes, commonly known as the Public Records Act.

Please provide the Miami Herald the following.

An Excel or Google Sheets spreadsheet that can be updated daily containing the following information:

The names and addresses of every nursing home, assisted living facility, rehab facility, intermediate care facility for the developmentally disabled, group home for the developmentally disabled, and mental health facility (including forensic hospitals) in which at least one resident and/or staff member has tested positive for COVID-19

The number of residents who have tested positive

The number of staff members who have tested positive

**The number of residents who have died, either presumptively or from a confirmed case of COVID-19**

**The number of staff members who have died, either presumptively or from a confirmed case of COVID-19**

**The number of COVID-19 tests performed, and their outcomes (positive, negative or pending) involving residents or staff of each facility**

**If this information is available on the spreadsheets you are maintaining, please also include a field of information for contacts between the facility and representatives either of the Department of Health or the Agency for Health Care Administration, including the date and nature of the contact.**

**If you decline to honor this request, either in whole or in part, please state in writing and with particularity the statutory exemption you claim as justification for your denial.**

**We respectfully request that you provide this information without delay. It is our position that we have been seeking these data for a month now. We believe this information is readily available to you within data sets you already maintain. There is no need to redact anything other than the column of information pertaining to the identity of the subject – which can be achieved by removing that column.**

**We thank you, in advance, for your help with this request.**

**Sincerely,**

**Carol Marbin Miller**

—

**Carol Marbin Miller**

**Deputy Investigations Editor**

**Investigative Reporting Team |**

**Miami Herald**

**305.376.3211 | [cmarbin@MiamiHerald.com](mailto:cmarbin@MiamiHerald.com)**

**3511 N.W. 91st Ave., Doral Florida 33172**

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**Carol Marbin Miller**

**Deputy Investigations Editor**

**Investigative Reporting Team |**

**Miami Herald**

**305.376.3211 | [cmarbin@MiamiHerald.com](mailto:cmarbin@MiamiHerald.com)**

**3511 N.W. 91st Ave., Doral Florida 33172**

# EXHIBIT 4

Data in this report is provisional and subject to change. The information contained in this report reflects the current available information reported by each facility's staff to the Department via the Agency for Health Care Administration's Emergency Status System. The data is not cumulative but reflects the information available for current residents and staff with cases as of yesterday's date.

| County      | FacilityName                                           | Provider Type | COVID Update (UTC) | Res COVID + | Res - COVID + Transferred Out | Staff COVID + |
|-------------|--------------------------------------------------------|---------------|--------------------|-------------|-------------------------------|---------------|
| Grand Total | Facilities: 397                                        |               |                    | 1168        | 1057                          | 1130          |
| ALACHUA     | OAK HAMMOCK AT THE UNIVERSITY OF FLORIDA               | ALF           | 4/26/2020 12:15    | 3           | 3                             | 6             |
| ALACHUA     | PALM GARDEN OF GAINESVILLE                             | NH            | 4/26/2020 14:24    | 0           | 1                             | 0             |
| ALACHUA     | PARKLANDS CARE CENTER                                  | NH            | 4/24/2020 14:18    | 10          | 12                            | 9             |
| ALACHUA     | SIGNATURE HEALTHCARE OF GAINESVILLE                    | NH            | 4/24/2020 14:24    | 0           | 1                             | 0             |
| BAKER       | MACCLENY NURSING AND REHAB CENTER                      | NH            | 4/26/2020 15:09    | 3           | 3                             | 0             |
| BAKER       | W FRANK WELLS NURSING HOME                             | NH            | 4/26/2020 13:33    | 0           | 1                             | 0             |
| BAY         | BROOKDALE PANAMA CITY                                  | ALF           | 4/26/2020 2:36     | 0           | 0                             | 1             |
| BAY         | CLIFFORD CHESTER SIMS STATE VETERANS NURSING HOME      | NH            | 4/24/2020 14:40    | 0           | 0                             | 1             |
| BAY         | SEAGRASS VILLAGE OF PANAMA CITY BEACH                  | ALF           | 4/26/2020 15:46    | 0           | 0                             | 2             |
| BRADFORD    | RIVERWOOD HEALTH & REHABILITATION CENTER               | NH            | 4/24/2020 16:54    | 5           | 2                             | 1             |
| BRADFORD    | WINDSOR HEALTH AND REHABILITATION CENTER               | NH            | 4/26/2020 13:56    | 16          | 5                             | 6             |
| BREVARD     | BROOKSHIRE (THE)                                       | ALF           | 4/26/2020 13:01    | 0           | 0                             | 1             |
| BREVARD     | GREENWOOD PLACE                                        | ALF           | 4/25/2020 21:16    | 3           | 0                             | 1             |
| BREVARD     | LIFE CARE CENTER OF PALM BAY                           | NH            | 4/24/2020 12:25    | 0           | 0                             | 1             |
| BREVARD     | SONATA VIERA                                           | ALF           | 4/26/2020 16:26    | 7           | 0                             | 2             |
| BREVARD     | VICTORIA LANDING ALF                                   | ALF           | 4/26/2020 12:03    | 0           | 1                             | 0             |
| BREVARD     | VISTA MANOR                                            | NH            | 4/24/2020 12:26    | 0           | 0                             | 1             |
| BREVARD     | WASHINGTON SQUARE                                      | ICF-DD        | 4/23/2020 15:27    | 0           | 0                             | 1             |
| BREVARD     | ZON BEACHSIDE LLC                                      | ALF           | 4/24/2020 16:02    | 0           | 0                             | 2             |
| BROWARD     | ALEXANDER "SANDY" NININGER STATE VETERANS NURSING HOME | NH            | 4/25/2020 16:26    | 4           | 13                            | 0             |
| BROWARD     | ATRIA TAMARAC                                          | ALF           | 4/24/2020 13:55    | 2           | 0                             | 1             |
| BROWARD     | ATRIA WILLOW WOOD                                      | ALF           | 4/26/2020 17:28    | 21          | 4                             | 1             |
| BROWARD     | AVALON PARK RETIREMENT RESIDENCE, INC.                 | ALF           | 4/26/2020 15:21    | 3           | 6                             | 1             |
| BROWARD     | BARC HOUSING INC.                                      | ICF-DD        | 4/26/2020 13:01    | 0           | 0                             | 1             |
| BROWARD     | BRIGHT HORIZONS OF RAMBLEWOOD, INC.                    | ALF           | 4/26/2020 13:55    | 0           | 4                             | 1             |
| BROWARD     | BUCKINGHAM PLACE, LLC                                  | ALF           | 4/26/2020 19:41    | 0           | 3                             | 1             |
| BROWARD     | COURT AT PALM AIRE, THE                                | NH            | 4/26/2020 16:42    | 18          | 5                             | 11            |
| BROWARD     | COVENANT VILLAGE CARE CENTER                           | NH            | 4/24/2020 14:20    | 2           | 2                             | 9             |
| BROWARD     | CROSS POINTE CARE CENTER                               | NH            | 4/26/2020 13:29    | 0           | 2                             | 3             |
| BROWARD     | FIVE STAR PREMIER RESIDENCES OF HOLLYWOOD              | ALF           | 4/26/2020 15:47    | 4           | 0                             | 5             |
| BROWARD     | FIVE STAR PREMIER RESIDENCES OF PLANTATION             | ALF           | 4/26/2020 13:45    | 1           | 1                             | 1             |
| BROWARD     | FT LAUDERDALE HEALTH AND REHABILITATION CENTER         | NH            | 4/26/2020 14:46    | 4           | 2                             | 2             |
| BROWARD     | GLADES WEST REHABILITATION AND NURSING CENTER          | NH            | 4/24/2020 12:47    | 0           | 2                             | 1             |
| BROWARD     | GOLFCREST HEALTHCARE CENTER                            | NH            | 4/24/2020 16:29    | 0           | 9                             | 4             |
| BROWARD     | HARBORCHASE OF TAMARAC                                 | ALF           | 4/25/2020 15:02    | 0           | 6                             | 9             |
| BROWARD     | HILLCREST HEALTH CARE AND REHABILITATION CENTER        | NH            | 4/26/2020 13:33    | 0           | 3                             | 5             |
| BROWARD     | LIFE CARE CENTER OF INVERRARY                          | NH            | 4/26/2020 13:59    | 1           | 2                             | 5             |
| BROWARD     | LINCOLN MANOR                                          | ALF           | 4/26/2020 11:20    | 0           | 0                             | 1             |
| BROWARD     | LIVING BY FAITH, INC                                   | ALF           | 4/26/2020 17:33    | 0           | 0                             | 4             |
| BROWARD     | MANOR OAKS NURSING & REHABILITATION CENTER             | NH            | 4/26/2020 12:51    | 0           | 0                             | 3             |
| BROWARD     | MANOR PINES CONVALESCENT CENTER                        | NH            | 4/24/2020 14:14    | 39          | 11                            | 26            |
| BROWARD     | MARGATE HEALTH AND REHABILITATION CENTER               | NH            | 4/26/2020 12:05    | 1           | 3                             | 1             |
| BROWARD     | MEMORIAL MANOR                                         | NH            | 4/24/2020 14:49    | 0           | 9                             | 14            |
| BROWARD     | NORTH LAKE RETIREMENT HOME INC                         | ALF           | 4/24/2020 13:32    | 0           | 0                             | 1             |
| BROWARD     | NSPIRE HEALTHCARE LAUDERHILL                           | NH            | 4/24/2020 23:22    | 6           | 7                             | 2             |
| BROWARD     | NSPIRE HEALTHCARE PLANTATION                           | NH            | 4/23/2020 20:45    | 6           | 4                             | 1             |
| BROWARD     | NSPIRE HEALTHCARE TAMARAC                              | NH            | 4/26/2020 14:03    | 0           | 2                             | 4             |
| BROWARD     | OAKMONTE VILLAGE OF DAVIE                              | ALF           | 4/26/2020 11:46    | 1           | 2                             | 2             |
| BROWARD     | OMEGA GROUP OF SOUTH FLORIDA, INC.                     | ALF           | 4/25/2020 14:04    | 1           | 1                             | 0             |
| BROWARD     | PACIFICA SENIOR LIVING FOREST TRACE                    | ALF           | 4/24/2020 15:16    | 1           | 0                             | 1             |
| BROWARD     | PALMS CARE CENTER                                      | NH            | 4/23/2020 22:23    | 3           | 8                             | 6             |
| BROWARD     | PARK SUMMIT AT CORAL SPRINGS                           | ALF           | 4/25/2020 21:38    | 0           | 2                             | 0             |
| BROWARD     | PENINSULA (THE)                                        | ALF           | 4/24/2020 11:57    | 0           | 0                             | 1             |
| BROWARD     | POMPAHO HEALTH AND REHABILITATION CENTER               | NH            | 4/26/2020 14:28    | 2           | 0                             | 5             |
| BROWARD     | PRESIDENTIAL PLACE                                     | ALF           | 4/25/2020 14:00    | 0           | 5                             | 2             |
| BROWARD     | REGENTS PARK OF SUNRISE                                | NH            | 4/26/2020 12:42    | 0           | 0                             | 1             |



|           |                                                       |        |                 |    |    |    |
|-----------|-------------------------------------------------------|--------|-----------------|----|----|----|
| BROWARD   | SAEJCA'S CASTLE LLC                                   | ALF    | 4/26/2020 12:53 | 0  | 5  | 1  |
| BROWARD   | SELA ALF, INC.                                        | ALF    | 4/26/2020 16:59 | 4  | 0  | 0  |
| BROWARD   | SOLARIS HEALTHCARE COCONUT CREEK                      | NH     | 4/26/2020 13:36 | 0  | 1  | 1  |
| BROWARD   | SPRINGTREE REHABILITATION & HEALTH CARE CENTER        | NH     | 4/26/2020 12:53 | 0  | 0  | 2  |
| BROWARD   | ST JOSEPH RESIDENCE, INC.                             | ALF    | 4/26/2020 13:39 | 0  | 0  | 1  |
| BROWARD   | ST. JOHN'S NURSING CENTER                             | NH     | 4/26/2020 20:58 | 0  | 1  | 1  |
| BROWARD   | SUNRISE HEALTH AND REHABILITATION CENTER              | NH     | 4/24/2020 13:45 | 0  | 0  | 1  |
| BROWARD   | TAMARAC REHABILITATION AND HEALTH CENTER, INC.        | NH     | 4/26/2020 13:15 | 1  | 1  | 3  |
| BROWARD   | THE COURT AT PALM AIRE                                | ALF    | 4/26/2020 14:01 | 0  | 1  | 1  |
| BROWARD   | THE HORIZON CLUB                                      | ALF    | 4/26/2020 20:18 | 0  | 1  | 1  |
| BROWARD   | THE PRESERVE AT PALM AIRE                             | ALF    | 4/26/2020 13:56 | 0  | 1  | 1  |
| BROWARD   | THE RESIDENCE AT DANIA BEACH                          | ALF    | 4/25/2020 19:02 | 0  | 0  | 1  |
| BROWARD   | THE SHERIDAN AT COOPER CITY                           | ALF    | 4/26/2020 13:15 | 0  | 1  |    |
| BROWARD   | VILLA RIO VISTA                                       | ALF    | 4/26/2020 13:34 | 1  | 1  | 0  |
| BROWARD   | WEST BROWARD REHABILITATION AND HEALTHCARE            | NH     | 4/26/2020 13:51 | 0  | 0  | 1  |
| CHARLOTTE | CONSULATE HEALTH CARE OF PORT CHARLOTTE               | NH     | 4/26/2020 12:58 | 0  | 0  | 1  |
| CHARLOTTE | DOUGLAS JACOBSON STATE VETERANS NURSING HOME          | NH     | 4/26/2020 12:12 | 0  | 0  | 2  |
| CHARLOTTE | HARBOR HEALTH CENTER                                  | NH     | 4/24/2020 14:35 | 25 | 6  | 7  |
| CHARLOTTE | HARBOR TERRACE                                        | ALF    | 4/26/2020 20:14 | 17 | 8  |    |
| CHARLOTTE | LIFE CARE CENTER OF PUNTA GORDA                       | NH     | 4/26/2020 13:38 | 5  | 3  | 1  |
| CHARLOTTE | PORT CHARLOTTE REHABILITATION CENTER                  | NH     | 4/26/2020 13:10 | 20 | 1  | 5  |
| CHARLOTTE | SIGNATURE HEALTHCARE OF PORT CHARLOTTE                | NH     | 4/24/2020 14:21 | 0  | 0  | 2  |
| CHARLOTTE | VILLAGE PLACE HEALTH AND REHABILITATION CENTER        | NH     | 4/26/2020 21:26 | 0  | 1  | 0  |
| CLAY      | ALLEGRO                                               | ALF    | 4/26/2020 12:14 | 0  | 1  | 0  |
| CLAY      | BROOKDALE ORANGE PARK                                 | ALF    | 4/26/2020 14:03 | 0  | 0  | 1  |
| CLAY      | DIAMOND ALF, LLC                                      | ALF    | 4/24/2020 18:09 | 9  | 2  | 4  |
| CLAY      | GOVERNORS CREEK HEALTH AND REHABILITATION             | NH     | 4/24/2020 13:36 | 26 | 5  | 15 |
| CLAY      | HEARTLAND HEALTH CARE CENTER - ORANGE PARK            | NH     | 4/24/2020 12:26 | 32 | 11 | 14 |
| CLAY      | ISLE HEALTH & REHABILITATION CENTER                   | NH     | 4/26/2020 13:12 | 0  | 0  | 1  |
| CLAY      | LIFE CARE CENTER AT WELLS CROSSING                    | NH     | 4/26/2020 13:05 | 0  | 1  | 0  |
| CLAY      | LIFE CARE CENTER OF ORANGE PARK                       | NH     | 4/25/2020 13:54 | 0  | 0  | 1  |
| CLAY      | SEAGRASS VILLAGE OF FLEMING ISLAND                    | ALF    | 4/26/2020 12:43 | 1  | 0  | 7  |
| CLAY      | SIGNATURE HEALTHCARE OF ORANGE PARK                   | NH     | 4/26/2020 14:21 | 0  | 0  | 1  |
| COLLIER   | ALL SEASONS IN NAPLES LLC                             | ALF    | 4/25/2020 12:46 | 2  | 1  | 2  |
| COLLIER   | BENTLEY CARE CENTER                                   | NH     | 4/26/2020 0:52  | 1  | 0  | 1  |
| COLLIER   | BENTLEY VILLAGE                                       | ALF    | 4/26/2020 13:46 | 0  | 0  | 6  |
| COLLIER   | HERITAGE HEALTHCARE AND REHABILITATION CENTER         | NH     | 4/26/2020 14:31 | 0  | 0  | 2  |
| COLLIER   | KEYSTONE PLACE AT NAPLES PRESERVE                     | ALF    | 4/26/2020 12:43 | 0  | 1  | 1  |
| COLLIER   | MANORCARE NURSING AND REHABILITATION CENTER           | NH     | 4/26/2020 16:40 | 11 | 11 | 5  |
| COLLIER   | NAPLES GREEN VILLAGE                                  | ALF    | 4/23/2020 15:10 | 2  | 0  | 0  |
| COLLIER   | ORCHID TERRACE                                        | ALF    | 4/26/2020 19:28 | 0  | 0  | 1  |
| COLLIER   | TERRACINA GRAND                                       | ALF    | 4/23/2020 19:37 | 2  | 0  | 0  |
| COLLIER   | TUSCANY VILLA OF NAPLES                               | ALF    | 4/26/2020 12:49 | 1  | 0  | 0  |
| DESOTO    | ARCADIA OAKS ASSISTED LIVING                          | ALF    | 4/26/2020 13:37 | 0  | 1  | 0  |
| DUVAL     | BARTRAM CROSSING                                      | NH     | 4/24/2020 13:13 | 0  | 0  | 2  |
| DUVAL     | BARTRAM LAKES ASSISTED LIVING                         | ALF    | 4/24/2020 13:17 | 0  | 0  | 1  |
| DUVAL     | BROOKDALE AVONDALE                                    | ALF    | 4/23/2020 21:54 | 2  | 0  | 1  |
| DUVAL     | CAMELLIA AT DEERWOOD                                  | ALF    | 4/26/2020 13:09 | 19 | 17 | 8  |
| DUVAL     | CATHEDRAL GERONTOLOGY CENTER, INC                     | NH     | 4/25/2020 12:45 | 1  | 0  | 0  |
| DUVAL     | CYPRESS VILLAGE                                       | NH     | 4/24/2020 14:40 | 1  | 0  | 0  |
| DUVAL     | DOLPHIN POINTE HEALTH CARE CENTER                     | NH     | 4/26/2020 14:32 | 13 | 3  | 0  |
| DUVAL     | FANNIE E. TAYLOR HOME FOR THE AGED-TAYLOR MANOR, INC. | ALF    | 4/26/2020 12:29 | 6  | 0  | 2  |
| DUVAL     | FLORIDA MENTOR                                        | ICF-DD | 4/26/2020 14:27 | 7  | 0  | 0  |
| DUVAL     | HARTS HARBOR HEALTH CARE CENTER                       | NH     | 4/24/2020 15:08 | 0  | 1  | 2  |
| DUVAL     | JACKSONVILLE NURSING AND REHAB CENTER                 | NH     | 4/24/2020 14:16 | 1  | 0  | 1  |
| DUVAL     | LANIER REHABILITATION CENTER                          | NH     | 4/26/2020 13:25 | 0  | 1  | 4  |
| DUVAL     | WYNDHAM LAKES JACKSONVILLE                            | ALF    | 4/26/2020 15:17 | 0  | 0  | 1  |
| ESCAMBIA  | ARCADIA HEALTH & REHABILITATION CENTER                | NH     | 4/26/2020 12:16 | 0  | 0  | 3  |
| ESCAMBIA  | ASBURY PLACE                                          | ALF    | 4/23/2020 13:32 | 0  | 0  | 1  |
| ESCAMBIA  | BAYSIDE HEALTH AND REHABILITATION CENTER              | NH     | 4/26/2020 21:15 | 1  | 0  | 2  |
| ESCAMBIA  | BROOKDALE PENSACOLA                                   | ALF    | 4/24/2020 14:24 | 3  | 0  | 6  |
| ESCAMBIA  | DE LUNA HEALTH AND REHABILITATION CENTER              | NH     | 4/26/2020 13:04 | 0  | 0  | 1  |
| ESCAMBIA  | FLORIDA MENTOR                                        | ICF-DD | 4/26/2020 11:52 | 0  | 0  | 1  |
| ESCAMBIA  | HOMESTEAD VILLAGE RETIREMENT COMMUNITY                | ALF    | 4/26/2020 14:10 | 0  | 0  | 2  |
| ESCAMBIA  | OLIVE BRANCH HEALTH AND REHABILITATION CENTER         | NH     | 4/23/2020 22:34 | 0  | 1  | 0  |

|              |                                                             |        |                 |    |    |    |
|--------------|-------------------------------------------------------------|--------|-----------------|----|----|----|
| ESCAMBIA     | ROSEWOOD HEALTHCARE AND REHABILITATION CENTER               | NH     | 4/26/2020 12:43 | 6  | 2  | 1  |
| ESCAMBIA     | SOUTHERN OAKS CARE CENTER                                   | NH     | 4/26/2020 13:51 | 87 | 5  | 15 |
| ESCAMBIA     | SPECIALTY HEALTH AND REHABILITATION CENTER                  | NH     | 4/26/2020 13:08 | 0  | 1  | 0  |
| FLAGLER      | BROOKDALE PALM COAST                                        | ALF    | 4/26/2020 13:19 | 0  | 0  | 1  |
| FLAGLER      | PRINCETON VILLAGE OF PALM COAST                             | ALF    | 4/26/2020 12:33 | 0  | 0  | 1  |
| GADSDEN      | MAGNOLIA HOUSE                                              | ALF    | 4/26/2020 13:32 | 0  | 0  | 1  |
| HENDRY       | CLEWISTON NURSING & REHABILITATION                          | NH     | 4/26/2020 14:01 | 0  | 4  | 5  |
| HENDRY       | OAKBROOK HEALTH AND REHABILITATION CENTER                   | NH     | 4/26/2020 13:02 | 6  | 3  | 2  |
| HIGHLANDS    | PALMS OF SEBRING (THE)                                      | ALF    | 4/26/2020 13:07 | 0  | 0  | 1  |
| HILLSBOROUGH | ALLEGRO                                                     | ALF    | 4/26/2020 14:03 | 0  | 0  | 8  |
| HILLSBOROUGH | ARBOR TERRACE AT CITRUS PARK                                | ALF    | 4/26/2020 12:59 | 0  | 0  | 1  |
| HILLSBOROUGH | BRISTOL AT TAMPA REHABILITATION AND NURSING CENTER LLC, THE | NH     | 4/26/2020 16:15 | 9  | 7  | 6  |
| HILLSBOROUGH | COMMUNITY CONVALESCENT CENTER                               | NH     | 4/26/2020 13:09 | 0  | 1  | 0  |
| HILLSBOROUGH | CONCORDIA VILLAGE OF TAMPA                                  | ALF    | 4/25/2020 14:33 | 0  | 1  | 0  |
| HILLSBOROUGH | Gandy Crossing Care Center                                  | NH     | 4/26/2020 13:25 | 0  | 0  | 1  |
| HILLSBOROUGH | INSPIRED LIVING AT TAMPA                                    | ALF    | 4/26/2020 13:40 | 0  | 3  | 1  |
| HILLSBOROUGH | PALM GARDEN OF SUN CITY                                     | NH     | 4/26/2020 16:26 | 2  | 0  | 0  |
| HILLSBOROUGH | PLAZA WEST                                                  | NH     | 4/26/2020 12:26 | 0  | 0  | 1  |
| HILLSBOROUGH | PROMISE POINTE AT TAMPA OAKS                                | ALF    | 4/26/2020 11:32 | 1  | 1  | 0  |
| HILLSBOROUGH | ROCKY CREEK VILLAGE                                         | ALF    | 4/26/2020 8:21  | 2  | 0  | 1  |
| HILLSBOROUGH | SHADY PALMS RETIREMENT HOMES, INC                           | ALF    | 4/26/2020 13:02 | 0  | 0  | 1  |
| HOLMES       | BONIFAY NURSING AND REHAB CENTER                            | NH     | 4/25/2020 21:21 | 0  | 0  | 1  |
| INDIAN RIVER | HARBORCHASE OF VERO BEACH                                   | ALF    | 4/26/2020 13:55 | 1  | 5  | 1  |
| INDIAN RIVER | PALM GARDEN OF VERO BEACH                                   | NH     | 4/26/2020 12:46 | 1  |    |    |
| INDIAN RIVER | SONATA VERO BEACH                                           | ALF    | 4/26/2020 13:37 | 1  | 0  | 0  |
| JEFFERSON    | CROSS LANDINGS HEALTH AND REHABILITATION CENTER             | NH     | 4/24/2020 13:37 | 0  | 13 | 7  |
| LAKE         | ADVENTHEALTH CARE CENTER WATERMAN                           | NH     | 4/26/2020 11:44 | 0  | 0  | 1  |
| LAKE         | LAKE EUSTIS HEALTH AND REHABILITATION CENTER                | NH     | 4/26/2020 14:19 | 0  | 0  | 1  |
| LAKE         | SUPERIOR RESIDENCES OF CLERMONT                             | ALF    | 4/24/2020 12:53 | 0  | 0  | 1  |
| LAKE         | THE COVE AT TAVARES VILLAGE                                 | ALF    | 4/26/2020 13:44 | 0  | 1  | 0  |
| LEE          | AMERICAN HOUSE FORT MYERS                                   | ALF    | 4/24/2020 14:20 | 0  | 1  | 1  |
| LEE          | ARBOR AT SHELL POINT (THE)                                  | ALF    | 4/24/2020 12:43 | 0  | 1  | 0  |
| LEE          | BARKLEY PLACE                                               | ALF    | 4/26/2020 12:14 | 0  | 1  | 0  |
| LEE          | BROOKDALE FORT MYERS THE COLONY                             | ALF    | 4/26/2020 13:18 | 6  | 0  |    |
| LEE          | CYPRESS COVE AT HEALTHPARK FLORIDA                          | ALF    | 4/26/2020 13:49 | 0  | 0  | 1  |
| LEE          | DISCOVERY VILLAGE AT THE FORUM                              | ALF    | 4/26/2020 12:35 | 0  |    | 1  |
| LEE          | FORT MYERS REHABILITATION AND NURSING CENTER                | NH     | 4/26/2020 16:05 | 3  | 13 |    |
| LEE          | HEALTHPARK CARE CENTER                                      | NH     | 4/26/2020 12:56 | 0  | 10 | 9  |
| LEE          | HERITAGE PARK REHABILITATION AND HEALTHCARE                 | NH     | 4/23/2020 14:59 | 0  | 2  | 0  |
| LEE          | LEHIGH ACRES HEALTH AND REHABILITATION CENTER               | NH     | 4/26/2020 19:56 | 2  | 3  | 3  |
| LEE          | LIFE CARE CENTER OF ESTERO                                  | NH     | 4/24/2020 17:26 | 0  | 9  | 1  |
| LEE          | LODGE AT CYPRESS COVE, THE                                  | NH     | 4/26/2020 13:53 | 0  | 1  | 1  |
| LEE          | MANORCARE HEALTH SERVICES                                   | NH     | 4/26/2020 12:41 | 0  | 1  | 0  |
| LEE          | PAGE REHABILITATION AND HEALTHCARE CENTER                   | NH     | 4/26/2020 11:52 | 0  | 1  | 1  |
| LEE          | PALMS OF FORT MYERS                                         | ALF    | 4/26/2020 13:32 |    | 1  |    |
| LEE          | REHAB & HEALTHCARE CENTER OF CAPE CORAL                     | NH     | 4/26/2020 12:59 | 0  | 0  | 1  |
| LEE          | SHELL POINT NURSING PAVILION                                | NH     | 4/26/2020 14:07 | 0  | 1  | 1  |
| LEE          | SIGNATURE HEALTHCARE AT COLLEGE PARK                        | NH     | 4/26/2020 0:41  | 0  | 0  | 3  |
| LEE          | SPRINGS AT SHELL POINT RETIREMENT COMMUNITY, THE            | ALF    | 4/26/2020 10:50 | 0  | 0  | 1  |
| LEE          | SPRINGWOOD COURT                                            | ALF    | 4/26/2020 13:28 | 5  | 1  | 3  |
| LEE          | THE ROSE GARDEN OF FT MYERS                                 | ALF    | 4/26/2020 5:03  | 0  | 0  | 1  |
| LEE          | WINDSOR AT CAPE CORAL (THE)                                 | ALF    | 4/26/2020 14:10 | 0  | 0  | 1  |
| LEE          | WINKLER COURT                                               | NH     | 4/26/2020 14:06 | 0  | 0  | 1  |
| LEON         | AZALEA GARDENS ALZHEIMER'S SPECIAL CARE CENTER              | ALF    | 4/26/2020 17:09 | 0  | 2  | 0  |
| LEON         | MIRACLE HILL NURSING AND REHABILITATION CENTER, INC         | NH     | 4/25/2020 21:49 | 0  | 0  | 1  |
| LEON         | TALLAHASSEE DEVELOPMENTAL CENTER                            | ICF-DD | 4/26/2020 13:38 | 34 | 0  | 45 |
| LEON         | WOODMONT A PACIFICA SENIOR LIVING COMMUNITY                 | ALF    | 4/25/2020 14:15 | 0  | 0  | 1  |
| LEVY         | WILLISTON CARE CENTER                                       | NH     | 4/26/2020 14:53 | 0  | 1  | 0  |
| MADISON      | LAKE PARK OF MADISON NURSING AND REHABILITATION CENTER      | NH     | 4/26/2020 19:17 | 15 | 2  | 9  |
| MANATEE      | BRADEN RIVER REHABILITATION CENTER LLC                      | NH     | 4/26/2020 13:54 | 26 | 11 | 27 |
| MANATEE      | BRADENTON HEALTH CARE                                       | NH     | 4/26/2020 14:04 | 0  | 3  | 4  |
| MANATEE      | BROOKDALE BRADENTON GARDENS                                 | ALF    | 4/26/2020 11:52 | 5  | 0  | 0  |
| MANATEE      | CASA MORA REHABILITATION AND EXTENDED CARE                  | NH     | 4/26/2020 15:55 | 10 | 3  | 1  |
| MANATEE      | LIFE CARE CENTER OF SARASOTA                                | NH     | 4/26/2020 11:34 | 0  | 0  | 1  |
| MANATEE      | MANATEE SPRINGS REHABILITATION AND NURSING CENTER           | NH     | 4/26/2020 9:58  | 0  | 0  | 4  |

|            |                                                  |        |                 |    |    |    |
|------------|--------------------------------------------------|--------|-----------------|----|----|----|
| MANATEE    | NEURORESTORATIVE FLORIDA                         | ALF    | 4/26/2020 9:16  | 0  | 0  | 1  |
| MANATEE    | RESIDENCE AT BAY VUE                             | ALF    | 4/26/2020 11:11 | 0  | 0  | 2  |
| MANATEE    | RIVIERA PALMS REHABILITATION CENTER              | NH     | 4/26/2020 13:06 | 19 | 15 | 36 |
| MANATEE    | SURREY PLACE HEALTHCARE AND REHABILITATION       | NH     | 4/26/2020 13:19 | 0  | 1  | 0  |
| MANATEE    | WESTMINSTER POINT PLEASANT                       | NH     | 4/26/2020 13:40 | 0  | 1  | 0  |
| MARION     | BROOKDALE CANOPY OAKS                            | ALF    | 4/25/2020 20:39 | 0  | 0  | 1  |
| MARION     | PACIFICA SENIOR LIVING OCALA                     | ALF    | 4/26/2020 13:43 | 0  | 0  | 1  |
| MARION     | PALM GARDEN OF OCALA                             | NH     | 4/26/2020 13:31 | 3  | 1  | 7  |
| MARTIN     | BROOKDALE STUART                                 | ALF    | 4/26/2020 13:16 | 0  | 0  | 3  |
| MARTIN     | GRAND OAKS OF PALM CITY LLC                      | ALF    | 4/24/2020 16:59 | 5  | 1  | 1  |
| MARTIN     | SALERNO BAY HEALTH AND REHABILITATION CENTER     | NH     | 4/26/2020 12:59 | 1  | 0  | 0  |
| MARTIN     | SHERIDAN AT HOBE SOUND, THE                      | ALF    | 4/25/2020 13:57 | 0  | 0  | 1  |
| MARTIN     | TERRACE AT HOBE SOUND, THE                       | NH     | 4/24/2020 14:15 | 0  | 1  | 0  |
| MIAMI-DADE | ADAM HOME # 2 INC.                               | ALF    | 4/26/2020 13:40 | 1  | 0  | 0  |
| MIAMI-DADE | ALF MANAGEMENT AND PROFESSIONAL SERVICES, INC    | ALF    | 4/26/2020 19:05 | 5  | 5  | 0  |
| MIAMI-DADE | ARCH PLAZA NURSING & REHABILITATION CENTER       | NH     | 4/24/2020 17:42 | 0  | 0  | 1  |
| MIAMI-DADE | AVENTURA REHAB AND NURSING CENTER                | NH     | 4/26/2020 14:09 | 6  | 16 | 9  |
| MIAMI-DADE | BUENA VISTA ASSISTED LIVING                      | ALF    | 4/26/2020 12:46 | 2  | 2  | 0  |
| MIAMI-DADE | CLARIDGE HOUSE NURSING & REHABILITATION CENTER   | NH     | 4/24/2020 16:32 | 11 | 0  | 2  |
| MIAMI-DADE | CORAL GABLES NURSING AND REHABILITATION CENTER   | NH     | 4/24/2020 19:16 | 0  | 0  | 2  |
| MIAMI-DADE | CROSS GARDENS CARE CENTER                        | NH     | 4/26/2020 13:56 | 0  | 19 | 7  |
| MIAMI-DADE | EAST RIDGE RETIREMENT VILLAGE, INC               | ALF    | 4/25/2020 14:11 | 0  | 0  | 1  |
| MIAMI-DADE | EPWORTH VILLAGE RETIREMENT COMMUNITY             | ALF    | 4/24/2020 14:41 | 0  | 0  | 1  |
| MIAMI-DADE | FAIR HAVENS CENTER                               | NH     | 4/25/2020 14:53 | 6  | 6  | 9  |
| MIAMI-DADE | FLORIDEAN NURSING AND REHABILITATION CENTER, THE | NH     | 4/26/2020 14:09 | 0  | 11 | 9  |
| MIAMI-DADE | FOUNTAIN MANOR HEALTH & REHABILITATION CENTER    | NH     | 4/26/2020 13:03 | 18 | 20 | 10 |
| MIAMI-DADE | FRANCO NURSING & REHABILITATION CENTER           | NH     | 4/26/2020 13:10 | 0  | 2  | 0  |
| MIAMI-DADE | GOLDEN GLADES NURSING AND REHABILITATION CENTER  | NH     | 4/26/2020 11:48 | 18 | 15 | 12 |
| MIAMI-DADE | HARMONY HEALTH CENTER                            | NH     | 4/26/2020 13:55 | 2  | 0  | 2  |
| MIAMI-DADE | HAZEL CYPEN TOWER                                | ALF    | 4/24/2020 12:21 | 0  | 3  | 0  |
| MIAMI-DADE | HIALEAH NURSING AND REHABILITATION CENTER        | NH     | 4/23/2020 11:47 | 0  | 0  | 1  |
| MIAMI-DADE | HOGAR DE AMOR SENIOR CARE, CORP                  | ALF    | 4/26/2020 13:18 | 1  | 1  | 0  |
| MIAMI-DADE | JACKSON MEMORIAL LONG TERM CARE CENTER           | NH     | 4/26/2020 13:20 | 0  | 8  | 11 |
| MIAMI-DADE | JACKSON MEMORIAL PERDUE MEDICAL CENTER           | NH     | 4/26/2020 13:30 | 0  | 0  | 1  |
| MIAMI-DADE | JACKSON PLAZA NURSING AND REHABILITATION CENTER  | NH     | 4/26/2020 13:08 | 3  | 10 | 2  |
| MIAMI-DADE | KRYSTAL BAY NURSING AND REHABILITATION           | NH     | 4/24/2020 14:06 | 18 | 5  | 5  |
| MIAMI-DADE | LOG CABIN ENTERPRISES, INC.                      | ICF-DD | 4/24/2020 14:05 | 5  | 0  | 7  |
| MIAMI-DADE | MARLA GROVE ALF INC                              | ALF    | 4/24/2020 14:13 | 0  | 1  | 0  |
| MIAMI-DADE | MIAMI CEREBRAL PALSY RESIDENTIAL SERVICES, INC.  | ICF-DD | 4/25/2020 17:12 | 0  | 0  | 1  |
| MIAMI-DADE | MIAMI JEWISH HEALTH SYSTEMS, INC.                | NH     | 4/26/2020 12:48 | 16 | 36 | 41 |
| MIAMI-DADE | MIAMI SHORES NURSING AND REHAB CENTER            | NH     | 4/26/2020 14:07 | 24 | 14 | 14 |
| MIAMI-DADE | MIAMI-DADE COUNTY                                | ALF    | 4/25/2020 14:12 | 6  | 1  | 1  |
| MIAMI-DADE | NEW AGE ADULTCARE INC                            | ALF    | 4/26/2020 13:52 | 0  | 1  | 0  |
| MIAMI-DADE | NORTH BEACH REHABILITATION CENTER                | NH     | 4/26/2020 16:32 | 6  | 19 | 9  |
| MIAMI-DADE | NORTH DADE NURSING AND REHABILITATION CENTER     | NH     | 4/26/2020 11:21 | 45 | 8  | 3  |
| MIAMI-DADE | NSPIRE HEALTHCARE MIAMI LAKES                    | NH     | 4/24/2020 13:19 | 0  | 1  | 1  |
| MIAMI-DADE | PALACE AT HOMESTEAD, LLC                         | ALF    | 4/24/2020 22:59 | 4  | 0  | 4  |
| MIAMI-DADE | PALACE AT KENDALL                                | ALF    | 4/24/2020 3:53  | 0  | 0  | 3  |
| MIAMI-DADE | PALM GARDEN OF AVENTURA                          | NH     | 4/26/2020 14:46 | 8  | 9  | 9  |
| MIAMI-DADE | PALMETTO CARE CENTER                             | NH     | 4/24/2020 13:43 | 0  | 1  | 2  |
| MIAMI-DADE | PALMETTO SUBACUTE CARE CENTER                    | NH     | 4/26/2020 13:32 | 0  | 0  | 3  |
| MIAMI-DADE | PAVILION GARDENS                                 | ALF    | 4/26/2020 14:03 | 0  | 1  | 0  |
| MIAMI-DADE | PINECREST REHABILITATION CENTER                  | NH     | 4/24/2020 18:47 | 0  | 5  | 7  |
| MIAMI-DADE | PINES NURSING HOME                               | NH     | 4/26/2020 16:26 | 5  | 2  | 3  |
| MIAMI-DADE | POINTE OF NORTH GABLES                           | ALF    | 4/26/2020 18:24 | 0  | 1  | 1  |
| MIAMI-DADE | PONCE PLAZA NURSING & REHABILITATION CENTER      | NH     | 4/26/2020 16:25 | 0  | 9  | 5  |
| MIAMI-DADE | PROFESSIONAL HOME CARE I                         | ALF    | 4/26/2020 7:16  | 1  | 0  | 0  |
| MIAMI-DADE | REGENTS PARK AT AVENTURA                         | NH     | 4/26/2020 14:57 | 5  | 8  | 4  |
| MIAMI-DADE | RESIDENTIAL PLAZA AT BLUE LAGOON                 | ALF    | 4/24/2020 22:51 | 20 |    | 12 |
| MIAMI-DADE | REVIVAL HOME, INC.                               | ALF    | 4/24/2020 18:24 | 0  | 1  | 0  |
| MIAMI-DADE | RIVERSIDE CARE CENTER                            | NH     | 4/26/2020 13:53 | 2  | 0  | 1  |
| MIAMI-DADE | SANDS AT SOUTH BEACH CARE CENTER, THE            | NH     | 4/24/2020 13:28 | 0  | 2  | 3  |
| MIAMI-DADE | SIGNATURE HEALTHCARE CENTER OF WATERFORD         | NH     | 4/26/2020 14:41 | 26 | 4  | 15 |
| MIAMI-DADE | SILVER PALM ASSISTED LIVING, LLC                 | ALF    | 4/26/2020 12:09 | 0  | 10 | 2  |
| MIAMI-DADE | SINAI PLAZA NURSING AND REHAB CENTER             | NH     | 4/26/2020 14:14 | 10 | 5  | 5  |



|            |                                                               |     |                 |    |    |    |
|------------|---------------------------------------------------------------|-----|-----------------|----|----|----|
| MIAMI-DADE | SOUTH DADE NURSING AND REHABILITATION CENTER                  | NH  | 4/26/2020 13:10 | 7  | 1  | 2  |
| MIAMI-DADE | ST ANNES NURSING CENTER, ST ANNES RESIDENCE INC               | NH  | 4/26/2020 15:30 | 4  | 0  | 11 |
| MIAMI-DADE | STERLING AVENTURA                                             | ALF | 4/23/2020 16:01 | 0  | 1  | 0  |
| MIAMI-DADE | SUNSHINE ELDERLY RESIDENCES, CORP                             | ALF | 4/26/2020 12:42 | 1  | 1  | 0  |
| MIAMI-DADE | SUSANNA WESLEY HEALTH CENTER                                  | NH  | 4/24/2020 19:33 |    | 14 | 10 |
| MIAMI-DADE | TREASURE ISLE CARE CENTER                                     | NH  | 4/26/2020 14:01 | 0  | 10 | 3  |
| MIAMI-DADE | UNITY HEALTH AND REHABILITATION CENTER                        | NH  | 4/26/2020 14:01 | 24 | 25 | 11 |
| MIAMI-DADE | UNIVERSITY PLAZA REHABILITATION AND NURSING CENTER, INC       | NH  | 4/25/2020 0:13  | 7  | 7  | 6  |
| MIAMI-DADE | VI AT AVENTURA                                                | NH  | 4/24/2020 12:53 |    | 1  | 2  |
| MIAMI-DADE | VILLA MARIA NURSING CENTER                                    | NH  | 4/26/2020 19:16 | 3  | 1  | 2  |
| MIAMI-DADE | VILLA MARIA PIA INC                                           | ALF | 4/26/2020 17:34 | 1  | 1  | 0  |
| MIAMI-DADE | VILLA ROSA II INC                                             | ALF | 4/24/2020 17:40 | 1  | 1  | 0  |
| MIAMI-DADE | WEST GABLES HEALTH CARE CENTER                                | NH  | 4/24/2020 13:57 | 0  | 1  | 0  |
| NASSAU     | LIFE CARE CENTER OF HILLIARD                                  | NH  | 4/26/2020 13:21 | 0  | 5  | 4  |
| OKALOOSA   | FORT WALTON REHABILITATION CENTER, LLC                        | NH  | 4/24/2020 15:41 | 17 |    | 10 |
| OKALOOSA   | MANOR AT BLUE WATER BAY, THE                                  | NH  | 4/26/2020 12:16 | 1  | 0  | 0  |
| OKEECHOBEE | OKEECHOBEE HEALTH CARE FACILITY                               | NH  | 4/26/2020 15:26 | 0  | 0  | 1  |
| ORANGE     | ADVENTHEALTH CARE CENTER ORLANDO NORTH                        | NH  | 4/24/2020 21:53 | 0  | 0  | 1  |
| ORANGE     | GENTRY PARK ORLANDO                                           | ALF | 4/26/2020 13:26 | 0  | 0  | 1  |
| ORANGE     | GUARDIAN CARE NURSING & REHABILITATION CENTER                 | NH  | 4/24/2020 14:23 | 0  | 1  | 0  |
| ORANGE     | HARBORCHASE OF DR PHILLIPS                                    | ALF | 4/26/2020 12:54 | 0  | 0  | 1  |
| ORANGE     | HUNTERS CREEK NURSING AND REHAB CENTER                        | NH  | 4/26/2020 18:01 | 0  | 0  | 1  |
| ORANGE     | PALM GARDEN OF ORLANDO                                        | NH  | 4/26/2020 15:20 | 0  | 1  | 0  |
| ORANGE     | ROSEWOOD HEALTH AND REHABILITATION CENTER                     | NH  | 4/24/2020 13:00 | 0  | 0  | 1  |
| ORANGE     | SAVANNAH COURT OF MAITLAND                                    | ALF | 4/20/2020 17:45 | 1  | 1  | 0  |
| ORANGE     | SERENADES BY SONATA - WEST ORANGE                             | ALF | 4/26/2020 4:11  | 4  | 0  | 4  |
| ORANGE     | SONATA WEST                                                   | ALF | 4/26/2020 15:47 | 1  | 0  | 4  |
| OSCEOLA    | AVANTE AT ST. CLOUD, INC.                                     | NH  | 4/26/2020 13:46 | 0  | 0  | 1  |
| OSCEOLA    | TERRACE OF KISSIMMEE, THE                                     | NH  | 4/26/2020 13:46 | 0  | 1  | 1  |
| OSCEOLA    | TERRACE OF ST CLOUD, THE                                      | NH  | 4/26/2020 14:00 | 6  | 3  | 1  |
| PALM BEACH | 1 AAA ASSISTED LIVING AT WELLINGTON                           | ALF | 4/25/2020 23:12 | 2  | 2  | 2  |
| PALM BEACH | ADDINGTON PLACE AT WELLINGTON GREEN                           | NH  | 4/24/2020 13:01 | 0  | 0  | 1  |
| PALM BEACH | ALLEGRO                                                       | ALF | 4/26/2020 14:16 | 0  | 0  | 1  |
| PALM BEACH | ALLURE LIVING CARE                                            | ALF | 4/26/2020 14:00 | 0  | 0  | 1  |
| PALM BEACH | ARBOR OAKS AT GREENACRES                                      | ALF | 4/25/2020 15:03 | 10 | 0  | 3  |
| PALM BEACH | AVANTE AT BOCA RATON, INC.                                    | NH  | 4/26/2020 13:50 | 0  | 2  | 3  |
| PALM BEACH | AVANTE AT LAKE WORTH, INC.                                    | NH  | 4/26/2020 13:32 | 0  | 1  | 1  |
| PALM BEACH | BARRINGTON TERRACE AT BOYNTON BEACH                           | ALF | 4/24/2020 18:37 | 0  | 0  | 2  |
| PALM BEACH | BARRINGTON TERRACE OF BOYNTON BEACH                           | NH  | 4/24/2020 18:40 | 0  | 0  | 2  |
| PALM BEACH | BOULEVARD REHABILITATION CENTER                               | NH  | 4/26/2020 14:30 | 0  | 14 | 3  |
| PALM BEACH | BOYNTON BEACH REHABILITATION CENTER                           | NH  | 4/26/2020 13:50 | 0  | 0  | 2  |
| PALM BEACH | BRIGHTON GARDENS OF BOCA RATON                                | ALF | 4/24/2020 13:09 | 0  | 1  | 1  |
| PALM BEACH | BROOKDALE WEST BOYNTON BEACH                                  | ALF | 4/24/2020 12:04 | 0  | 1  | 0  |
| PALM BEACH | CASA BELLA HOME CARE INC                                      | ALF | 4/24/2020 19:08 | 0  | 0  | 2  |
| PALM BEACH | CRESTHAVEN                                                    | ALF | 4/26/2020 14:38 | 2  | 0  | 3  |
| PALM BEACH | GLADES HEALTH CARE CENTER                                     | NH  | 4/26/2020 14:24 | 0  | 0  | 1  |
| PALM BEACH | HAMLIN PLACE OF BOYNTON BEACH                                 | NH  | 4/25/2020 17:21 | 0  | 9  | 0  |
| PALM BEACH | HARBOUR'S EDGE                                                | NH  | 4/26/2020 13:33 |    |    | 1  |
| PALM BEACH | HEALTH CENTER AT SINAI RESIDENCES                             | ALF | 4/26/2020 13:47 | 0  | 0  | 1  |
| PALM BEACH | HEARTLAND HEALTH CARE AND REHABILITATION CENTER OF BOCA RATON | NH  | 4/26/2020 13:53 | 12 | 5  | 4  |
| PALM BEACH | HEARTLAND HEALTH CARE CENTER - BOYNTON BEACH                  | NH  | 4/26/2020 14:00 | 1  | 6  | 1  |
| PALM BEACH | LAKE VIEW CARE CENTER AT DELRAY                               | NH  | 4/26/2020 15:47 | 0  | 3  | 2  |
| PALM BEACH | MANORCARE HEALTH SERVICES                                     | NH  | 4/26/2020 13:37 | 4  | 4  | 1  |
| PALM BEACH | MANORCARE HEALTH SERVICES - BOYNTON BEACH                     | NH  | 4/26/2020 13:51 | 7  | 2  | 2  |
| PALM BEACH | MEDICANA NURSING AND REHAB CENTER                             | NH  | 4/24/2020 18:16 | 2  | 11 | 9  |
| PALM BEACH | NORTH LAKE CARE CENTER                                        | NH  | 4/24/2020 14:50 | 0  | 11 | 1  |
| PALM BEACH | OAKBRIDGE TERRACE ASSISTED LIV RES - EDGEWATER AT BOCA POINTE | ALF | 4/26/2020 14:42 | 0  | 0  | 1  |
| PALM BEACH | PALM GARDEN OF WEST PALM BEACH                                | NH  | 4/26/2020 13:34 | 4  | 3  | 2  |
| PALM BEACH | PARKSIDE INN                                                  | ALF | 4/26/2020 13:01 | 0  | 1  | 0  |
| PALM BEACH | REGENTS PARK NURSING & REHABILITATION CENTER                  | NH  | 4/26/2020 10:35 | 4  | 10 | 8  |
| PALM BEACH | REHABILITATION CENTER OF THE PALM BEACHES, THE                | NH  | 4/26/2020 14:02 | 0  | 6  | 0  |
| PALM BEACH | RENAISSANCE HEALTH AND REHABILITATION                         | NH  | 4/26/2020 13:02 | 0  | 12 | 2  |
| PALM BEACH | ROYAL PALM BEACH HEALTH AND REHABILITATION CENTER             | NH  | 4/26/2020 14:14 | 0  | 0  | 1  |
| PALM BEACH | SONATA BOCA RATON                                             | ALF | 4/26/2020 14:04 | 4  | 0  | 0  |
| PALM BEACH | SONATA BOYNTON BEACH                                          | ALF | 4/26/2020 13:07 | 0  | 0  | 1  |

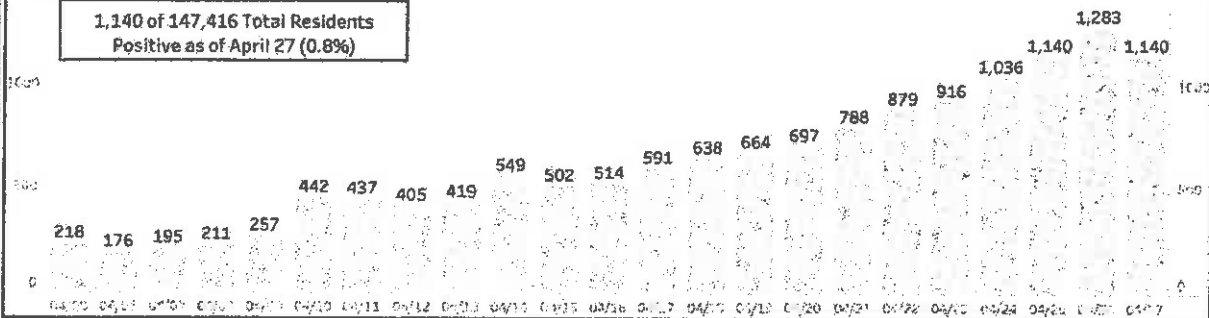
|            |                                                             |     |                 |    |    |    |
|------------|-------------------------------------------------------------|-----|-----------------|----|----|----|
| PALM BEACH | SONATA DELRAY BEACH                                         | ALF | 4/26/2020 11:30 | 0  | 1  | 0  |
| PALM BEACH | STRATFORD COURT OF BOCA RATON                               | NH  | 4/26/2020 14:15 | 4  | 6  | 3  |
| PALM BEACH | SYMPHONY AT DELRAY BEACH                                    | ALF | 4/26/2020 13:07 | 0  | 1  | 0  |
| PALM BEACH | TERRACES OF LAKE WORTH CARE CENTER                          | NH  | 4/24/2020 17:29 | 0  | 4  | 2  |
| PALM BEACH | THE LANDING OF LAKE WORTH                                   | ALF | 4/26/2020 14:02 | 0  | 0  | 1  |
| PALM BEACH | THE MERIDIAN AT BOCA RATON                                  | ALF | 4/24/2020 16:47 | 0  | 1  | 3  |
| PALM BEACH | VENTURA HEALTH AND REHABILITATION CENTER                    | NH  | 4/26/2020 13:07 | 0  | 2  | 1  |
| PALM BEACH | WILLOWBROOKE COURT AT ST ANDREWS ESTATES                    | NH  | 4/26/2020 13:17 | 4  | 2  | 1  |
| PALM BEACH | WILLOWBROOKE COURT SKILLED CARE CENTER- EDGEWATER AT BOCA   | NH  | 4/26/2020 14:47 | 1  | 0  | 1  |
| PALM BEACH | WOOD LAKE HEALTH AND REHABILITATION CENTER                  | NH  | 4/24/2020 15:08 | 0  | 0  | 1  |
| PASCO      | ROYAL OAK NURSING CENTER                                    | NH  | 4/26/2020 13:36 | 3  | 4  | 2  |
| PINELLAS   | BAY TREE CENTER                                             | NH  | 4/26/2020 10:13 | 0  | 1  | 0  |
| PINELLAS   | CARRINGTON PLACE OF ST PETE                                 | NH  | 4/24/2020 14:27 | 10 | 0  | 0  |
| PINELLAS   | CONSULATE HEALTH CARE OF ST PETERSBURG                      | NH  | 4/26/2020 13:09 | 0  | 0  | 1  |
| PINELLAS   | FREEDOM SQUARE REHABILITATION & NURSING SERVICES            | NH  | 4/25/2020 21:30 | 0  | 10 | 3  |
| PINELLAS   | HIGHLAND PINES REHABILITATION CENTER                        | NH  | 4/26/2020 14:37 | 0  | 0  | 1  |
| PINELLAS   | INN AT FREEDOM SQUARE (THE)                                 | ALF | 4/26/2020 12:37 | 0  | 1  | 0  |
| PINELLAS   | INN AT LAKE SEMINOLE SQUARE (THE)                           | ALF | 4/26/2020 14:10 | 0  | 3  | 0  |
| PINELLAS   | LAKESIDE OAKS CARE CENTER                                   | NH  | 4/26/2020 13:24 | 0  | 0  | 1  |
| PINELLAS   | MANORCARE HEALTH SERVICES DUNEDIN                           | NH  | 4/24/2020 13:29 | 0  | 0  | 1  |
| PINELLAS   | MASONIC HOME OF FLORIDA                                     | ALF | 4/24/2020 14:44 | 0  | 0  | 1  |
| PINELLAS   | MASONIC HOME OF FLORIDA                                     | NH  | 4/24/2020 14:45 | 0  | 0  | 1  |
| PINELLAS   | MORTON PLANT REHABILITATION CENTER                          | NH  | 4/26/2020 13:36 |    |    | 1  |
| PINELLAS   | PALM GARDEN OF LARGO                                        | NH  | 4/26/2020 13:51 | 0  | 1  | 2  |
| PINELLAS   | PALM GARDEN OF PINELLAS                                     | NH  | 4/26/2020 17:46 | 1  | 0  | 0  |
| PINELLAS   | PATRICK MANOR INC                                           | ALF | 4/26/2020 12:49 | 0  | 2  | 0  |
| PINELLAS   | PINELLAS POINT NURSING AND REHAB CENTER                     | NH  | 4/23/2020 18:53 | 4  | 3  | 3  |
| PINELLAS   | REGAL PALMS                                                 | ALF | 4/17/2020 14:41 | 0  | 0  | 1  |
| PINELLAS   | SEMINOLE PAVILION REHABILITATION & NURSING SERVICES         | NH  | 4/26/2020 17:50 | 0  | 42 | 31 |
| PINELLAS   | SOUTH HERITAGE HEALTH & REHABILITATION CENTER               | NH  | 4/26/2020 13:30 | 0  | 0  | 1  |
| PINELLAS   | ST. MARK VILLAGE                                            | NH  | 4/26/2020 14:05 | 0  | 23 | 10 |
| PINELLAS   | TIERRA PINES CENTER                                         | NH  | 4/24/2020 14:34 | 0  | 0  | 1  |
| POLK       | BRANDYWYNE HEALTH CARE CENTER                               | NH  | 4/26/2020 15:18 | 1  | 1  | 0  |
| POLK       | CONSULATE HEALTH CARE OF LAKE LAND                          | NH  | 4/26/2020 16:25 | 1  | 1  | 0  |
| POLK       | HIGHLANDS LAKE CENTER                                       | NH  | 4/24/2020 21:09 | 0  | 44 | 10 |
| POLK       | LAKELAND HILLS CENTER                                       | NH  | 4/24/2020 14:08 | 0  | 1  | 0  |
| POLK       | MERRILL GARDENS AT CHAMPIONSGATE                            | ALF | 4/26/2020 15:47 | 0  | 0  | 2  |
| POLK       | SAVANNAH COURT OF BARTOW                                    | ALF | 4/25/2020 13:54 | 6  | 0  | 4  |
| POLK       | SPRING HAVEN RETIREMENT COMMUNITY                           | ALF | 4/26/2020 15:52 | 0  | 0  | 1  |
| SANTA ROSA | ARBORS OF GULF BREEZE                                       | ALF | 4/25/2020 21:08 | 6  | 0  | 0  |
| SARASOTA   | ARDEN COURTS OF SARASOTA                                    | ALF | 4/26/2020 13:30 | 0  | 0  | 1  |
| SARASOTA   | BAY BREEZE HEALTH AND REHABILITATION CENTER                 | NH  | 4/25/2020 21:47 | 0  | 0  | 2  |
| SARASOTA   | BENEVA LAKES HEALTHCARE AND REHABILITATION CENTER           | NH  | 4/24/2020 14:22 | 0  | 0  | 2  |
| SARASOTA   | BROOKDALE DEER CREEK SARASOTA                               | ALF | 4/26/2020 12:29 | 11 | 0  | 1  |
| SARASOTA   | CONSULATE HEALTH CARE OF SARASOTA                           | NH  | 4/26/2020 13:46 | 0  | 1  | 0  |
| SARASOTA   | CROSSBREEZE CARE CENTER                                     | NH  | 4/26/2020 14:00 | 0  | 6  | 0  |
| SARASOTA   | GLENRIDGE ON PALMER RANCH INC.                              | NH  | 4/26/2020 14:30 | 0  | 0  | 1  |
| SARASOTA   | MAGNOLIA ACRES                                              | ALF | 4/26/2020 14:29 | 1  | 0  | 0  |
| SARASOTA   | MAGNOLIA HEALTH AND REHABILITATION CENTER                   | NH  | 4/25/2020 14:17 | 1  | 1  | 0  |
| SARASOTA   | PINES OF SARASOTA                                           | NH  | 4/24/2020 15:41 | 2  | 2  | 1  |
| SARASOTA   | PLYMOUTH HARBOR INCORPORATED                                | NH  | 4/26/2020 16:03 | 1  | 0  | 6  |
| SARASOTA   | SARASOTA POINT REHABILITATION CENTER                        | NH  | 4/26/2020 13:39 | 6  | 7  | 9  |
| SARASOTA   | SPRINGS AT LAKE POINTE WOODS                                | NH  | 4/26/2020 11:54 | 0  | 6  | 0  |
| SARASOTA   | SUNNYSIDE NURSING HOME                                      | NH  | 4/26/2020 17:37 | 1  | 0  | 0  |
| SEMINOLE   | ADVENTHEALTH CARE CENTER APOKA SOUTH                        | NH  | 4/26/2020 13:23 | 0  | 0  | 1  |
| SEMINOLE   | BROOKDALE LAKE ORIENTA                                      | ALF | 4/25/2020 22:06 | 0  | 1  | 0  |
| SEMINOLE   | CONSULATE HEALTH CARE AT WEST ALTAMONTE                     | NH  | 4/26/2020 13:33 | 12 | 2  | 6  |
| SEMINOLE   | FAITH HOUSE ASSISTED LIVING FACILITY                        | ALF | 4/25/2020 14:57 | 0  | 0  | 1  |
| SEMINOLE   | GRACIOUS AGE                                                | ALF | 4/26/2020 18:04 | 0  | 0  | 1  |
| SEMINOLE   | SERENADES BY SONATA                                         | ALF | 4/26/2020 13:28 | 6  | 0  | 2  |
| ST. LUCIE  | EMERALD HEALTH CARE CENTER                                  | NH  | 4/26/2020 17:15 | 0  | 0  | 1  |
| ST. LUCIE  | THE BROADMOOR ALF                                           | ALF | 4/26/2020 17:18 | 6  | 9  | 5  |
| ST. LUCIE  | WATERCREST OF ST LUCIE WEST ASSISTED LIVING AND MEMORY CARE | ALF | 4/26/2020 14:13 | 0  | 0  | 1  |
| SUMTER     | BUFFALO CROSSING HEALTHCARE AND REHABILITATION CENTER       | NH  | 4/25/2020 19:59 | 0  | 1  | 1  |
| SUMTER     | OSPNEY POINT NURSING CENTER                                 | NH  | 4/24/2020 16:26 | 1  | 1  | 0  |

|          |                                               |     |                 |    |    |    |
|----------|-----------------------------------------------|-----|-----------------|----|----|----|
| SUMTER   | SERENADES IN THE VILLAGES                     | ALF | 4/26/2020 13:18 | 0  | 0  | 3  |
| SUWANNEE | DACIER MANOR                                  | ALF | 4/26/2020 14:09 | 0  | 0  | 1  |
| SUWANNEE | GOOD SAMARITAN CENTER                         | NH  | 4/26/2020 14:02 | 0  | 0  | 1  |
| SUWANNEE | SUWANNEE HEALTH AND REHABILITATION CENTER     | NH  | 4/26/2020 19:39 | 27 | 22 | 45 |
| VOLUSIA  | AVANTE AT ORMOND BEACH, INC                   | NH  | 4/26/2020 12:38 | 0  | 0  | 2  |
| VOLUSIA  | CARING HEARTS ASSISTED LIVING                 | ALF | 4/26/2020 16:34 | 0  | 0  | 3  |
| VOLUSIA  | COQUINA CENTER                                | NH  | 4/26/2020 12:44 | 15 | 29 | 9  |
| VOLUSIA  | DEBARY HEALTH AND REHABILITATION CENTER       | NH  | 4/24/2020 16:13 | 0  | 0  | 1  |
| VOLUSIA  | DELTONA HEALTH CARE                           | NH  | 4/26/2020 12:51 | 0  | 2  | 0  |
| VOLUSIA  | GRAND VILLA OF ORMOND BEACH                   | ALF | 4/26/2020 13:41 | 0  | 0  | 1  |
| VOLUSIA  | MAJESTIC OAKS                                 | NH  | 4/26/2020 12:44 | 0  | 0  | 1  |
| VOLUSIA  | PARKSIDE HEALTH AND REHABILITATION CENTER     | NH  | 4/26/2020 13:49 | 2  | 0  | 0  |
| VOLUSIA  | PORT ORANGE NURSING AND REHAB CENTER          | NH  | 4/26/2020 14:15 | 0  | 0  | 1  |
| WAKULLA  | EDEN SPRINGS NURSING AND REHAB CENTER         | NH  | 4/26/2020 13:23 | 0  | 0  | 1  |
| WALTON   | CHAUTAUQUA REHABILITATION AND NURSING CENTER  | NH  | 4/26/2020 14:27 | 0  | 0  | 4  |
| DUVAL    | WOODLAND GROVE HEALTH & REHABILITATION CENTER | NH  | 4/26/2020 13:51 | 0  | 0  | 1  |

## COVID in LTC (SNF and ALF) STATEWIDE

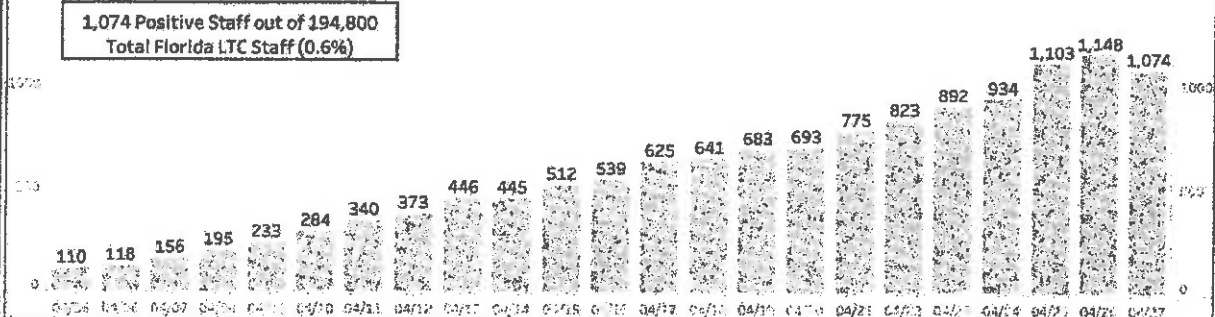
### Current COVID Positive Residents

1,140 of 147,416 Total Residents  
Positive as of April 27 (0.8%)



### Current COVID Positive Staff

1,074 Positive Staff out of 194,800  
Total Florida LTC Staff (0.6%)



Data from AHCA ESS (Emergency Status System)



# EXHIBIT 5

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 20-51

(Establishes COVID-19 Response Protocol and Directs Public Health Emergency)

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

**WHEREAS**, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern; and

**WHEREAS**, in response to the recent COVID-19 outbreak in China, Iran, Italy and South Korea, the Centers for Disease Control and Prevention ("CDC") has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

**WHEREAS**, in response to the recent COVID-19 outbreak in Japan, the CDC has advised older travelers and those with chronic medical conditions to avoid nonessential travel and all travelers to exercise enhanced precautions; and

**WHEREAS**, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, use of alcohol-based hand sanitizers with 60%-95%

alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

**WHEREAS**, two individuals in the State of Florida tested presumptively positive for COVID-19, including a resident of Manatee County and a resident of Hillsborough County; and

**WHEREAS**, the CDC currently recommends mitigation measures in communities with COVID-19 cases, including staying at home when sick, keeping away from others who are sick and staying at home when a household member is sick with respiratory disease symptoms or if instructed to do so by public health officials or a health care provider; and

**WHEREAS**, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled and that residents and visitors in Florida remain safe and secure;

**NOW, THEREFORE, I, RON DESANTIS**, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Because of the foregoing conditions, I direct the State Health Officer and Surgeon General, Dr. Scott Rivkees, to declare a public health emergency in the State of Florida, pursuant to his authority in section 381.00315, Florida Statutes. The State Health Officer is authorized and directed to use his judgment as to the duration of this public health emergency.

Section 2. In accordance with section 381.0011(7), Florida Statutes, I direct the State Health Officer to take any action necessary to protect the public health.

Section 3. I direct the State Health Officer to follow the guidelines established by the CDC in establishing protocols to control the spread of COVID-19 and educate the public on prevention.

Section 4. In accordance with section 381.0011(7), Florida Statutes, I designate the Florida Department of Health as the lead state agency to coordinate emergency response activities among the various state agencies and local governments. The State Health Officer, or his designee, shall advise the Executive Office of the Governor on the implementation of these emergency response activities.

Section 5. All actions taken by the State Health Officer with respect to this emergency before the issuance of this Executive Order are ratified.

Section 6. The Florida Department of Health will actively monitor, at a minimum, all persons meeting the definition of a Person Under Investigation (“PUI”) as defined by the CDC for COVID-19 for a period of at least 14 days or until the PUI tests negative for COVID-19. Active monitoring by the Florida Department of Health will include at least the following:

- A. Risk assessment within 24 hours of learning an individual meets the criteria for a PUI.
- B. Twice-daily temperature checks.

Section 7. The Florida Department of Health, pursuant to its authority in section 381.00315, Florida Statutes, will ensure that all individuals meeting the CDC’s definition of a PUI are isolated or quarantined for a period of 14 days or until the person tests negative for COVID-19.

Section 8. I hereby direct the Florida Department of Health to make its own determinations as to quarantine, isolation and other necessary public health interventions as permitted under Florida law.

Section 9. I direct all agencies under the direction of the Governor to fully cooperate with the Florida Department of Health, and any representative thereof in furtherance of this Order.

Agencies not under the direction of the Governor are requested to provide such assistance as is required.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 1st day of March, 2020.

  
RON DESANTIS, GOVERNOR

ATTEST:

  
SECRETARY OF STATE

17721000-1 141531

# EXHIBIT 6

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 20-52

(Emergency Management - COVID-19 Public Health Emergency)

**WHEREAS**, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

**WHEREAS**, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

**WHEREAS**, the World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and

**WHEREAS**, in response to the recent COVID-19 outbreak in China, Iran, Italy, Japan and South Korea, the Centers for Disease Control and Prevention ("CDC") has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

**WHEREAS**, on March 1, 2020, I issued Executive Order number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

**WHEREAS**, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

**WHEREAS**, on March 7, 2020, I directed the Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

**WHEREAS**, as of March 9, 2020, eight counties in Florida have positive cases for COVID-19, and COVID-19 poses a risk to the entire state of Florida; and



**WHEREAS**, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

**WHEREAS**, the CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

**WHEREAS**, as Governor, I am responsible for meeting the dangers presented to this state and its people by this emergency.

**NOW, THEREFORE, I, RON DESANTIS**, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Because of the foregoing conditions, I declare a state of emergency exists in the State of Florida.

Section 2. I designate the Director of the Division of Emergency Management ("Director") as the State Coordinating Officer for the duration of this emergency and direct him to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Additionally, I designate the State Health Officer and Surgeon General as a Deputy State Coordinating Officer and State Incident Commander.

Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.

B. Designate additional Deputy State Coordinating Officers, as necessary.

C. Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency.

D. Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer; however, no such order shall remain in effect beyond the expiration of this Executive Order, to include any extension.

Section 3. I order the Adjutant General to activate the Florida National Guard, as needed, to deal with this emergency.

Section 4. I find that the special duties and responsibilities resting upon some State, regional, and local agencies and other governmental bodies in responding to the emergency may require them to suspend the application of the statutes, rules, ordinances, and orders they administer. Therefore, I issue the following authorizations:

A. Pursuant to section 252.36(1)(a), Florida Statutes, the Executive Office of the Governor may suspend all statutes and rules affecting budgeting to the extent necessary to provide budget authority for state agencies to cope with this emergency. The requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such suspension issued by the Executive Office of the Governor; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extension.

B. Each State agency may suspend the provisions 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 provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. This includes, but is not limited to, the authority to suspend any and all statutes, rules, ordinances, or orders which affect leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees. For the purposes of this Executive Order, "necessary action in coping with the emergency" means any emergency mitigation, response, or recovery action: (1) prescribed in the State Comprehensive Emergency Management Plan ("CEMP"); or (2) ordered by the State Coordinating Officer. The requirements of sections 252.46 and 120.54, Florida Statutes, shall not apply to any such suspension issued by a State agency; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extensions.

C. In accordance with section 465.0275, Florida Statutes, pharmacists may dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state and local agency but who do not reside in an area or county covered by this Executive Order.

D. In accordance with section 252.38, Florida Statutes, each political subdivision within the State of Florida may waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

- 1) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;

- 2) Entering into contracts; however, political subdivisions are cautioned against entering into time and materials contracts without ceiling as defined by 2 CFR 200.318(j) or cost plus percentage contracts as defined by 2 CFR 200.323(d);

- 3) Incurring obligations;

- 4) Employment of permanent and temporary workers;

- 5) Utilization of volunteer workers;

- 6) Rental of equipment;

- 7) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and,

- 8) Appropriation and expenditure of public funds.

E. All State agencies responsible for the use of State buildings and facilities may close such buildings and facilities in those portions of the State affected by this emergency, to the extent necessary to meet this emergency. I direct each State agency to report the closure of any State

building or facility to the Secretary of the Department of Management Services. Under the authority contained in section 252.36, Florida Statutes, I direct each County to report the closure of any building or facility operated or maintained by the County or any political subdivision therein to the Secretary of the Department of Management Services. Furthermore, I direct the Secretary of the Department of Management Services to:

- 1) Maintain an accurate and up-to-date list of all such closures; and,
- 2) Provide that list daily to the State Coordinating Officer.

Section 5. I find that the demands placed upon the funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and the funds currently available may be inadequate to pay the costs of coping with this emergency. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

Section 6. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 7. Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

Section 8. All activities taken by the Director of the Division of Emergency Management and the State Health Officer and Surgeon General with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire sixty days from this date unless extended.



ATTEST:

*Laurel M. Lee*  
SECRETARY OF STATE

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 9th day of March, 2020.

*[Signature]*  
RON DESANTIS, GOVERNOR

2020 MAR 9 PM 5:52

# EXHIBIT 7



**STATE OF FLORIDA  
DIVISION OF EMERGENCY MANAGEMENT**

IN RE: SUSPENSION OF STATUTES,  
RULES, AND ORDERS, PURSUANT  
TO EXECUTIVE ORDER NUMBER  
20-52, MADE NECESSARY BY THE  
COVID-19 PUBLIC HEALTH  
EMERGENCY

DEM ORDER NO. 20-002

**EMERGENCY ORDER**

WHEREAS, the Governor of the State of Florida issued Executive Order No. 20-52 in response to the COVID-19 Public Health Emergency which poses a severe threat to the entire State of Florida and requires that timely precautions are taken to protect the communities, critical infrastructure, and general welfare of this State; and,

WHEREAS, the Governor has designated the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and has delegated to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes; and,

NOW THEREFORE, I hereby find that the Division of Emergency Management's timely performance of disaster response functions related to COVID-19 Public Health Emergency is hindered by the application of procedures imposed by statute, rule, and/or order.

Therefore, pursuant to Section 2 of Executive Order No. 20-52, I hereby issue the following authorization(s):

I. Suspend sections 393.13(4), 400.022(1)(b), 429.28(1)(d), 429.85(1)(d) Florida Statutes, for the particular purpose of prohibiting certain individuals from visiting facilities. For purposes of this order, a facility includes nursing homes, assisted living

facilities, adult family-care homes, long-term care facilities, and adult group homes. The order applies as follows:

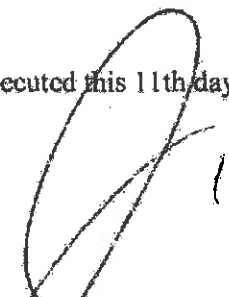
- a. Any person infected with COVID-19 who has not had two consecutive negative test results separated by 24 hours is prohibited from visiting a facility; or
- b. Any person showing or presenting signs or symptoms of a respiratory infection, including cough, fever, shortness of breath or sore throat is prohibited from visiting a facility; or
- c. Any person who has or may have been in close contact with a person(s) infected with COVID-19 who has not tested negative for COVID-19 is prohibited from visiting a facility until 14 days after their interaction with the person(s) who is infected with COVID-19; or
- d. Any person who traveled internationally is prohibited from visiting a facility until 14 days after their return to the United States; or
- e. Any person who traveled on a cruise ship is prohibited from visiting a facility until 14 days after their return to the United States; or
- f. Any person who has been in a community with confirmed community spread of COVID-19, as identified by the Centers for Disease Control and Prevention or a state public health agency, is prohibited from visiting a facility within 14 days of their presence in the community with community spread; or
- g. Any person who resides in a community with confirmed community spread of COVID-19, as identified by the Centers for Disease Control and

Prevention or a state public health agency, is prohibited from visiting a facility.

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 Executive Order No. 20-52 designates the Director of the Division of Emergency Management as the State Coordinating Officer for this emergency, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order.

The effective dates of this Order shall correspond with the effective dates of Executive Order No. 20-52.

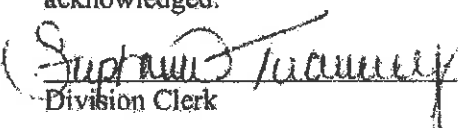
By Order of the State Coordinating Officer executed this 11th day of March, 2020, in Tallahassee, Leon County, Florida.



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Jared Moskowitz  
State Coordinating Officer  
Florida Division of Emergency Management  
2555 Shumard Oak Blvd.  
Tallahassee, Florida 32399

Filed on this date, with  
the designated Division Clerk,  
receipt of which is hereby  
acknowledged.



---

Division Clerk

Date: 3/11/20

# EXHIBIT 8

**STATE OF FLORIDA  
DIVISION OF EMERGENCY MANAGEMENT**

IN RE: SUSPENSION OF STATUTES,  
RULES, AND ORDERS, PURSUANT  
TO EXECUTIVE ORDER NUMBER  
20-52, MADE NECESSARY BY THE  
COVID-19 PUBLIC HEALTH  
EMERGENCY

DEM ORDER NO. 20-006

**EMERGENCY ORDER**

WHEREAS, the Governor of the State of Florida issued Executive Order No. 20-52 in response to the COVID-19 Public Health Emergency, which poses a severe threat to the entire State of Florida and requires that timely precautions are taken to protect the communities, critical infrastructure, and general welfare of this State; and,

WHEREAS, the Governor has designated the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and has delegated to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes; and,

WHEREAS, on March 14, 2020, Governor DeSantis directed me, as the State Coordinating Officer, under the powers afforded by Executive Order No. 20-52, to prohibit visitation to certain facilities for thirty days from the date of this order in the State of Florida.

NOW, THEREFORE, I, JARED MOSKOWITZ hereby find that the Division of Emergency Management's timely performance of disaster response functions related to COVID-19 Public Health Emergency is hindered by the application of procedures imposed by statute, rule, and/or order. Therefore, pursuant to Section 2 of Executive Order No. 20-52, I hereby suspend sections 393.13(4), 394.459(5)(c), 400.022(1)(b), 429.28(1)(d),

429.85(1)(d), and 916.107(5) Florida Statutes, for the particular purpose of prohibiting all individuals from visiting facilities within the State of Florida. For purposes of this order, a facility includes: Group Home Facilities under chapter 393, Florida Statutes; Developmental Disabilities Centers under chapter 393; Nursing Homes as provided under chapter 400; homes for Special Services as provided under chapter 400; Long-Term Care Hospitals, as provided under chapter 395, part I; Transitional Living Facilities, as provided under chapter 400; Intermediate Care Facilities for the Developmentally Disabled, as provided under chapter 400; Assisted Living Facilities, as provided under chapter 429; Adult Mental Health and Treatment Facilities under chapter 394; Adult Forensic Facilities under chapter 916; Civil Facilities under chapter 916; and Adult Family-Care Homes, as provided under chapter 429, Florida Statutes. The order applies as follows:

1. Every facility must prohibit the entry of any individual, to the facility except in the following circumstances:

- a. Family members, friends, and visiting residents in end-of-life situations;
- b. Hospice or palliative care workers caring for residents in end-of-life situations;
- c. Any individuals providing necessary health care to a resident;
- d. Facility staff;
- e. Facility residents;
- f. Attorneys of Record for a resident in an Adult Mental Health and Treatment Facility for court related matters if virtual or telephonic means are unavailable; or
- g. Representatives of the federal or state government seeking entry as part of their official duties, including, but not limited to, Long-Term Care Ombudsman program, representatives of the Department of Children and Families, the Department of Health, the Department of Elderly Affairs, the Agency for Health Care Administration, the Agency for Persons with

Disabilities, a protection and advocacy organization under 42 U.S.C. §15041, the Office of the Attorney General, any law enforcement officer, and any emergency medical personnel.

2. Individuals seeking entry to the facility under the above section 1 will not be allowed to enter if they meet any of the screening criteria listed below:

- a. Any person infected with COVID-19 who has not had two consecutive negative test results separated by 24 hours;
- b. Any person showing, presenting signs or symptoms of, or disclosing the presence of a respiratory infection, including cough, fever, shortness of breath or sore throat;
- c. Any person who has been in contact with any person(s) known to be infected with COVID-19, who has not yet tested negative for COVID-19 within the past 14 days;
- d. Any person who traveled through any airport within the past 14 days; or
- e. Any person who traveled on a cruise ship within the past 14 days.

4. Residents must be discouraged from leaving the facility.

5. The following documentation must be kept for visitation within a facility:

- a. Individuals entering a facility subject to the screening criteria above may be screened using a standardized questionnaire or other form of documentation.
- b. The facility is required to maintain documentation of all non-resident individuals entering the facility. Documentation must include:
  - 1. Name of the individual;
  - 2. Date and time of entry; and
  - 3. The documentation used by the facility to screen the individual showing the individual did not meet any of the enumerated screening criteria, including the screening employee's printed name and signature.

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



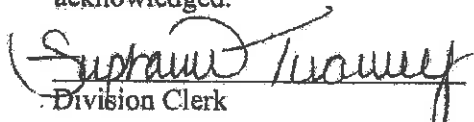
business", and because Executive Order No. 20-52 designates the Director of the Division of Emergency Management as the State Coordinating Officer for this emergency, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order.

The effective dates of this Order shall correspond with the effective dates of Executive Order No. 20-52.

By Order of the State Coordinating Officer executed this 15th day of March, 2020,  
in Tallahassee, Leon County, Florida.

Jared Moskowitz  
State Coordinating Officer  
Florida Division of Emergency Management  
2555 Shumard Oak Blvd.  
Tallahassee, Florida 32399

Filed on this date, with  
the designated Division Clerk,  
receipt of which is hereby  
acknowledged.

  
Division Clerk  
Date: 3/15/20

# COMPOSITE EXHIBIT 9

## Coronavirus: characteristics of 27,127 Florida resident cases

Data verified as of Apr 21, 2020 at 5 PM

Data in this report are provisional and subject to change.

2,153 cases in residents or staff of long-term care facilities:

| County       | Cases | %   | Deaths | County       | Cases | %  | Deaths | County       | Cases        | %  | Deaths     |
|--------------|-------|-----|--------|--------------|-------|----|--------|--------------|--------------|----|------------|
| Dade         | 444   | 21% | 46     | Orange       | 22    | 1% | 2      | Hamilton     | 2            | 0% | 0          |
| Broward      | 241   | 11% | 31     | Jefferson    | 19    | 1% | 1      | Hernando     | 2            | 0% | 0          |
| Palm Beach   | 164   | 8%  | 27     | Gadsden      | 17    | 1% | 0      | Levy         | 2            | 0% | 0          |
| Manatee      | 132   | 6%  | 14     | Brevard      | 14    | 1% | 1      | St. Johns    | 2            | 0% | 0          |
| Pinellas     | 128   | 6%  | 5      | Baker        | 12    | 1% | 3      | Walton       | 2            | 0% | 0          |
| Clay         | 117   | 5%  | 6      | Pasco        | 12    | 1% | 0      | Citrus       | 1            | 0% | 0          |
| Suwannee     | 89    | 4%  | 9      | Hendry       | 10    | 0% | 1      | Dixie        | 1            | 0% | 0          |
| Escambia     | 86    | 4%  | 7      | Madison      | 10    | 0% | 2      | Highlands    | 1            | 0% | 0          |
| Leon         | 68    | 3%  | 1      | Martin       | 10    | 0% | 1      | Holmes       | 1            | 0% | 0          |
| Duval        | 58    | 3%  | 9      | Santa Rosa   | 10    | 0% | 0      | Lafayette    | 1            | 0% | 0          |
| Polk         | 56    | 3%  | 7      | Putnam       | 9     | 0% | 0      | Okeechobee   | 1            | 0% | 0          |
| Charlotte    | 46    | 2%  | 4      | Columbia     | 7     | 0% | 0      | Taylor       | 1            | 0% | 0          |
| Sarasota     | 46    | 2%  | 13     | Indian River | 7     | 0% | 3      | <b>Total</b> | <b>2,153</b> |    | <b>222</b> |
| Volusia      | 46    | 2%  | 6      | Sumter       | 6     | 0% | 0      |              |              |    |            |
| Lee          | 35    | 2%  | 9      | Marion       | 5     | 0% | 0      |              |              |    |            |
| Collier      | 32    | 1%  | 4      | Osceola      | 5     | 0% | 0      |              |              |    |            |
| Bradford     | 28    | 1%  | 2      | Lake         | 4     | 0% | 0      |              |              |    |            |
| Seminole     | 28    | 1%  | 1      | Wakulla      | 4     | 0% | 0      |              |              |    |            |
| Hillsborough | 27    | 1%  | 1      | Nassau       | 3     | 0% | 0      |              |              |    |            |
| St. Lucie    | 26    | 1%  | 5      | Bay          | 2     | 0% | 0      |              |              |    |            |
| Ocala        | 25    | 1%  | 2      | Desoto       | 2     | 0% | 0      |              |              |    |            |
| Alachua      | 22    | 1%  | 0      | Flagler      | 2     | 0% | 0      |              |              |    |            |

Note: cases are summarized by the county of usual residence. Residents and staff may be cases associated with facilities that are not in their county of usual residence. resorting in cases being included below for counties that do not have facilities with known cases.

## Coronavirus: characteristics of 27,791 Florida resident cases

Data verified as of Apr 22, 2020 at 5 PM

Data in this report are provisional and subject to change.

2,333 cases in residents or staff of long-term care facilities:

| County       | Cases | Deaths | County | Cases        | Deaths | County | Cases | Deaths       |              |    |            |
|--------------|-------|--------|--------|--------------|--------|--------|-------|--------------|--------------|----|------------|
| Dade         | 476   | 20%    | 55     | Orange       | 24     | 1%     | 2     | Hamilton     | 2            | 0% | 0          |
| Broward      | 263   | 11%    | 38     | Jefferson    | 19     | 1%     | 1     | Hernando     | 2            | 0% | 0          |
| Palm Beach   | 171   | 7%     | 28     | Madison      | 18     | 1%     | 2     | Levy         | 2            | 0% | 0          |
| Manatee      | 143   | 6%     | 14     | Gadsden      | 16     | 1%     | 0     | St. Johns    | 2            | 0% | 0          |
| Escambia     | 138   | 6%     | 7      | Pasco        | 16     | 1%     | 0     | Walton       | 2            | 0% | 0          |
| Pinellas     | 137   | 6%     | 7      | Brevard      | 14     | 1%     | 1     | Citrus       | 1            | 0% | 0          |
| Clay         | 122   | 5%     | 7      | Hendry       | 14     | 1%     | 1     | Dixie        | 1            | 0% | 0          |
| Suwannee     | 90    | 4%     | 9      | Baker        | 12     | 1%     | 3     | Highlands    | 1            | 0% | 0          |
| Leon         | 66    | 3%     | 1      | Martin       | 11     | 0%     | 1     | Holmes       | 1            | 0% | 0          |
| Polk         | 60    | 3%     | 8      | Santa Rosa   | 10     | 0%     | 0     | Lafayette    | 1            | 0% | 0          |
| Duval        | 59    | 3%     | 9      | Putnam       | 9      | 0%     | 0     | Okeechobee   | 1            | 0% | 0          |
| Sarasota     | 48    | 2%     | 14     | Indian River | 7      | 0%     | 4     | Taylor       | 1            | 0% | 0          |
| Lee          | 47    | 2%     | 10     | Marion       | 6      | 0%     | 0     | <b>Total</b> | <b>2,333</b> |    | <b>248</b> |
| Volusia      | 47    | 2%     | 6      | Osceola      | 5      | 0%     | 0     |              |              |    |            |
| Charlotte    | 44    | 2%     | 3      | Sumter       | 5      | 0%     | 0     |              |              |    |            |
| Collier      | 34    | 1%     | 4      | Wakulla      | 5      | 0%     | 0     |              |              |    |            |
| St. Lucie    | 30    | 1%     | 5      | Columbia     | 4      | 0%     | 0     |              |              |    |            |
| Bradford     | 28    | 1%     | 2      | Lake         | 4      | 0%     | 0     |              |              |    |            |
| Hillsborough | 28    | 1%     | 2      | Flagler      | 3      | 0%     | 0     |              |              |    |            |
| Seminole     | 28    | 1%     | 2      | Nassau       | 3      | 0%     | 0     |              |              |    |            |
| Okaloosa     | 25    | 1%     | 2      | Bay          | 2      | 0%     | 0     |              |              |    |            |
| Alachua      | 24    | 1%     | 0      | Desoto       | 2      | 0%     | 0     |              |              |    |            |

Note: cases are summarized by the county of usual residence. Residents and staff may be cases associated with facilities that are not in their county of usual residence, resulting in cases being included below for counties that do not have facilities with known cases.

## Coronavirus: characteristics of 28,843 Florida resident cases

Data verified as of Apr 23, 2020 at 5 PM

Data in this report are provisional and subject to change.

2,481 cases in residents or staff of long-term care facilities:

| County       | Cases | Deaths | County | Cases        | Deaths | County | Cases | Deaths     |       |    |     |
|--------------|-------|--------|--------|--------------|--------|--------|-------|------------|-------|----|-----|
| Dade         | 526   | 21%    | 61     | Orange       | 24     | 1%     | 2     | DeSoto     | 2     | 0% | 0   |
| Broward      | 281   | 11%    | 41     | Madison      | 22     | 1%     | 2     | Hamilton   | 2     | 0% | 0   |
| Palm Beach   | 178   | 7%     | 32     | Jefferson    | 19     | 1%     | 1     | Hernando   | 2     | 0% | 0   |
| Manatee      | 163   | 7%     | 17     | Gadsden      | 18     | 1%     | 0     | Levy       | 2     | 0% | 0   |
| Pinellas     | 146   | 6%     | 9      | Pasco        | 17     | 1%     | 0     | St. Johns  | 2     | 0% | 0   |
| Escambia     | 143   | 6%     | 7      | Brevard      | 15     | 1%     | 1     | Citrus     | 1     | 0% | 0   |
| Clay         | 123   | 5%     | 7      | Hendry       | 14     | 1%     | 2     | Dixie      | 1     | 0% | 0   |
| Suwannee     | 91    | 4%     | 9      | Baker        | 12     | 0%     | 3     | Highlands  | 1     | 0% | 0   |
| Leon         | 66    | 3%     | 1      | Martin       | 11     | 0%     | 2     | Holmes     | 1     | 0% | 0   |
| Polk         | 61    | 2%     | 8      | Osceola      | 10     | 0%     | 0     | Lafayette  | 1     | 0% | 0   |
| Duval        | 59    | 2%     | 9      | Santa Rosa   | 10     | 0%     | 0     | Okeechobee | 1     | 0% | 0   |
| Lee          | 56    | 2%     | 10     | Putnam       | 9      | 0%     | 0     | Taylor     | 1     | 0% | 0   |
| Sarasota     | 53    | 2%     | 14     | Indian River | 7      | 0%     | 4     | Total      | 2,481 |    | 271 |
| Volusia      | 48    | 2%     | 7      | Marion       | 5      | 0%     | 0     |            |       |    |     |
| Charlotte    | 44    | 2%     | 4      | Nassau       | 5      | 0%     | 0     |            |       |    |     |
| Collier      | 31    | 1%     | 5      | Sumter       | 5      | 0%     | 0     |            |       |    |     |
| Seminole     | 30    | 1%     | 2      | Wakulla      | 5      | 0%     | 0     |            |       |    |     |
| St. Lucie    | 30    | 1%     | 5      | Columbia     | 4      | 0%     | 0     |            |       |    |     |
| Hillsborough | 29    | 1%     | 2      | Lake         | 4      | 0%     | 0     |            |       |    |     |
| Bradford     | 28    | 1%     | 2      | Walton       | 4      | 0%     | 0     |            |       |    |     |
| Okaloosa     | 27    | 1%     | 2      | Flagler      | 3      | 0%     | 0     |            |       |    |     |
| Alachua      | 26    | 1%     | 0      | Bay          | 2      | 0%     | 0     |            |       |    |     |

Note: cases are summarized by the county of usual residence. Residents and staff may be cases associated with facilities that are not in their county of usual residence, resulting in cases being included below for counties that do not have facilities with known cases.

# Coronavirus: characteristics of 29,707 Florida resident cases

Data verified as of Apr 24, 2020 at 5 PM

Data in this report are provisional and subject to change.

2,682 cases in residents or staff of long-term care facilities:

| County       | Cases | Deaths | County | Cases        | Deaths | County | Cases | Deaths     |       |    |     |
|--------------|-------|--------|--------|--------------|--------|--------|-------|------------|-------|----|-----|
| Dade         | 572   | 21%    | 66     | Orange       | 25     | 1%     | 2     | Desoto     | 2     | 0% | 0   |
| Broward      | 335   | 12%    | 42     | Madison      | 23     | 1%     | 2     | Hamilton   | 2     | 0% | 0   |
| Palm Beach   | 181   | 7%     | 35     | Jefferson    | 19     | 1%     | 2     | Hernande   | 2     | 0% | 0   |
| Manatee      | 172   | 6%     | 18     | Pasco        | 19     | 1%     | 1     | Highlands  | 2     | 0% | 0   |
| Pinellas     | 165   | 6%     | 10     | Gadsden      | 18     | 1%     | 0     | Levy       | 2     | 0% | 0   |
| Escambia     | 145   | 5%     | 8      | Brevard      | 17     | 1%     | 1     | St. Johns  | 2     | 0% | 0   |
| Clay         | 124   | 5%     | 9      | Hendry       | 16     | 1%     | 2     | Citrus     | 1     | 0% | 0   |
| Suwannee     | 92    | 3%     | 10     | Marion       | 14     | 1%     | 1     | Dixie      | 1     | 0% | 0   |
| Lee          | 81    | 3%     | 12     | Baker        | 12     | 0%     | 3     | Holmes     | 1     | 0% | 0   |
| Leon         | 72    | 3%     | 1      | Osceola      | 12     | 0%     | 0     | Lafayette  | 1     | 0% | 0   |
| Duval        | 62    | 2%     | 9      | Martin       | 11     | 0%     | 2     | Okeechobee | 1     | 0% | 0   |
| Polk         | 61    | 2%     | 9      | Santa Rosa   | 10     | 0%     | 0     | Taylor     | 1     | 0% | 0   |
| Sarasota     | 54    | 2%     | 14     | Putnam       | 9      | 0%     | 0     | Total      | 2,682 |    | 296 |
| Charippte    | 52    | 2%     | 5      | Indian River | 8      | 0%     | 4     |            |       |    |     |
| Volusia      | 48    | 2%     | 7      | Nassau       | 5      | 0%     | 0     |            |       |    |     |
| Collier      | 33    | 1%     | 5      | Sumter       | 5      | 0%     | 0     |            |       |    |     |
| Alachua      | 31    | 1%     | 0      | Wakulla      | 5      | 0%     | 0     |            |       |    |     |
| Hillsborough | 31    | 1%     | 2      | Walton       | 5      | 0%     | 0     |            |       |    |     |
| St. Lucie    | 31    | 1%     | 7      | Flagler      | 4      | 0%     | 0     |            |       |    |     |
| Seminole     | 30    | 1%     | 2      | Lake         | 4      | 0%     | 1     |            |       |    |     |
| Bradford     | 28    | 1%     | 2      | Columbia     | 3      | 0%     | 0     |            |       |    |     |
| Okaloosa     | 28    | 1%     | 2      | Bay          | 2      | 0%     | 0     |            |       |    |     |

Note: cases are summarized by the county of usual residence. Residents and staff may be cases associated with facilities that are not in their county of usual residence; resulting in cases being included below for counties that do not have facilities with known cases.

# EXHIBIT 10



# Coronavirus: summary of persons being monitored, persons under investigation, and cases

Data verified as of Apr 24, 2020 at 5 PM

Data in this report are provisional and subject to change.

Monitored persons: people the Florida Department of Health was notified of for possible monitoring because they are a contact of a case, traveled from China, or were identified by the Centers for Disease Control and Prevention (CDC) as a part of a airline, ship contact investigation.

|                                                       |               |
|-------------------------------------------------------|---------------|
| <b>Total reports</b>                                  | <b>17,470</b> |
| <b>Total persons of high, medium, or unknown risk</b> | <b>14,897</b> |
| <b>High/medium/unknown risk still being monitored</b> | <b>7,845</b>  |

Persons tested: includes test results received by the Department of Health from the state public health laboratory (BPHL), as well as commercial and hospital laboratories.

|                         |                |
|-------------------------|----------------|
| <b>Total tested</b>     | <b>319,619</b> |
| <b>Positive</b>         | <b>30,533</b>  |
| <b>Negative</b>         | <b>288,505</b> |
| <b>Inconclusive</b>     | <b>581</b>     |
| <b>Awaiting testing</b> | <b>1,365</b>   |

## Confirmed cases

|                              |               |
|------------------------------|---------------|
| <b>Total cases</b>           | <b>30,533</b> |
| <b>Florida residents</b>     | <b>29,707</b> |
| <b>Non-Florida residents</b> | <b>826</b>    |

## Type of testing

|                                     |        |
|-------------------------------------|--------|
| <b>Florida residents</b>            |        |
| Confirmed by BPHL/CDC               | 3,271  |
| Positive by commercial/hospital lab | 26,436 |
| <b>Non-Florida residents</b>        |        |
| Confirmed by BPHL/CDC               | 112    |
| Positive by commercial/hospital lab | 714    |

## Characteristics of Florida residents

|                     |              |
|---------------------|--------------|
| <b>Hospitalized</b> | <b>4,817</b> |
| <b>Deaths</b>       | <b>1,046</b> |

Hospitalized counts include anyone who was hospitalized at some point during their illness. It does not reflect the number of people currently hospitalized.

## Risk factors for Florida residents

|                                                 |               |
|-------------------------------------------------|---------------|
| <b>Traveled</b>                                 | <b>1,686</b>  |
| <b>Contact with confirmed case</b>              | <b>9,679</b>  |
| <b>Traveled and contact with confirmed case</b> | <b>1,484</b>  |
| <b>Neither</b>                                  | <b>16,858</b> |
| Travel is unknown                               | 9,843         |
| Contact is unknown                              | 5,843         |
| Contact is pending                              | 6,248         |

Travel can be unknown and contact can be unknown or pending for the same case, these numbers will sum to more than the "neither" total.

# Leon County Clerk of the Circuit Court and Comptroller Court Case Search

Full Case View 

Print Page

37 2020 CA 000812 - THE ASSOCIATED PRESS vs EXECUTIVE OFFICE OF THE GOVERNOR

| Party Status | Party                                           | Party Code | Attorney                   | Attorney Status |
|--------------|-------------------------------------------------|------------|----------------------------|-----------------|
|              | <u>EXECUTIVE OFFICE OF THE GOVERNOR,</u>        | DEFENDANT  |                            | ACTIVE          |
|              | <u>DESANTIS, RON</u>                            | DEFENDANT  |                            | ACTIVE          |
|              | <u>AGENCY FOR HEALTH CARE ADMINISTRATION,</u>   | DEFENDANT  |                            | ACTIVE          |
|              | <u>MAYHEW, MARY C</u>                           | DEFENDANT  |                            | ACTIVE          |
|              | <u>FLORIDA DEPARTMENT OF HEALTH,</u>            | DEFENDANT  |                            | ACTIVE          |
|              | <u>RIVKEES, SCOTT A</u>                         | DEFENDANT  |                            | ACTIVE          |
|              | <u>THE ASSOCIATED PRESS,</u>                    | PLAINTIFF  | <u>CAROL JEAN LOCICERO</u> | ACTIVE          |
|              | <u>FIRST AMENDMENT FOUNDATION,</u>              | PLAINTIFF  |                            | ACTIVE          |
|              | <u>GANNETT CO., INC.,</u>                       | PLAINTIFF  |                            | ACTIVE          |
|              | <u>MIAMI HERALD MEDIA COMPANY,</u>              | PLAINTIFF  |                            | ACTIVE          |
|              | <u>ORLANDO SENTINEL COMMUNICATIONS COMPANH,</u> | PLAINTIFF  |                            | ACTIVE          |
|              | <u>NEW YORK TIMES COMPANY,</u>                  | PLAINTIFF  |                            | ACTIVE          |
|              | <u>SCRIPPS MEDIA, INC.,</u>                     | PLAINTIFF  |                            | ACTIVE          |
|              | <u>SUN-SENTINEL COMPANY, LLC,</u>               | PLAINTIFF  |                            | ACTIVE          |
|              | <u>TIMES PUBLISHING COMPANY,</u>                | PLAINTIFF  |                            | ACTIVE          |
|              | <u>WP COMPANY LLC,</u>                          | PLAINTIFF  |                            | ACTIVE          |

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| Action Descr        | Open/Reopen Status | Open/Reopen Date     | Disposition | Disposition Date | Judge |
|---------------------|--------------------|----------------------|-------------|------------------|-------|
| OTHER CIRCUIT CIVIL | OPEN               | 4/27/2020 8:58:30 PM |             |                  | FLURY |

[Top of Page](#)

| Charge # | Action Code | Description | Plea Date | Plea Decision Date | Court Action | Charge Disposition | Citation |
|----------|-------------|-------------|-----------|--------------------|--------------|--------------------|----------|
|          |             |             |           |                    |              |                    |          |

[Top of Page](#)

| Judges Appearing on Case |            |                      |  | Source |
|--------------------------|------------|----------------------|--|--------|
| Last Name                | First Name | Date Assigned        |  |        |
| FLURY                    | RONALD     | 4/28/2020 9:15:58 AM |  | BM     |

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Viewable On Request Surfaces



e-Certify



Docket Table Headers Are Sortable. Click For Ascending, Again For Descending Order  
Source Table Abbreviations: BM = Benchmark; JIS = Justice Informations System

| Docket Date | CCISegNbr | Docket Code                                                                                 | ECertify                         | Docket Text       | OR Book | OR Page | Source |
|-------------|-----------|---------------------------------------------------------------------------------------------|----------------------------------|-------------------|---------|---------|--------|
| 4/27/2020   | 2         | CCS      | <input type="checkbox"/> «-Reg-» | CIVIL COVER SHEET |         |         | BM     |
| 4/27/2020   | 3         | COMP_CA  | <input type="checkbox"/> «-Reg-» | COMPLAINT         |         |         | BM     |

|           |    |          |                                    |                                      |    |
|-----------|----|----------|------------------------------------|--------------------------------------|----|
| 4/27/2020 | 4  | SUIS_    | <input type="checkbox"/> «-Reg. \$ | SUMMONS ISSUED                       | BM |
| 4/27/2020 | 5  | SUIS_    | <input type="checkbox"/> «-Reg. \$ | SUMMONS ISSUED                       | BM |
| 4/27/2020 | 6  | SUIS_    | <input type="checkbox"/> «-Reg. \$ | SUMMONS ISSUED                       | BM |
| 4/27/2020 | 7  | SUIS_    | <input type="checkbox"/> «-Reg. \$ | SUMMONS ISSUED                       | BM |
| 4/27/2020 | 8  | SUIS_    | <input type="checkbox"/> «-Reg. \$ | SUMMONS ISSUED                       | BM |
| 4/27/2020 | 9  | SUIS_    | <input type="checkbox"/> «-Reg. \$ | SUMMONS ISSUED                       | BM |
| 4/28/2020 | 1  | a002     |                                    | JUDGE FLURY, RONALD W.<br>ASSIGNED   | BM |
| 4/28/2020 | 10 | RECEIPT_ | <input type="checkbox"/> «-Reg. \$ | PAYMENT \$462.50 RECEIPT<br>#1508737 | BM |

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| Event | Date | Start | Location | Judge | Result | Source |
|-------|------|-------|----------|-------|--------|--------|
|-------|------|-------|----------|-------|--------|--------|

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| Docket Application      | Owed     | Paid     | Dismissed | Due    |
|-------------------------|----------|----------|-----------|--------|
| COMPLAINT               | \$400.00 | \$400.00 | \$0.00    | \$0.00 |
| EXTRA DEFENDANT - EFILE | \$2.50   | \$2.50   | \$0.00    | \$0.00 |
| SUMMONS ISSUED          | \$10.00  | \$10.00  | \$0.00    | \$0.00 |
| SUMMONS ISSUED          | \$10.00  | \$10.00  | \$0.00    | \$0.00 |
| SUMMONS ISSUED          | \$10.00  | \$10.00  | \$0.00    | \$0.00 |
| SUMMONS ISSUED          | \$10.00  | \$10.00  | \$0.00    | \$0.00 |
| SUMMONS ISSUED          | \$10.00  | \$10.00  | \$0.00    | \$0.00 |
| SUMMONS ISSUED          | \$10.00  | \$10.00  | \$0.00    | \$0.00 |

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| Ordered Amt | Paid | Ar Plan<br>Dismissed | Balance | Delinquent |
|-------------|------|----------------------|---------|------------|
|-------------|------|----------------------|---------|------------|

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**FORM 1.997. CIVIL COVER SHEET**

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

**I. CASE STYLE**

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

The Associated Press, First Amendment Foundation, Gannett Co., Inc., Miami Herald Media Company, Orlando Sentinel Communications Company, New York Times Company, Scripps Media, Inc., Sun-Sentinel Company, LLC, Times Publishing Company, WP COMPANY LLC  
Plaintiff

vs.

Executive Office of the Governor, Ron DeSantis, Agency for Health Care Administration, Mary C Mayhew, Florida Department of Health, Scott A. Rivkees  
Defendant

**II. AMOUNT OF CLAIM**

Please indicate the estimated amount of the claim rounded to the nearest dollar \$

**III. TYPE OF CASE** (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

- ☐ Condominium
- ☐ Contracts and indebtedness
- ☐ Eminent domain
- ☐ Auto negligence
- ☐ Negligence – other
  - ☐ Business governance
  - ☐ Business torts
  - ☐ Environmental/Toxic tort
  - ☐ Third party indemnification
  - ☐ Construction defect
  - ☐ Mass tort
  - ☐ Negligent security
  - ☐ Nursing home negligence
  - ☐ Premises liability – commercial
  - ☐ Premises liability – residential
- ☐ Products liability
- ☐ Real Property/Mortgage foreclosure
  - ☐ Commercial foreclosure
  - ☐ Homestead residential foreclosure
  - ☐ Non-homestead residential foreclosure
  - ☐ Other real property actions

- ☐ Professional malpractice
  - ☐ Malpractice – business
  - ☐ Malpractice – medical
  - ☐ Malpractice – other professional
- ☒ Other
  - ☐ Antitrust/Trade Regulation
  - ☐ Business Transaction
  - ☒ Circuit Civil – Not Applicable
  - ☐ Constitutional challenge-statute or ordinance
  - ☐ Constitutional challenge-proposed amendment
  - ☐ Corporate Trusts
  - ☐ Discrimination-employment or other
  - ☐ Insurance claims
  - ☐ Intellectual property
  - ☐ Libel/Slander
  - ☐ Shareholder derivative action
  - ☐ Securities litigation
  - ☐ Trade secrets
  - ☐ Trust litigation
- ☐ County Civil
  - ☐ Small Claims up to \$8,000

- ☐ Civil
- ☐ Replevins
- ☐ Evictions
- ☐ Other civil (non-monetary)

## COMPLEX BUSINESS COURT

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes ☐ No ☒

**IV. REMEDIES SOUGHT** (check all that apply):

- ☐ Monetary;  
☒ Non-monetary declaratory or injunctive relief;  
☐ Punitive

**V. NUMBER OF CAUSES OF ACTION:**  
(Specify)

1

**VI. IS THIS CASE A CLASS ACTION LAWSUIT?**

- ☐ Yes  
☒ No

**VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?**

- ☒ No  
☐ Yes – If “yes” list all related cases by name, case number and court:

**VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?**

- ☐ Yes  
☒ No

---

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature: s/ Carol Jean LoCicero  
Attorney or party

FL Bar No.: 603030  
(Bar number, if attorney)  
Carol Jean LoCicero  
(Type or print name)

Date: 04/27/2020

**From:** Ernst, Colleen  
**To:** Jacquett, Joe  
**Cc:** StLaurent, Louise  
**Subject:** Fwd: DRF Request for Information (Second Request)  
**Date:** Friday, April 17, 2020 1:54:27 PM  
**Attachments:** DRF-Logo-w-Trans\_01832e9d-f745-480f-9da0-cfa2ff649507.png  
Facebook\_7b83d6b1-ee99-4b25-9f12-5409b03a0b6a.png  
Twitter\_416a47f9-915c-4ecf-a83e-83e56eb5cf7d.png  
Youtube\_13adcd64-9df1-41fe-aea2-a050c579d141.png  
DRF Second Request to FL DOH 04.17.20.pdf  
DRF Request to FL DOH 04.08.20.pdf

---

FYI.

Get Outlook for iOS

---

**From:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Sent:** Friday, April 17, 2020 1:37:18 PM  
**To:** Ernst, Colleen <Colleen.Ernst@eog.myflorida.com>  
**Subject:** FW: DRF Request for Information (Second Request)

Please advise.

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)  
(850) 245-4790 (Fax)

**From:** Jatinique Randle <jatiniquer@disabilityrightsflorida.org>  
**Sent:** Friday, April 17, 2020 12:59 PM  
**To:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>  
**Cc:** zzzz Feedback, PublicRecordsRequest <PublicRecordsRequest@flhealth.gov>; zzzz Feedback, Health <Health@flhealth.gov>; Kathryn Strobach <kathryns@disabilityrightsflorida.org>; Peter Sleasman <peters@disabilityrightsflorida.org>; Curtis Filaroski <curtisf@disabilityrightsflorida.org>  
**Subject:** DRF Request for information (Second Request)  
**Importance:** High

Dear Ms. St. Laurent,

Please see the attached request for information from Disability Rights Florida. This is not a public records request.

Sincerely,  
Jatinique Randle

**Jatinique Randle • Staff Attorney**  
850-488-9071 ext 9760 • 800-342-0823 ext 9760  
TDD 800-346-4127 • Fax 850-583-3912 • [jatiniquer@disabilityrightsflorida.org](mailto:jatiniquer@disabilityrightsflorida.org)



**Disability Rights Florida**  
Advocacy. Equality. Dignity.  
[www.disabilityrightsflorida.org](http://www.disabilityrightsflorida.org)





This communication may contain confidential, proprietary, and/or privileged information and may be protected from distribution by law. It is intended solely for the use of the addressee. If you are not the intended recipient, you are hereby notified that the law may restrict or prohibit the unintended use, copying or distribution of this communication. If you received this communication in error, please contact the sender immediately and destroy the material in its entirety, whether electronic or hard copy. If you properly received this e-mail as a client, co-counsel or retained expert of Disability Rights Florida, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.



## SECOND REQUEST

April 17, 2020

**VIA EMAIL AND CERTIFIED MAIL:**

**Louise St. Laurent, General Counsel  
Florida Department of Health  
4052 Bald Cypress Way  
Tallahassee, FL 32399**

**Email: [louise.stlaurent@flhealth.gov](mailto:louise.stlaurent@flhealth.gov)**

**Re: Follow Up on April 8, 2020 Request for Information**

Dear Ms. St. Laurent,

This letter addresses the unfulfilled request for information that was sent to the Florida Department of Health (FDOH) by Disability Rights Florida, Inc. (DRF), in a letter dated April 8, 2020. On April 8, 2020, DRF sent FDOH a letter (attached) requesting information and records on assisted living facilities and nursing homes impacted by COVID-19, or the novel coronavirus, outbreak. DRF sought information and records pursuant to its federally-granted access authority, as DRF has probable cause to believe that individuals who reside at these facilities have been subject to abuse and neglect, or are in imminent danger of being subject to abuse and neglect, due to the threat posed by COVID-19. DRF stated that it was to receive the information and records by April 13. However, DRF has not received a response from the FDOH pertaining to its request for information. This letter serves as a second request for the below referenced information based on the statutory authority outlined in the attached April 8, 2020 letter. This is **not** a public records request, but as a courtesy and to ensure that your agency receives this request and can process it in a timely manner, this letter is also being sent to your public records custodian(s).

For a full outline of DRF's authority to receive the information and records requested, please see the April 8, 2020 letter. However, please be reminded that pursuant to 42 U.S.C. § 15043(A)(2)(J)(i), a P&A is ***entitled to the prompt disclosure of records within three (3) days of making a request for records.***

As outlined in the April 8, 2020 letter, DRF requests the following documents and information:

1000 N. Ashley Drive, Suite 640 • Tampa, FL 33602

850.488.9071 • Toll Free: 800.342.0823 • Fax: 850.488.8640 • TDD: 800.346.4127

[www.DisabilityRightsFlorida.org](http://www.DisabilityRightsFlorida.org)

AMERICAN  
OVERSIGHT

FL-GOV-20-1078-A-000128

1. The names of the nursing homes and assisted living facilities in the State of Florida that have reported a positive case of COVID-19, or the novel coronavirus, to your agency or department.
2. The number of positive cases of COVID-19, or the novel coronavirus, reported to your agency or department at each of the nursing homes and assisted living facilities listed in request #1 above.
3. The number of deaths cause by COVID-19, or the novel coronavirus, reported to your agency or department at each of the nursing homes and assisted living facilities listed in request #1 above.

In accordance with the federal statutory authority, please provide the information referenced above within three (3) business days of receipt of this request. Please note that this request is **not** a public records request, but a request under DRF's federal authority.

Immediately upon receipt of this letter, we request that you acknowledge receipt of our request for the information as detailed above and in our initial April 8 letter by emailing me at [jatiniquer@disabilityrightsflorida.org](mailto:jatiniquer@disabilityrightsflorida.org), or by calling me at 850-488-9071, Ext. 9760.

If the requested information is not in your custody, please acknowledge receipt of this letter, forward this request to the current custodian, and inform me of this forwarding.

If the costs of providing the requested information exceeds \$50.00, please send an invoice with the estimated cost of production to my attention prior to copying.

All correspondence regarding this request, including any invoices for production, questions regarding this request, or the requested information should be sent electronically to the following email address: [jatiniquer@disabilityrightsflorida.org](mailto:jatiniquer@disabilityrightsflorida.org).

Alternatively, following initial acknowledgment of this letter, correspondence regarding this request, including any invoices for production, questions regarding this request, or the requested information may be sent to the following mailing address:

Disability Rights Florida  
c/o Jatinique Randle  
1000 N. Ashley Drive, Suite 640  
Tampa, FL 33602

If you have any further questions about this request, do not hesitate to contact me at the contact information provided above. Thank you for your attention to this matter and anticipated cooperation.

Sincerely,

/s/ Jatinique Randle

Jatinique Randle  
Staff Attorney  
Disability Rights Florida

cc: [publicrecordsrequest@flhealth.gov](mailto:publicrecordsrequest@flhealth.gov); [health@flhealth.gov](mailto:health@flhealth.gov)

(Enclosure) April 8, 2020 Request for Information



April 8, 2020

**VIA EMAIL AND CERTIFIED MAIL:**

Louise St. Laurent  
General Counsel  
Florida Department of Health  
4052 Bald Cypress Way  
Tallahassee, FL 32399

Email: [health@flhealth.gov](mailto:health@flhealth.gov)

**Re: Request for Information**

**Dear Ms. St. Laurent,**

Disability Rights Florida is concerned about the impact of COVID-19, or the novel coronavirus, on nursing home and assisted living facilities throughout the state of Florida. Throughout the past few weeks, Disability Rights Florida has received alarming reports regarding COVID-19 outbreaks and death at numerous nursing facilities, including deaths and outbreaks in facilities in Broward, Dade, Duval, Suwanee and other Florida counties. These reports outline potential abuse and neglect that led to the deaths from and risks posed by COVID-19, and at minimum Disability Rights Florida has probable cause to believe that residents throughout the state's nursing homes and assisted living facilities are in imminent danger of abuse and neglect posed by the risk of a COVID-19 outbreak.

With that in mind, Disability Rights Florida is seeking access to records and information related to the outbreak of COVID-19 at nursing homes and assisted living facilities. This letter serves as a request for information based on the statutory authority outlined below; specifically, Protection and Advocacy of Individual Rights (PAIR) Act, 29 U.S.C. § 794e, *et seq.*<sup>1</sup>

<sup>1</sup> Disability Rights Florida is seeking information pursuant to authorization to investigate incidents of abuse and neglect under the Protection and Advocacy of Individual Rights (PAIR) Act, 29 U.S.C. § 794e, *et seq.*, which covers individuals with disabilities who are not covered by Developmental Disabilities Assistance and Bill of Rights Act (DD Act), 42 U.S.C. §§ 15041, *et seq.* (i.e. individuals with developmental disabilities) or the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act, 42 U.S.C. § 10801, *et seq.* (i.e. individuals with mental illness). 29 U.S.C. § 794e(a)(1)(B). Individuals with disabilities reside at nursing homes and assisted living facilities. See *Office of Protection and Advocacy v. Hartford Transitional Learning Academy*, 355 F. Supp.2d 649 (D. Conn. 2005), *aff'd on other grounds*, 464 F.3d 229(2nd Cir. 2006) (Protection and Advocacy organizations need not make a threshold showing of disability in order to exercise their federal authority, but instead "courts have held that a showing of 'substantial evidence' must suffice in order for such systems to fulfill their statutory mandate"). Under the PAIR Act, Disability Rights Florida has "the same general authorities, including the authority to access records

1000 N. Ashley Drive, Suite 640 • Tampa, FL 33602

850.488.9071 • Toll Free: 800.342.0823 • Fax: 850.488.8640 • TDD: 800.346.4127

[www.DisabilityRightsFlorida.org](http://www.DisabilityRightsFlorida.org)

FL-GOV-20-1078-A-000131

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OVERSIGHT

Disability Rights Florida has been designated by the State of Florida by a Special Act of the Legislature, *see* FL Legis 87-130, effective July 1, 1987, as the state protection and advocacy (“P&A”) system for individuals with disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act (DD Act), 42 U.S.C. §§ 15041 *et seq.*, the Protection and Advocacy for Persons with Mental Illness Act (PAIMI Act), 42 U.S.C. §§ 10801 *et seq.* and the Protection and Advocacy of Individual Rights (PAIR) Program of the Rehabilitation Act of 1973, 29 U.S.C. 794e. Under federal law, Disability Rights Florida, as Florida’s federally mandated P&A, is granted broad authority to protect and advocate for the rights of persons with disabilities. *See Virginia Office for Prot. & Advocacy v. Stewart*, 131 S. Ct. 1632, 1635-36, 179 L.Ed.2d 675 (2011).

Under the PAIR Act, Disability Rights Florida is authorized to engage in the following activities: 1) investigate incidents of abuse or neglect of persons with disabilities; 2) pursue administrative, legal and other appropriate remedies on their behalf; and 3) provide information and referrals relating to programs and services addressing the needs of such persons. 42 U.S.C. § 15043(a)(2)(A) & (B). In order to accomplish these activities, P&As have been granted unique authority to access individuals, information, records, and facilities for the purpose of investigating allegations of abuse and neglect of persons with disabilities. *See* 42 U.S.C. § 15043(a)(2)(H) & (I). In addition, facilities have an affirmative duty under these statutes implement policies and practices which promote effective access by P&As to the residents. *See Mississippi Protection & Advocacy System, Inc. v. Cotton*, 1989 WL 224953 (S.D Miss 1989).

In this particular situation, DRF cannot accomplish its statutory duty, i.e. to investigate instances where it has probable cause of abuse and neglect, without information regarding facilities where the outbreak of COVID-19 has occurred. In order to continue its federally mandated task of investigating incidents where it has probable cause of abuse and neglect and of advocating for individuals with disabilities, Disability Rights Florida needs information regarding the outbreak of COVID-19 in the state’s nursing homes and hospitals.

Moreover, Disability Rights Florida is authorized by federal law to have access to records that constitute “[r]eports prepared by a Federal, State or local governmental agency, or a private organization charged with investigating incidents of abuse or neglect, injury or death.” 45 C.F.R. § 1326.25(b)(2). This would include any reports prepared by a government agency outlining infection rates and deaths due to COVID-19 based on information provided by private facilities. Moreover, Disability Rights Florida is entitled to receive “[i]nformation in professional, performance, building or other safety standards, and demographic and statistical information relating to a service provider.” 45 C.F.R. § 1326.25(b)(4). Such a request may be made on behalf of Disability Rights Florida’s constituents with disabilities.

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and program income, as are set forth in subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.” 29 U.S.C. § 794e(f)(2)(emphasis added). Accordingly, citations in this letter will be the DD Act and its implementing regulations, as they apply equally to individuals with disabilities covered under the PAIR Act.

Pursuant to 42 U.S.C. § 15043(A)(2)(J)(i), a P&A is entitled to the prompt disclosure of records **within three (3) days** of making a request for records. Due to the emergency nature of the COVID-19 crisis and the urgency in which Disability Rights Florida needs this information in order to advocate for individuals with disabilities, we must insist on response within this three day timeline or else we will need to take further action, including legal action to enforce our right to this information under federal law.

Based upon the foregoing, Disability Rights Florida is requesting the following documents and information:

1. The names of the nursing homes and assisted living facilities in the State of Florida that have reported a positive case of COVID-19, or the novel coronavirus, to your agency or department.
2. The number of positive cases of COVID-19, or the novel coronavirus, reported to your agency or department at each of the nursing homes and assisted living facilities listed in request#1 above.
3. The number of deaths cause by COVID-19, or the novel coronavirus, reported to your agency or department at each of the nursing homes and assisted living facilities listed in request #1 above.

Please produce the requested information by April 13, 2020. Please note that this request is **not** a public records request, but a request under Disability Rights Florida's federal authority. If you have any questions, please do not hesitate to reach out to me by phone at 850-488-9071 ext. 9760 or via email at [jatiniquer@disabilityrightsflorida.org](mailto:jatiniquer@disabilityrightsflorida.org).

Thank you for your attention to this matter and anticipated cooperation.

Sincerely,

/s/ Jatinique Randle

Jatinique Randle  
Staff Attorney  
Disability Rights Florida



**From:** Ernst, Colleen  
**To:** Jacquot, Joe  
**Cc:** St-Laurent, Louise; Grow, Stefan  
**Subject:** Fwd: DRF Request for Information (Second Request)  
**Date:** Friday, April 17, 2020 1:55:35 PM  
**Attachments:** DRF-Lono-w-Trans\_01832e9d-f745-480f-9da0-cfa2ff649507.png  
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Youtube\_13adcd64-9df1-41fe-9ea2-a050c579d141.png  
DRF Second Request to AHCA 04.17.20.pdf  
DRF Request to AHCA 04.08.20.pdf

---

FYI

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**From:** Grow, Stefan <Stefan.Grow@ahca.myflorida.com>  
**Sent:** Friday, April 17, 2020 1:03:56 PM  
**To:** Ernst, Colleen <Colleen.Ernst@eog.myflorida.com>  
**Subject:** Fwd: DRF Request for Information (Second Request)

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**From:** Jatinique Randle <jatiniquer@disabilityrightsflorida.org>  
**Sent:** Friday, April 17, 2020 1:02:39 PM  
**To:** Grow, Stefan <Stefan.Grow@ahca.myflorida.com>  
**Cc:** PublicRecordsReq <publicrecordsreq@ahca.myflorida.com>; Roberts, William <William.Roberts@ahca.myflorida.com>; Kathryn Strobach <kathryns@disabilityrightsflorida.org>; Curtis Filaroski <curtisf@disabilityrightsflorida.org>; Peter Sleasman <peters@disabilityrightsflorida.org>  
**Subject:** [ External ] DRF Request for Information (Second Request)

Dear Mr. Grow,

Please see the attached request for information from Disability Rights Florida. This is not a public records request.

Sincerely,  
Jatinique Randle

**Jatinique Randle • Staff Attorney**  
850-488-9071 ext 9760 • 800-342-0823 ext 9760  
TDD 800-346-4127 • Fax 850-583-3912 • jatiniquer@disabilityrightsflorida.org



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---

This communication may contain confidential, proprietary, and/or privileged information and may be protected from distribution by law. It is intended solely for the use of the addressee. If you are not the intended recipient, you are hereby notified that the law may restrict or prohibit the unintended use, copying or distribution of this communication. If you received this communication in error, please contact the sender immediately and destroy the material in its entirety, whether electronic or hard copy. If you properly received this e-mail as a client, co-counsel or retained expert of Disability Rights Florida, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.



## SECOND REQUEST

April 17, 2020

**VIA EMAIL AND CERTIFIED MAIL:**

**Mr. Stefan Grow, General Counsel  
Agency for Health Care Administration  
2727 Mahan Drive, Mail Stop #3  
Tallahassee, FL 32308**

**Email: [Stefan.grow@ahca.myflorida.com](mailto:Stefan.grow@ahca.myflorida.com)**

**Re: Follow Up to April 8, 2020 Request for Information**

Dear Mr. Grow,

This letter addresses the unfulfilled request for information that was sent to the Agency for Health Care Administration (AHCA) by Disability Rights Florida, Inc. (DRF), in a letter dated April 8, 2020. On April 8, 2020, DRF sent AHCA a letter (attached) requesting information and records on assisted living facilities and nursing homes impacted by COVID-19, or the novel coronavirus, outbreak. DRF sought information and records pursuant to its federally-granted access authority, as DRF has probable cause to believe that individuals who reside at these facilities have been subject to abuse and neglect, or are in imminent danger of being subject to abuse and neglect, due to the threat posed by COVID-19. DRF stated that it was to receive the information and records by April 13. However, DRF has not received a response from the AHCA pertaining to its request for information. This letter serves as a second request for the below referenced information based on the statutory authority outlined in the attached April 8, 2020 letter. This is not a public records request, but as a courtesy and to ensure that your agency receives this request and can process it in a timely manner, this letter is also being sent to your public records custodian.

For a full outline of DRF's authority to receive the information and records requested, please see the April 8, 2020 letter. However, please be reminded that pursuant to 42 U.S.C. § 15043(A)(2)(J)(i), a P&A is *entitled* to the prompt disclosure of records *within three (3) days* of making a request for records.

As outlined in the April 8, 2020 letter, DRF requests the following documents and information:

1000 N. Ashley Drive, Suite 640 • Tampa, FL 33602

850.488.9071 • Toll Free: 800.342.0823 • Fax: 850.488.8640 • TDD: 800.346.4127

[www.DisabilityRightsFlorida.org](http://www.DisabilityRightsFlorida.org)

FL-GOV-20-1078-A-000135

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1. The names of the nursing homes and assisted living facilities in the State of Florida that have reported a positive case of COVID-19, or the novel coronavirus, to your agency or department.
2. The number of positive cases of COVID-19, or the novel coronavirus, reported to your agency or department at each of the nursing homes and assisted living facilities listed in request #1 above.
3. The number of deaths cause by COVID-19, or the novel coronavirus, reported to your agency or department at each of the nursing homes and assisted living facilities listed in request #1 above.

In accordance with the federal statutory authority, please provide the information referenced above within three (3) business days of receipt of this request. Please note that this request is **not** a public records request, but a request under DRF's federal authority.

Immediately upon receipt of this letter, we request that you acknowledge receipt of our request for the information as detailed above and in our initial April 8 letter by emailing me at [jatiniquer@disabilityrightsflorida.org](mailto:jatiniquer@disabilityrightsflorida.org), or by calling me at 850-488-9071, Ext. 9760.

If the requested information is not in your custody, please acknowledge receipt of this letter, forward this request to the current custodian, and inform me of this forwarding.

If the costs of providing the requested information exceeds \$50.00, please send an invoice with the estimated cost of production to my attention prior to copying.

All correspondence regarding this request, including any invoices for production, questions regarding this request, or the requested information should be sent electronically to the following email address: [jatiniquer@disabilityrightsflorida.org](mailto:jatiniquer@disabilityrightsflorida.org).

Alternatively, following initial acknowledgment of this letter, correspondence regarding this request, including any invoices for production, questions regarding this request, or the requested information may be sent to the following mailing address:

Disability Rights Florida  
c/o Jatinique Randle  
1000 N. Ashley Drive, Suite 640  
Tampa, FL 33602

If you have any further questions about this request, do not hesitate to contact me at the contact information provided above. Thank you for your attention to this matter and anticipated cooperation.

Sincerely,

/s/ Jatinique Randle

Jatinique Randle  
Staff Attorney  
Disability Rights Florida

cc: PublicRecordsReq@ahca.myflorida.com  
William.Roberts@ahca.myflorida.com

(Enclosure) April 8, 2020 Request for Information



April 8, 2020

**VIA EMAIL:**

**William H. Roberts**  
**Deputy General Counsel**  
**Agency for Health Care Administration**  
**2727 Mahan Drive, Mail Stop #3**  
**Tallahassee, FL 32308**  
**Email: William.Roberts@ahca.myflorida.com**

**Re: Request for Information**

**Dear Mr. Roberts,**

Disability Rights Florida is concerned about the impact of COVID-19, or the novel coronavirus, on nursing home and assisted living facilities throughout the state of Florida. Throughout the past few weeks, Disability Rights Florida has received alarming reports regarding COVID-19 outbreaks and death at numerous nursing facilities, including deaths and outbreaks in facilities in Broward, Dade, Duval, Suwanee and other Florida counties. These reports outline potential abuse and neglect that led to the deaths from and risks posed by COVID-19, and at minimum Disability Rights Florida has probable cause to believe that residents throughout the state's nursing homes and assisted living facilities are in imminent danger of abuse and neglect posed by the risk of a COVID-19 outbreak.

With that in mind, Disability Rights Florida is seeking access to records and information related to the outbreak of COVID-19 at nursing homes and assisted living facilities. This letter serves as a request for information based on the statutory authority outlined below; specifically, Protection and Advocacy of Individual Rights (PAIR) Act, 29 U.S.C. § 794e, *et seq.*<sup>1</sup>

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<sup>1</sup> Disability Rights Florida is seeking information pursuant to authorization to investigate incidents of abuse and neglect under the Protection and Advocacy of Individual Rights (PAIR) Act, 29 U.S.C. § 794e, *et seq.*, which covers individuals with disabilities who are not covered by Developmental Disabilities Assistance and Bill of Rights Act (DD Act), 42 U.S.C. §§ 15041, *et seq.* (i.e. individuals with developmental disabilities) or the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act, 42 U.S.C. § 10801, *et seq.* (i.e. individuals with mental illness). 29 U.S.C. § 794e(a)(1)(B). Individuals with disabilities reside at nursing homes and assisted living facilities. *See Office of Protection and Advocacy v. Hartford Transitional Learning Academy*, 355 F. Supp.2d 649 (D. Conn. 2005), *aff'd on other grounds*, 464 F.3d 229(2nd Cir. 2006) (Protection and Advocacy organizations need not make a threshold showing of disability in order to exercise their federal authority, but instead "courts have held that a showing of 'substantial evidence' must suffice in order for such systems to fulfill their statutory mandate"). Under the PAIR Act, Disability Rights Florida has "the same general authorities, including the authority to access records and program income, as are set forth in subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000." 29 U.S.C. § 794e(f)(2)(emphasis added). Accordingly, citations in this letter will be the DD

1000 N. Ashley Drive, Suite 640 • Tampa, FL 33602

850.488.9071 • Toll Free: 800.342.0823 • Fax: 850.488.8640 • TDD: 800.346.4127

[www.DisabilityRightsFlorida.org](http://www.DisabilityRightsFlorida.org)

AMERICAN  
OVERSIGHT

FL-GOV-20-1078-A-000138

Disability Rights Florida has been designated by the State of Florida by a Special Act of the Legislature, *see* FL Legis 87-130, effective July 1, 1987, as the state protection and advocacy (“P&A”) system for individuals with disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act (DD Act), 42 U.S.C. §§ 15041 *et seq.*, the Protection and Advocacy for Persons with Mental Illness Act (PAIMI Act), 42 U.S.C. §§ 10801 *et seq.* and the Protection and Advocacy of Individual Rights (PAIR) Program of the Rehabilitation Act of 1973, 29 U.S.C. 794e. Under federal law, Disability Rights Florida, as Florida’s federally mandated P&A, is granted broad authority to protect and advocate for the rights of persons with disabilities. *See Virginia Office for Prot. & Advocacy v. Stewart*, 131 S. Ct. 1632, 1635-36, 179 L.Ed.2d 675 (2011).

Under the PAIR Act, Disability Rights Florida is authorized to engage in the following activities: 1) investigate incidents of abuse or neglect of persons with disabilities; 2) pursue administrative, legal and other appropriate remedies on their behalf; and 3) provide information and referrals relating to programs and services addressing the needs of such persons. 42 U.S.C. § 15043(a)(2)(A) & (B). In order to accomplish these activities, P&As have been granted unique authority to access individuals, information, records, and facilities for the purpose of investigating allegations of abuse and neglect of persons with disabilities. *See* 42 U.S.C. § 15043(a)(2)(H) & (I). In addition, facilities have an affirmative duty under these statutes implement policies and practices which promote effective access by P&As to the residents. *See Mississippi Protection & Advocacy System, Inc. v. Cotton*, 1989 WL 224953 (S.D Miss 1989).

In this particular situation, DRF cannot accomplish its statutory duty, i.e. to investigate instances where it has probable cause of abuse and neglect, without information regarding facilities where the outbreak of COVID-19 has occurred. In order to continue its federally mandated task of investigating incidents where it has probable cause of abuse and neglect and of advocating for individuals with disabilities, Disability Rights Florida needs information regarding the outbreak of COVID-19 in the state’s nursing homes and hospitals.

Moreover, Disability Rights Florida is authorized by federal law to have access to records that constitute “[r]eports prepared by a Federal, State or local governmental agency, or a private organization charged with investigating incidents of abuse or neglect, injury or death.” 45 C.F.R. § 1326.25(b)(2). This would include any reports prepared by a government agency outlining infection rates and deaths due to COVID-19 based on information provided by private facilities. Moreover, Disability Rights Florida is entitled to receive “[i]nformation in professional, performance, building or other safety standards, and demographic and statistical information relating to a service provider.” 45 C.F.R. § 1326.25(b)(4). Such a request may be made on behalf of Disability Rights Florida’s constituents with disabilities.

Pursuant to 42 U.S.C. § 15043(A)(2)(J)(i), a P&A is entitled to the prompt disclosure of records **within three (3) days** of making a request for records. Due to the emergency nature of the

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Act and its implementing regulations, as they apply equally to individuals with disabilities covered under the PAIR Act.

COVID-19 crisis and the urgency in which Disability Rights Florida needs this information in order to advocate for individuals with disabilities, we must insist on response within this three day timeline or else we will need to take further action, including legal action to enforce our right to this information under federal law.

Based upon the foregoing, Disability Rights Florida is requesting the following documents and information:

1. The names of the nursing homes and assisted living facilities in the State of Florida that have reported a positive case of COVID-19, or the novel coronavirus, to your agency or department.
2. The number of positive cases of COVID-19, or the novel coronavirus, reported to your agency or department at each of the nursing homes and assisted living facilities listed in request #1 above.
3. The number of deaths caused by COVID-19, or the novel coronavirus, reported to your agency or department at each of the nursing homes and assisted living facilities listed in request #1 above.

Please produce the requested information by April 13, 2020. Please note that this request is **not** a public records request, but a request under Disability Rights Florida's federal authority. If you have any questions, please do not hesitate to reach out to me by phone at 850-488-9071 ext. 9760 or via email at [jatiniquer@disabilityrightsflorida.org](mailto:jatiniquer@disabilityrightsflorida.org).

Thank you for your attention to this matter and anticipated cooperation.

Sincerely,

/s/ Jatinique Randle

Jatinique Randle  
Staff Attorney  
Disability Rights Florida



**From:** [Primrose, Nicholas](#)  
**To:** [Grow, Stefan](#); [Ernst, Colleen](#)  
**Subject:** Fwd: [EXTERNAL] McKinsey  
**Date:** Sunday, March 29, 2020 2:40:57 PM  
**Attachments:** [Attachment I - Business Associate Agreement \(Rev Dec 19\).docx](#)  
[chamber mckinsey 032720 DOH and DEM Legal edits.docx](#)

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Nicholas A. Primrose  
Deputy General Counsel  
Executive Office of the Governor  
400 South Monroe Street, Suite 209  
Tallahassee, Florida 32399  
Office: (850) 717-9310  
Facsimile: (850) 488-9810  
[nicholas.primrose@eog.myflorida.com](mailto:nicholas.primrose@eog.myflorida.com)

Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records. Public records are available to the public and media upon request, unless the information is subject to a specific statutory exemption. Therefore, any information that you send to this address, including your contact information, may be subject to public disclosure.

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**From:** Saylor, Erik <[Erik.Saylor@em.myflorida.com](mailto:Erik.Saylor@em.myflorida.com)>  
**Sent:** Saturday, March 28, 2020 2:54:01 PM  
**To:** [Grow, Stefan](mailto:stefan.grow@ahca.myflorida.com) <[stefan.grow@ahca.myflorida.com](mailto:stefan.grow@ahca.myflorida.com)>  
**Cc:** Primrose, Nicholas <[Nicholas.Primrose@eog.myflorida.com](mailto:Nicholas.Primrose@eog.myflorida.com)>  
**Subject:** RE: [EXTERNAL] McKinsey

Stefan,

This is the version of the McKinsey agreements that I sent to you and Nick yesterday. I have no new edits.

### Erik L. Saylor

Deputy General Counsel  
Florida Division of Emergency Management  
Direct: (850) 815-4154 | Mobile: (850) 694-6620 | [Erik.Saylor@em.myflorida.com](mailto:Erik.Saylor@em.myflorida.com)



*Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records. Public records are available to the public and media upon request, unless the information is subject to a specific statutory exemption. Therefore, any information that you send to this address, including your contact information, may be subject to public disclosure.*

**From:** [Grow, Stefan](mailto:Stefan.Grow@ahca.myflorida.com) <[Stefan.Grow@ahca.myflorida.com](mailto:Stefan.Grow@ahca.myflorida.com)>  
**Sent:** Saturday, March 28, 2020 2:47 PM  
**To:** Saylor, Erik <[Erik.Saylor@em.myflorida.com](mailto:Erik.Saylor@em.myflorida.com)>  
**Subject:** [EXTERNAL] McKinsey

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Can you send me what you sent to Nick? The Secretary would like a copy. Thanks

Get [Outlook for iOS](#)

**Under Florida law, correspondence with the Florida Division of Emergency Management, which is neither confidential nor exempt pursuant to Florida Statutes Chapter 119, is a public record made available upon request.**

## ATTACHMENT I BUSINESS ASSOCIATE AGREEMENT

The parties to this Attachment agree that the following provisions constitute a business associate agreement for purposes of complying with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). This Attachment is applicable if the Vendor is a business associate within the meaning of the Privacy and Security Regulations, 45 C.F.R. 160 and 164.

The Vendor certifies and agrees as to abide by the following:

1. Definitions. Unless specifically stated in this Attachment, the definition of the terms contained herein shall have the same meaning and effect as defined in 45 C.F.R. 160 and 164.
  - a. Protected Health Information. For purposes of this Attachment, protected health information shall have the same meaning and effect as defined in 45 C.F.R. 160 and 164, limited to the information created, received, maintained or transmitted by the Vendor from, or on behalf of, the Agency.
  - b. Security Incident. For purposes of this Attachment, security incident means the attempted or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with system operations in an information system and includes any event resulting in computer systems, networks, or data being viewed, manipulated, damaged, destroyed or made inaccessible by an unauthorized activity.
2. Applicability of HITECH and HIPAA Privacy Rule and Security Rule Provisions. As provided by federal law, Title XIII of the American Recovery and Reinvestment Act of 2009 (ARRA), also known as the Health Information Technology Economic and Clinical Health (HITECH) Act, requires a Business Associate (Vendor) that contracts with the Agency, a HIPAA covered entity, to comply with the provisions of the HIPAA Privacy and Security Rules (45 C.F.R. 160 and 164) and comply with 45 C.F.R. 162 as applicable.
3. Use and Disclosure of Protected Health Information. The Vendor shall comply with the provisions of 45 CFR 164.504(e)(2)(ii). The Vendor shall not use or disclose protected health information other than as permitted by this Contract or by federal and state law. The sale of protected health information or any components thereof is prohibited except as provided in 45 CFR 164.502(a)(5). The Vendor will use appropriate safeguards to prevent the use or disclosure of protected health information for any purpose not in conformity with this Contract and federal and state law. The Vendor will implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of electronic protected health information the Vendor creates, receives, maintains, or transmits on behalf of the Agency.
4. Use and Disclosure of Information for Management, Administration, and Legal Responsibilities. The Vendor is permitted to use and disclose protected health information received from the Agency for the proper management and administration of the Vendor or to carry out the legal responsibilities of the Vendor, in accordance with 45 C.F.R. 164.504(e)(4). Such disclosure is only permissible where required by law, or where the Vendor obtains reasonable assurances from the person to whom the protected health information is disclosed that: (1) the protected health information will be held confidentially, (2) the protected health information will be used or further disclosed only

**ATTACHMENT I  
BUSINESS ASSOCIATE AGREEMENT**

as required by law or for the purposes for which it was disclosed to the person, and (3) the person notifies the Vendor of any instance of which it is aware in which the confidentiality of the protected health information has been breached.

5. Disclosure to Third Parties. The Vendor will not divulge, disclose, or communicate protected health information to any third party for any purpose not in conformity with this Contract without prior written approval from the Agency. The Vendor shall ensure that any agent, including a subcontractor, to whom it provides protected health information received from, or created or received by the Vendor on behalf of the Agency, agrees to the same terms, conditions, and restrictions that apply to the Vendor with respect to protected health information. The Vendor's subcontracts shall fully comply with the requirements of 45 CFR 164.314(a)(2)(iii).
6. Access to Information. The Vendor shall make protected health information available in accordance with federal and state law, including providing a right of access to persons who are the subjects of the protected health information in accordance with 45 C.F.R. 164.524.
7. Amendment and Incorporation of Amendments. The Vendor shall make protected health information available for amendment and to incorporate any amendments to the protected health information in accordance with 45 C.F.R. 164.526.
8. Accounting for Disclosures. The Vendor shall make protected health information available as required to provide an accounting of disclosures in accordance with 45 C.F.R. 164.528. The Vendor shall document all disclosures of protected health information as needed for the Agency to respond to a request for an accounting of disclosures in accordance with 45 C.F.R. 164.528.
9. Privacy Protection. The Vendor shall permit an individual to request a restriction on the use and disclosure of protected health information about the individual to carry out treatment, payment, or health care operations; and disclosures permitted under 164.510(b) in accordance with 45 C.F.R. 164.522. The Vendor shall permit an individual to request to receive communications of protected health information from the Vendor by alternative means or at alternative locations in accordance with 45 C.F.R. 164.522.
10. Access to Books and Records. The Vendor shall make its internal practices, books, and records relating to the use and disclosure of protected health information received from, or created or received by the Vendor on behalf of the Agency, available to the Secretary of the Department of Health and Human Services ("HHS") or the Secretary's designee for purposes of determining compliance with the HHS Privacy Regulations.
11. Reporting. The Vendor shall make a good faith effort to identify any use or disclosure of protected health information not provided for in this Contract.
  - a. To Agency. The Vendor will report to the Agency in the manner and format obtained from the Contract Manager or Agency contact, within ten (10) business days of discovery, any use or disclosure of protected health information not provided for in this Contract of which the Vendor is aware. The Vendor will report to the Agency in the manner and format obtained from the Contract Manager or Agency contact, within twenty-four (24) hours of discovery, any security incident

**ATTACHMENT I  
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of which the Vendor is aware. A violation of this paragraph shall be a material violation of this Contract. Such notice shall include the identification of each individual whose unsecured protected health information has been or is reasonably believed by the Vendor to have been, accessed, acquired, used, or disclosed during such breach.

- b. To Individuals. In the case of a breach of protected health information discovered by the Vendor, the Vendor shall first notify the Agency of the pertinent details of the breach and upon prior review by the Agency shall notify each individual whose unsecured protected health information has been, or is reasonably believed by the Vendor to have been, accessed, acquired, used or disclosed as a result of such breach. Such notification shall be in writing by first-class mail to the individual (or the next of kin if the individual is deceased) at the last known address of the individual or next of kin, respectively, or, if specified as a preference by the individual, by electronic mail. Where there is insufficient, or out-of-date contact information (including a phone number, email address, or any other form of appropriate communication) that precludes written (or, if specifically requested, electronic) notification to the individual, a substitute form of notice shall be provided, including, in the case that there are 10 or more individuals for which there is insufficient or out-of-date contact information, a conspicuous posting for a period of at least 90 days on the Web site of the covered entity involved or notice in major print or broadcast media, including major media in the geographic areas where the individuals affected by the breach likely reside. In any case deemed by the Vendor to require urgency because of possible imminent misuse of unsecured protected health information, the Vendor may also provide information to individuals by telephone or other means, as appropriate.
- c. To Media. In the case of a breach of protected health information discovered by the Vendor where the unsecured protected health information of more than 500 persons is reasonably believed to have been, accessed, acquired, used, or disclosed, after prior review by the Agency, the Vendor shall provide notice to prominent media outlets serving the State, relevant portion of the State, or jurisdiction involved.
- d. To Secretary of Health and Human Services (HHS). The Vendor shall cooperate with the Agency to provide notice to the Secretary of HHS of unsecured protected health information that has been acquired or disclosed in a breach.
  - i. Vendors Who Are Covered Entities. In the event of a breach by the Vendor, or a contractor or subcontractor of the Vendor, and the Vendor is a HIPAA covered entity, the Vendor, not the Agency, shall be considered the covered entity for purposes of notification to the Secretary of HHS pursuant to 45 CFR 164.408. The Vendor shall be responsible for filing the notification to the Secretary of HHS and will identify itself as the covered entity in the notice. If the breach was with respect to 500 or more individuals, at least 5 business days prior to filing notice with the Secretary of HHS the Vendor shall provide a copy of the notice and breach risk assessment to the Agency for review. Upon prior review by the Agency of the notice and breach risk assessment, the Vendor shall file the notice

**ATTACHMENT I  
BUSINESS ASSOCIATE AGREEMENT**

with the Secretary of HHS within the notification timeframe imposed by 45 C.F.R. 164.408(b) and contemporaneously submit a copy of said notification to the Agency. If the breach was with respect to less than 500 individuals, the Vendor shall notify the Secretary of HHS within the notification timeframe imposed by 45 C.F.R. 164.408(c) and shall contemporaneously submit a copy of said notification to the Agency.

- e. Content of Notices. All notices required under this Attachment shall include the content set forth in 42 U.S.C. 17932(f) and 45 C.F.R. 164 Subpart D, except that references therein to a "covered entity" shall be read as references to the Vendor.
  - f. Financial Responsibility. The Vendor shall be responsible for all costs related to the notices required under this Attachment.
  - g. Other Reporting. The Vendor shall comply with any other applicable reporting requirements in conformity with federal and state laws. If notifications are made under any such laws, copies of said notifications shall be provided contemporaneously to the Agency.
12. Mitigation. Vendor shall mitigate, to the extent practicable, any harmful effect that is known to the Vendor of a use or disclosure of protected health information in violation of this Attachment.
13. Termination. Upon the Agency's discovery of a material breach of this Attachment, the Agency shall have the right to assess liquidated damages as specified elsewhere in the contract to which this Attachment is included, and/or to terminate this Contract.
14. Effect of Termination. At the termination of this Contract, the Vendor shall return all protected health information that the Vendor still maintains in any form, including any copies or hybrid or merged databases made by the Vendor; or with prior written approval of the Agency, the protected health information may be destroyed by the Vendor after its use. If the protected health information is destroyed pursuant to the Agency's prior written approval, the Vendor must provide a written confirmation of such destruction to the Agency. If return or destruction of the protected health information is determined not feasible by the Agency, the Vendor agrees to protect the protected health information and treat it as strictly confidential.

The Vendor has caused this Attachment to be signed and delivered by its duly authorized representative, as of the date set forth below.

**ROBERT ASZTALOS**

SIGNED  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_



MEMORANDUM OF UNDERSTANDING  
FOR SHARING CONFIDENTIAL DATA

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into by and between the Agency for Health Care Administration ("the Agency"), the Florida Chamber of Commerce Foundation, Inc. ("Chamber"), the Department of Health ("DOH"), and the Division of Emergency Management ("DEM"), jointly referred to as the parties, for the sharing of data to be used in taking measures against the 2019 Novel Coronavirus (COVID-19) outbreak. This agreement shall become effective on the last date of execution by the all parties and expire one (1) year from that date, unless terminated earlier in writing by the parties.

Commented [LJ1]: Does DOH need to be a party to this agreement?

A. A-Data to be shared and purpose.

The Chamber contracts with McKinsey & Company. The Chamber will coordinate provision of data to McKinsey for purposes of surge modeling in hospitals or other predictive modeling to assist in dealing with the COVID-19 outbreak.

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The Agency shall provide certain confidential data from the Emergency Status System ("ESS"), including but not limited to the daily feeds to ESS on hospital capacity, bed counts or other available bed data; COVID-19 testing and case counts; and VERSA licensed facility data by means of a Secure File Transfer Protocol ("SFTP"). The Chamber is authorized to provide access to this data to McKinsey for the development of models and reports. The Chamber will upload McKinsey's product to the SFTP.

Commented [LJ2]: What is McKinsey's product?

DOH shall have access to the SFTP for its authorized purposes in assessing the public health status and needs of the state and for conducting surveillance of diseases of public health significance, including COVID-19.

DEM, and its authorized contractors, shall have access to the SFTP for its authorized purposes in dealing with the COVID-19 emergency.

Commented [SE3]:

B. B-Health Insurance Portability and Accountability Act/HIPAA.

Each party agrees to comply with the Health Insurance Portability and Accountability Act ("HIPAA") as applicable, as follows:

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1. To comply with the Department of Health and Human Services Privacy Regulations in the CFR, Title 45, Sections 160 and 164, regarding disclosure of protected health information as specified in Attachment I, Business Associate Agreement, of this MOU.
2. To ensure it meets all Federal regulations regarding required standard electronic transactions and standards for privacy and individually identifiable health information as identified in the Health Insurance Portability and Accountability Act (HIPAA) of 1996 and the Health Information Technology for Economic and Clinical Health Act (HITECH) of 2009 and associated regulations.
3. To conduct all activities in compliance with 45 CFR 164 Subpart C to ensure data security, including, but not limited to encryption of all

Commented [LJ4]: Who is the Vendor referenced in Attachment I?



information that is confidential under Florida or Federal law, while in transmission and while residing on portable electronic media storage devices. Encryption is required and shall be consistent with Federal Information Processing Standards (FIPS), and/or the National Institute of Standards and Technology (NIST) publications regarding cryptographic standards.

C. C. Confidentiality of Information. The parties agree:

1. To not use or disclose any confidential information, including social security numbers that may be supplied under this MOU Agreement pursuant to law, and also including the identity or identifying information concerning a Medicaid recipient or services under this MOU Agreement for any purpose not in conformity with State and Federal laws, except upon written consent of the recipient, or his/her guardian.
2. That all personally identifiable information, including Medicaid information, shall be treated as privileged and confidential information and shall be used only as authorized for purposes directly related to the administration of this MOU Agreement. The parties must have a process that specifies that patient-specific information remains confidential, is used solely for the purposes of ~~this~~ MOU Agreement, and is exchanged only for the purpose ~~effor~~ conducting a review or other duties outlined in this MOU Agreement.
3. All patient-specific information can be shared only with ~~those agencies that~~ have legal authority to receive such information and cannot be otherwise transmitted for any purpose other than for purposes of this MOU Agreement. The parties must have in place written confidentiality policies and procedures to ensure confidentiality and to comply with all Federal and State laws (including the HIPAA and HITECH Acts) governing confidentiality, including electronic treatment records, facsimile mail, and electronic mail).
4. If the parties will employ subcontractors to fulfill their obligations under this MOU Agreement, all subcontracts must explicitly state expectations about the confidentiality of information, and the subcontractor is held to the same confidentiality requirements as the parties. If provider-specific data are released to the public, shall have policies and procedures for exercising due care in compiling and releasing such data that address statutory protections of quality assurance and confidentiality while assuring that open records requirements of Chapter 119, Florida Statutes (F.S.), are met.
5. The parties and their subcontractors shall comply with the requirements of Section 501.171, F.S. and shall, in addition to the reporting requirements therein, report to the Agency any breach of personal information.
6. Any releases of information to the media, the public, or other entities require prior written approval from the Agency.
7. Ensure all services will be performed within the borders of the United

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Commented [LJ5]: Should "those agencies" be changed  
to the parties?

States (U.S.) and its territories and protectorates.

8. State-owned Data shall be processed, accessed and stored in data centers that are located only in the forty-eight (48) contiguous U.S.

Commented [U6]: State of Florida owned?

D. D. Public Records Requests. The parties agree:

1. To comply with Section 119.0701, F.S., if applicable, and all other applicable parts of the Florida Public Records Act.
2. To keep and maintain public records that ordinarily and necessarily would be required in order to perform services under this MOU Agreement.
3. To provide the public with access to public records on the same terms and conditions that the Agency would provide the records and at a cost that does not exceed the cost provided in Section 119.07, F.S., or as otherwise provided by law.
4. That upon request from the appropriate Agency custodian of public records, provide the Agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost in Section 119.07, F.S., or as otherwise provided by law.
5. To ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of this Agreement term and following completion of this Agreement if the Party does not transfer the records to the Agency.
6. To comply with applicable portions of Section 119.071(5), F.S., and not collect an individual's social security number unless the purpose for its collection has been stated in writing. A copy of the written statement shall be provided to the Agency.
7. To meet all requirements for retaining public records and transfer, at no cost, to the Agency all public records in their possession or upon termination of this MOU Agreement and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the Agency in a format that is compatible with the information technology systems of the Agency.

Commented [SE7]: If/when there is a public records request is received for this MOU or data related to this MOU, should DOH, DEM, and Chamber refer those PRR to AHCA?

Should we spell that process out in this MOU?

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- 7.8. IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC

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**RECORDS AT (telephone number, e-mail address, and mailing address).**

**E. E-Single points of contact.**

Each party shall appoint a single point of contact to manage that party's duties under this agreement. Any notice required under this MOU agreement shall be given to the respective single point of contact. The single point of contact information for each party is as follows:

**1. Agency Point of Contact**

Name: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**2. DOH Point of Contact**

Name: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**3. DEM Point of Contact**

Name: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**4. Chamber Point of Contact**

Name: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**Commented [SE8]:** Need Agency's PR custodian's contact information

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**F. F-Breach.** Any failure by the parties to abide by the terms of this MOU constitutes a breach, which may result in the cancellation or rescission of this agreement and will require the breaching agency to return all data received.

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**G. G-No assignment.** This MOU may not be assigned or transferred to any other party.

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**H. H-Indemnification.** The Chamber shall save and hold harmless and indemnify the State of Florida and the Agency against any and all liability, claims, suits, judgments, damages or costs of whatsoever kind and nature resulting from any act, or failure to act, by Chamber or any of its employees, agents or representatives in the performance of its duties under this agreement.

**Formatted:** Default, Left, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75", Tab stops: Not at 3.6" + 3.87"

I. Cooperation with Inspector General. The Parties understand and will comply with section 20.055(5), F.S., which provides it is the duty of every state officer, employee, agency, special district, board, commission, contractor, and subcontractor to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing.

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Numbering Style: A, B, C, ... + Start at: 1 + Alignment:  
Left + Aligned at: 0.5" + Indent at: 0.75", Tab stops:  
Not at 3.6" + 3.87"

**IN WITNESS THEREOF**, the Parties hereto have caused this ~~five-page MOU~~ Agreement, which includes any referenced attachments, to be executed by their undersigned officials as duly authorized. This Agreement is not valid until signed and dated by all Parties.

**Florida Agency for Health Care Administration**

Printed Name and Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Florida Department of Health

Printed Name and Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Division of Emergency Management

Printed Name and Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Chamber of Commerce

Printed Name and Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Attachment 1: BAA

Page 6 of 6

**From:** [Primrose, Nicholas](#)  
**To:** [Ernst, Colleen](#); [Stalnaker, Alyson](#); [Uthmeier, James](#); [Jacquot, Joe](#)  
**Cc:** [Coppola, Courtney](#); [StLaurent, Louise](#)  
**Subject:** RE: For routing  
**Date:** Friday, April 3, 2020 5:55:47 PM  
**Attachments:** [DOH Privacy Policy \(Approved\).docx](#)

---

This has been approved by EOG to execute

Nicholas A. Primrose  
Deputy General Counsel  
Executive Office of the Governor  
400 South Monroe Street, Suite 209  
Tallahassee, Florida 32399  
Office: (850) 717-9310  
Facsimile: (850) 488-9810  
[nicholas.primrose@eog.myflorida.com](mailto:nicholas.primrose@eog.myflorida.com)

*Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records. Public records are available to the public and media upon request, unless the information is subject to a specific statutory exemption. Therefore, any information that you send to this address, including your contact information, may be subject to public disclosure.*

**From:** Ernst, Colleen <[Colleen.Ernst@eog.myflorida.com](mailto:Colleen.Ernst@eog.myflorida.com)>  
**Sent:** April 3, 2020 2:20 PM  
**To:** Primrose, Nicholas <[Nicholas.Primrose@eog.myflorida.com](mailto:Nicholas.Primrose@eog.myflorida.com)>; Stalnaker, Alyson <[Alyson.Stalnaker@eog.myflorida.com](mailto:Alyson.Stalnaker@eog.myflorida.com)>; Uthmeier, James <[James.Uthmeier@eog.myflorida.com](mailto:James.Uthmeier@eog.myflorida.com)>; Jacquot, Joe <[Joe.Jacquot@eog.myflorida.com](mailto:Joe.Jacquot@eog.myflorida.com)>  
**Subject:** For routing

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---

**From:** Ernst, Colleen  
**Sent:** Friday, April 3, 2020 1:56:41 PM  
**To:** Grow, Stefan <[stefan.grow@ahca.myflorida.com](mailto:stefan.grow@ahca.myflorida.com)>; StLaurent, Louise <[louise.stlaurent@flhealth.gov](mailto:louise.stlaurent@flhealth.gov)>; Dunson, Dane <[Dunsonda@flalottery.com](mailto:Dunsonda@flalottery.com)>  
**Cc:** Clark, David <[David.Clark@eog.myflorida.com](mailto:David.Clark@eog.myflorida.com)>; Jacquot, Joe <[Joe.Jacquot@eog.myflorida.com](mailto:Joe.Jacquot@eog.myflorida.com)>; Uthmeier, James <[James.Uthmeier@eog.myflorida.com](mailto:James.Uthmeier@eog.myflorida.com)>  
**Subject:** Attached

All-

I added Louise's draft into the attached and made an additional change to I. A. Please review the entire draft to ensure comfort. If you approve, I will circulate within EOG for final approval.

Colleen Ernst  
Deputy General Counsel  
Executive Office of the Governor  
Capitol Suite 209



# Privacy Policy

---

## I. **DATA COLLECTION AND USAGE**

We collect, store and use your browsing information to allow you to use our Site, to communicate with us, and for the other purposes described in more detail below or as we may specify at the time of collection.

Your privacy is very important to us. Simply stated, our policy is to collect no personal information about you, unless you affirmatively choose to make such information available to us. When you visit this website, the Web server automatically recognizes only the Internet domain and IP address from which you accessed the site. This information will be used to determine whether you complete the survey and may prompt completion of the survey on other webpages you visit if you do not complete the survey. This information will be used to determine other webpages that you visit in order to promote the use of the survey to other people. This information does not result in the identification of your personal e-mail address, other personal information, or retention of your answers to the survey in a way that would identify data about you.

If you choose to share your personal information by sharing the link to this webpage, or otherwise providing the Department of Health with your personal identifying information, the information will be saved for a designated period of time in order to comply with the state of Florida's archiving policies. The answers that you select to the survey will not be kept in a way that is connected to your IP address and your participation is anonymous. However, information will not be disclosed to third parties or other government agencies, unless required by state law, federal law, or contract with a vendor of the Department of Health. Please note that Florida's public records law requires that all information received in connection with state business be made available to anyone upon request, unless the information is subject to a specific statutory exemption.

The type of information we collect from you depends on how you interact with us. You can use our Site without providing us with any information other than anonymous information we collect automatically.

### A. **Information you provide directly.**

We obtain information that identifies you personally directly from you.

We use the information that you voluntarily provide to update and improve the content on our Site and to assist with marketing research.

**B. Information we collect electronically automatically.**

1. **Information about your website visit.** Our Site servers automatically record your visits to our Site(s). Like all other website servers, ours compiles a log that records the date, time, browser (i.e., Firefox), device type (i.e., iPhone), operating system (i.e. Android) and originating IP address of each Site page request.

We use cookies that identify your browser or device. They collect and store information when you visit our Site about how you use the Site and facilitate interest-based advertising.

We have a legitimate interest in collecting this information to monitor usage of our Site, identify issues with our Site, and improving our services.

2. **Information About Your Location.** From your IP address, we can tell generally where you are when you are accessing our Site, i.e., which city.

**C. With Whom Do We Share Information We Collect?**

1. We may disclose your personal information as required by law, in conjunction with a government inquiry, or in litigation or dispute resolution.
2. **Anonymous Information.** We may disclose statistical information to third parties in aggregate form without revealing any personal details about our users.

**II. WHERE YOUR INFORMATION WILL BE HELD**

Our Site operates in the U.S. If you are located outside of the U.S., please be aware that all information you provide us will be transferred to and stored and processed in the U.S. Please also be aware that by using our Site and giving us your information, you consent to such U.S. transfer, storage and processing. You also understand that the U.S. privacy laws may be different from the laws of your country.

**III. LINKS TO OUTSIDE WEB SITES**

This Site may contain links to third party sites not controlled by Department of Health. We recommend that you check the privacy statement of other sites you visit before providing any personal information. Any offers made in advertising on our Site are the sole responsibility of the companies making the offers.

**IV. SECURITY OF INFORMATION**

Please note that although we take reasonable steps to protect your information, no website or computer system or wireless connection is completely secure.

**V. CHANGES TO PRIVACY NOTICE**

We retain the right to change this Privacy Notice at any time to reflect changes in the law, our data collection and use practices, the features of our services, or advances in technology. Please check this page periodically for changes. Your continued use of the Site

following the posting of changes will mean you accept those changes.

**VI. FLORIDA “SUNSHINE” LAW**

We adhere to Florida’s open records laws. Records we send and receive may be subject to public disclosure upon request.

**COOKIE NOTICE**

The Florida Department of Health uses cookies on its website (the “Service”). By using the Service, you consent to the use of cookies. To make the Service work properly, we sometimes place small data files called cookies on your device. Because we are always updating our site and changing partners, please check back regularly for updates.

This Cookie Notice is part of our Privacy Policy. Session cookies are automatically deleted at the end of your browsing session. Persistent cookies remain on your device for the duration of each specific cookie, until its expiration date or until you delete it, whichever comes first. If you do not want anonymous cookie and data to be collected based on your browsing history on our website, please leave this website immediately.

**From:** Ernst, Colleen  
**To:** Grow, Stefan; StLaurent, Louise  
**Subject:** Re: PRR Lawsuit (Joint Defense Privilege)  
**Date:** Wednesday, April 29, 2020 5:37:06 PM

---

I have down tomorrow 10:30 for a call.

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**From:** Grow, Stefan <Stefan.Grow@ahca.myflorida.com>  
**Sent:** Wednesday, April 29, 2020 5:34:50 PM  
**To:** Ernst, Colleen <Colleen.Ernst@eog.myflorida.com>; StLaurent, Louise <louise.stlaurent@flhealth.gov>  
**Subject:** RE: PRR Lawsuit (Joint Defense Privilege)

Can we follow up on this tomorrow?

---

**From:** Grow, Stefan  
**Sent:** Tuesday, April 28, 2020 5:04 PM  
**To:** 'Ernst, Colleen' <Colleen.Ernst@eog.myflorida.com>; 'St Laurent, Louise R' <Louise.StLaurent@flhealth.gov>  
**Subject:** PRR Lawsuit (Joint Defense Privilege)

Colleen,

Let's discuss when able. Louise and I had a conference call with John Wharton and have some recommendations on next steps.

Thanks,

Stefan

**From:** [Gambineri, Mara](#)  
**To:** [Moscoso, Alberto](#)  
**Cc:** [Mahon, Jason](#)  
**Subject:** Re: Fyi  
**Date:** Saturday, April 11, 2020 6:31:13 PM

---

Ok please acknowledge in the response

Mara Gambineri  
Director of External Affairs  
Executive Office of Governor Ron DeSantis  
407-575-4966

---

**From:** Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>  
**Sent:** Saturday, April 11, 2020 6:30:41 PM  
**To:** Gambineri, Mara <Mara.Gambineri@eog.myflorida.com>  
**Cc:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Subject:** Re: Fyi

Was going to submit as PRR.

Alberto Moscoso  
Communications Director  
Florida Department of Health  
(850) 408-7687

---

**From:** Gambineri, Mara <Mara.Gambineri@eog.myflorida.com>  
**Sent:** Saturday, April 11, 2020 6:27:21 PM  
**To:** Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>  
**Cc:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Subject:** Re: Fyi

Good — are you providing the surge plan? Can I see a copy first?

Mara Gambineri  
Director of External Affairs  
Executive Office of Governor Ron DeSantis  
407-575-4966

---

**From:** Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>  
**Sent:** Saturday, April 11, 2020 6:22:32 PM  
**To:** Gambineri, Mara <Mara.Gambineri@eog.myflorida.com>  
**Cc:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Subject:** Fyi

Alberto Moscoso  
Communications Director

Florida Department of Health  
(850) 408-7687

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

**From:** [Ferre, Helen](#)  
**To:** [Gambineri, Mara](#); [McCloud, Cody](#)  
**Cc:** [Mahon, Jason](#)  
**Subject:** Re: Moskowitz interviews  
**Date:** Thursday, April 2, 2020 12:26:57 PM

---

Ok, thx!

Helen Aguirre Ferre  
Director of Communications  
Executive Office of the Governor

---

**From:** Gambineri, Mara <Mara.Gambineri@eog.myflorida.com>  
**Sent:** Thursday, April 2, 2020 12:24:45 PM  
**To:** Ferre, Helen <Helen.Ferre@eog.myflorida.com>; McCloud, Cody <Cody.McCloud@eog.myflorida.com>  
**Cc:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Subject:** Moskowitz interviews

Director Moskowitz is going to do a couple interviews today  
Forrest and Vasalinda – together to talk about N95 supply chain issues  
Dan Chang – N95 supply chain issues; he's working on the story with Ben Conarck but it will be Dan doing the interview.

**Mara Gambineri**  
Director of External Affairs  
Governor Ron DeSantis  
407-575-4966  
[Mara.Gambineri@EOG.myflorida.com](mailto:Mara.Gambineri@EOG.myflorida.com)



**From:** Ernst, Colleen  
**To:** Grow, Stefan; StLaurent, Louise  
**Subject:** Re: PRR Lawsuit (Joint Defense Privilege)  
**Date:** Tuesday, April 28, 2020 5:09:32 PM

---

All,

11 tomorrow?

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---

**From:** Grow, Stefan <Stefan.Grow@ahca.myflorida.com>  
**Sent:** Tuesday, April 28, 2020 5:04:07 PM  
**To:** Ernst, Colleen <Colleen.Ernst@eog.myflorida.com>; StLaurent, Louise <louise.stlaurent@flhealth.gov>  
**Subject:** PRR Lawsuit (Joint Defense Privilege)

Colleen,

Let's discuss when able. Louise and I had a conference call with John Wharton and have some recommendations on next steps.

Thanks,

Stefan

**From:** Gambineri, Mara  
**To:** Mahon, Jason  
**Subject:** Re: Race and ethnicity data  
**Date:** Sunday, April 12, 2020 8:13:32 PM

---

I would take a different approach - we don't simply rely upon race. Zip code data, etc, etc all play a role

Mara Gambineri  
Director of External Affairs  
Executive Office of Governor Ron DeSantis  
407-575-4966

---

**From:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Sent:** Sunday, April 12, 2020 6:58:38 PM  
**To:** Gambineri, Mara <Mara.Gambineri@eog.myflorida.com>  
**Subject:** Race and ethnicity data

The state uses the most recent available data and publishes this data transparently every day. To ensure we are able to perform contact tracing and continue to perform extensive epidemiological investigations, the Florida Department of Health hired 100 epidemiologists in March. We will continue to use all available resources to respond to COVID-19.

--

Joint Information Center on COVID-19 for the State of Florida  
Florida State Emergency Operations Center  
Media Line: 850-921-0217  
[ESF14@em.myflorida.com](mailto:ESF14@em.myflorida.com)

---

**From:** Chang, Daniel <dchang@miamiherald.com>  
**Sent:** Saturday, April 11, 2020 7:19 PM  
**To:** Moscoso, Alberto  
**Cc:** Ben Conarck; Helen Ferre; EOC-ESF14; Nicholas Nehamas  
**Subject:** [EXTERNAL] Re: Race and ethnicity data

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Alberto,

Thank you for this response. Just a follow up for clarification please. How can the department plan and direct public health resources to where they're needed most when it is missing race data for 30 percent of infected persons statewide? Does the department expect that the rate of unknowns will decline as investigations progress?

Dan

On Sat, Apr 11, 2020 at 6:41 PM Moscoso, Alberto <[Alberto.Moscoso@flhealth.gov](mailto:Alberto.Moscoso@flhealth.gov)> wrote:

Dan,

The Department conducts surveillance on various types of diseases. Age, gender and racial data are basic demographics used to provide insight on a disease's distribution in a population. The Department utilizes this data to effectively plan and direct public health resources to where they are needed most.

The daily report contains data regarding race for counties with the most cases.

Race and ethnicity is self-reported. If an individual chooses to not provide that information, it is listed as unknown.

When the Department receives initial testing data from laboratories, identifying information, such as racial data, may be incomplete. As investigations progress, additional case details become available and may include demographic data.

We have submitted your request for the surge plan to our public records unit and will have more soon.

Thank you,

Alberto Moscoso  
Communications Director  
Florida Department of Health  
(850) 408-7687

---

**From:** Moscoso, Alberto <[Alberto.Moscoso@flhealth.gov](mailto:Alberto.Moscoso@flhealth.gov)>

**Sent:** Saturday, April 11, 2020 10:32:44 AM

**To:** Chang, Daniel <[dchang@miamiherald.com](mailto:dchang@miamiherald.com)>

**Cc:** Ben Conarck <[bconarck@miamiherald.com](mailto:bconarck@miamiherald.com)>; Helen Ferre <[Helen.Ferre@eog.myflorida.com](mailto:Helen.Ferre@eog.myflorida.com)>; EOC-ESF14 <[ESF14@em.myflorida.com](mailto:ESF14@em.myflorida.com)>; Nicholas Nehamas <[nnehamas@miamiherald.com](mailto:nnehamas@miamiherald.com)>

**Subject:** Re: Race and ethnicity data

Dan,

Yes, these questions were received and we are working to provide a response.

Thank you,

Alberto Moscoso  
Communications Director  
Florida Department of Health  
(850) 408-7687

---

**From:** Chang, Daniel <[dchang@miamiherald.com](mailto:dchang@miamiherald.com)>

**Sent:** Saturday, April 11, 2020 10:13:59 AM

**To:** Moscoso, Alberto <[Alberto.Moscoso@flhealth.gov](mailto:Alberto.Moscoso@flhealth.gov)>

**Cc:** Ben Conarck <[bconarck@miamiherald.com](mailto:bconarck@miamiherald.com)>; Helen Ferre <[Helen.Ferre@eog.myflorida.com](mailto:Helen.Ferre@eog.myflorida.com)>; EOC-ESF14 <[ESF14@em.myflorida.com](mailto:ESF14@em.myflorida.com)>; Nicholas Nehamas <[nnehamas@miamiherald.com](mailto:nnehamas@miamiherald.com)>

**Subject:** Re: Race and ethnicity data

Hi, Alberto,

Please let me know if you received my follow up questions and when the department will answer. This is new data from the department, and I'd like to understand it better.

Thank you,

Dan

On Thu, Apr 9, 2020 at 11:54 AM Chang, Daniel <[dchang@miamiherald.com](mailto:dchang@miamiherald.com)> wrote:

Thank you, Alberto. I did see the county-level race and ethnicity data in the final pages of yesterday's daily report. However, the data is limited to select counties, and in some counties there's a very high rate of "Unknown" race.

Will you please tell me how the state collects and uses this data? Is it gathered at the collection site, and if so how? Does the state use this data to identify areas of need, or for another purpose?

Lastly, I want to ask one additional question about testing. Florida, like all states, reported to the Association of Public Health Laboratories in 2019 that it has a plan for a six- to eight-week surge in testing capacity. Will you please send me a copy of the state's surge plan for 2019 and 2020?

Thank you as always for your help, and please write back or call if you have any questions for me. I'm at 954-558-0927.

Best regards,

Dan

On Thu, Apr 9, 2020 at 11:47 AM Moscoso, Alberto <[Alberto.Moscoso@flhealth.gov](mailto:Alberto.Moscoso@flhealth.gov)> wrote:

Looking into this, Dan.

Thanks,

Alberto Moscoso

Communications Director  
Florida Department of Health  
(850) 408-7687

**From:** Chang, Daniel <dchang@miamiherald.com>

**Sent:** Thursday, April 9, 2020 9:53:29 AM

**To:** Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>; Dalton, Brad L  
<Brad.Dalton@flhealth.gov>; Ben Conarck <bconarck@miamiherald.com>; Helen Ferre  
<Helen.Ferre@eog.myflorida.com>

**Subject:** Race and ethnicity data

Hi, Alberto,

Does the health department collect race and ethnicity data on persons tested for COVID-19? If so, will you please provide that information?

Additionally, I've seen that the state does collect ZIP code information on persons tested, and reports those through the interactive map. Is that information available in a spreadsheet, possibly through the map?

Thanks for your help with these questions.

Best regards,

Dan

Daniel Chang  
Healthcare Reporter  
Miami Herald  
3511 NW 91 Avenue, Miami, FL 33172  
dchang@miamiherald.com  
t. 305-376-2012 | c. 954-558-0927  
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Miami Herald



Daniel Chang  
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Miami Herald



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Miami Herald



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twitter: @dchangmiami

Miami Herald



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Under Florida law, correspondence with the Florida Division of Emergency Management, which is neither confidential nor exempt pursuant to Florida Statutes Chapter 119, is a public record made available upon request.

**From:** Primrose, Nicholas  
**To:** [Tara.Price@hklaw.com](mailto:Tara.Price@hklaw.com); [Elizabeth.Teegen@myfloridalegal.com](mailto:Elizabeth.Teegen@myfloridalegal.com)  
**Cc:** [McVay,Brad](mailto:McVay,Brad); [ashley.davis@dos.myflorida.com](mailto:ashley.davis@dos.myflorida.com); [George.Meros@hklaw.com](mailto:George.Meros@hklaw.com)  
**Subject:** Re: Williams v. DeSantis, 1:20-cv-67  
**Date:** Tuesday, April 21, 2020 7:33:57 PM

---

§119.071(1)(d)1 F.S.

[REDACTED]

[REDACTED]

Nicholas A. Primrose  
Deputy General Counsel  
Executive Office of the Governor  
400 South Monroe Street, Suite 209  
Tallahassee, Florida 32399  
Office: (850) 717-9310  
Facsimile: (850) 488-9810

[nicholas.primrose@eog.myflorida.com](mailto:nicholas.primrose@eog.myflorida.com)

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---

**From:** Tara.Price@hklaw.com <[Tara.Price@hklaw.com](mailto:Tara.Price@hklaw.com)>  
**Sent:** Thursday, April 16, 2020 11:00:57 AM  
**To:** Primrose, Nicholas <[Nicholas.Primrose@eog.myflorida.com](mailto:Nicholas.Primrose@eog.myflorida.com)>; [Elizabeth.Teegen@myfloridalegal.com](mailto:Elizabeth.Teegen@myfloridalegal.com) <[Elizabeth.Teegen@myfloridalegal.com](mailto:Elizabeth.Teegen@myfloridalegal.com)>  
**Cc:** [McVay,Brad](mailto:McVay,Brad) <[Brad.McVay@dos.myflorida.com](mailto:Brad.McVay@dos.myflorida.com)>; [ashley.davis@dos.myflorida.com](mailto:ashley.davis@dos.myflorida.com) <[ashley.davis@dos.myflorida.com](mailto:ashley.davis@dos.myflorida.com)>; [George.Meros@hklaw.com](mailto:George.Meros@hklaw.com) <[George.Meros@hklaw.com](mailto:George.Meros@hklaw.com)>  
**Subject:** RE: Williams v. DeSantis, 1:20-cv-67

§119.071(1)(d)1 F.S.

[REDACTED]

**Tara Price | Holland & Knight**

Associate

Holland & Knight LLP

315 South Calhoun Street, Suite 600 | Tallahassee, Florida 32301

Phone 850.425.5631 | Fax 850.224.8832

[tara.price@hklaw.com](mailto:tara.price@hklaw.com) | [www.hklaw.com](http://www.hklaw.com)

[Add to address book](#) | [View professional biography](#)

**From:** Primrose, Nicholas <[Nicholas.Primrose@eog.myflorida.com](mailto:Nicholas.Primrose@eog.myflorida.com)>

**Sent:** Tuesday, April 14, 2020 2:10 PM



**To:** Elizabeth Teegen <Elizabeth.Teegen@myfloridalegal.com>  
**Cc:** McVay, Brad <Brad.Mcvay@dos.myflorida.com>; ashley.davis@dos.myflorida.com; Price, Tara R (TAL - X35631) <Tara.Price@hklaw.com>; Meros, George (TAL - X35622) <George.Meros@hklaw.com>  
**Subject:** RE: Williams v. DeSantis, 1:20-cv-67

§ 119.071(1), F.S.

NicholasA.Primrose  
Deputy General Counsel  
Executive Office of the Governor  
400 South Monroe Street, Suite 209  
Tallahassee, Florida 32399  
Office: (850) 717-9310  
Facsimile: (850) 488-9810  
[nicholas.primrose@eog.myflorida.com](mailto:nicholas.primrose@eog.myflorida.com)

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**From:** Elizabeth Teegen <Elizabeth.Teegen@myfloridalegal.com>  
**Sent:** April 14, 2020 1:47 PM  
**To:** Primrose, Nicholas <Nicholas.Primrose@eog.myflorida.com>  
**Cc:** Tardo, Ashley <Ashley.Tardo@eog.myflorida.com>  
**Subject:** Williams v. DeSantis, 1:20-cv-67

§ 119.071(1)(d)1 F.S.



Thank you,

Elizabeth Teegen

Chief Assistant Attorney General

Complex Litigation

Office of the Attorney General

PL 01 The Capitol

Tallahassee, FL 32399-1050

(850) 414-3808

[elizabeth.teegen@myfloridalegal.com](mailto:elizabeth.teegen@myfloridalegal.com)

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---

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**From:** Ernst, Colleen  
**To:** Grow, Stefan; StLaurent, Louise  
**Subject:** Re: [ External ] OCR Issues Guidance on Covered Health Care Providers and Restrictions on Media Access to Protected Health Information about Individuals in Their Facilities  
**Date:** Wednesday, May 6, 2020 8:54:03 AM

---

Seems rather specific and aimed at media

Get [Outlook for iOS](#)

---

**From:** Grow, Stefan <Stefan.Grow@ahca.myflorida.com>  
**Sent:** Wednesday, May 6, 2020 7:44:29 AM  
**To:** Ernst, Colleen <Colleen.Ernst@eog.myflorida.com>; StLaurent, Louise <louise.stlaurent@flhealth.gov>  
**Subject:** Fwd: [ External ] OCR Issues Guidance on Covered Health Care Providers and Restrictions on Media Access to Protected Health Information about Individuals in Their Facilities

Have not yet read this

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---

**From:** Rodriguez, Lisa <Lisa.Rodriguez@ahca.myflorida.com>  
**Sent:** Wednesday, May 6, 2020 7:40:24 AM  
**To:** Grow, Stefan <Stefan.Grow@ahca.myflorida.com>  
**Cc:** Roberts, William <William.Roberts@ahca.myflorida.com>; Sheffield, Mary Beth <MaryBeth.Sheffield@ahca.myflorida.com>  
**Subject:** FW: [ External ] OCR Issues Guidance on Covered Health Care Providers and Restrictions on Media Access to Protected Health Information about Individuals in Their Facilities

FYI

**From:** OCR HIPAA Security Rule information distribution <OCR-SECURITY-LIST@LIST.NIH.GOV> **On Behalf Of** OS OCR SecurityList, OCR (HHS/OS)  
**Sent:** Tuesday, May 5, 2020 7:09 PM  
**To:** OCR-SECURITY-LIST@LIST.NIH.GOV  
**Subject:** [ External ] OCR Issues Guidance on Covered Health Care Providers and Restrictions on Media Access to Protected Health Information about Individuals in Their Facilities

### HHS Office for Civil Rights in Action



---

**OCR Issues Guidance on Covered Health Care Providers and Restrictions on Media Access to Protected Health Information**

## about Individuals in Their Facilities

### May 5, 2020

Today, the Office for Civil Rights (OCR) at the U.S Department of Health and Human Services (HHS) issued additional guidance reminding covered health care providers that the HIPAA Privacy Rule does not permit them to give media and film crews access to facilities where patients' protected health information (PHI) will be accessible without the patients' prior authorization.

The guidance explains that even during the current COVID-19 public health emergency, covered health care providers are still required to obtain a valid HIPAA authorization from each patient whose PHI will be accessible to the media **before** the media is given access to that PHI. The guidance clarifies that masking or obscuring patients' faces or identifying information before broadcasting a recording of a patient is not sufficient, as a valid HIPAA authorization is still required **before** giving the media such access. Additionally, the guidance describes reasonable safeguards that should be used to protect the privacy of patients whenever the media is granted access to facilities.

"The last thing hospital patients need to worry about during the COVID-19 crisis is a film crew walking around their bed shooting 'B-roll,'" said Roger Severino, OCR Director. "Hospitals and health care providers must get authorization from patients before giving the media access to their medical information; obscuring faces after the fact just doesn't cut it," Severino added.

The guidance may be found at <https://www.hhs.gov/sites/default/files/guidance-on-media-and-film-crews-access-to-phi.pdf>.

For more information related to HIPAA and COVID-19, please visit:  
<https://www.hhs.gov/hipaa/for-professionals/special-topics/hipaa-covid19/index.html>.

###

This email is being sent to you from the OCR-Security-List listserv, operated by the Office for Civil Rights (OCR) in the US Department of Health and Human Services.

This is an announce-only list, a resource to distribute information about the HIPAA Privacy and Security Rules. For additional information on a wide range of topics about the Privacy and Security Rules, please visit the OCR Privacy website at <http://www.hhs.gov/ocr/privacy/index.html>. You can also call the OCR Privacy toll-free phone line at (866) 627-7748. Information about OCR's civil rights authorities and responsibilities can be found on the OCR home page at <http://www.hhs.gov/ocr/office/index.html>.

If you believe that a person or organization covered by the Privacy and Security Rules (a "covered entity") violated your health information privacy rights or otherwise violated the Privacy or Security Rules, you may file a complaint with OCR. For additional information about how to file a complaint, visit OCR's web page on filing complaints at <http://www.hhs.gov/ocr/privacy/hipaa/complaints/index.html>.

To subscribe to or unsubscribe from the list serv, go to <https://list.nih.gov/cgi-bin/wa.exe?SUBED1=OCR-SECURITY-LIST&a=1>

**From:** Gambineri, Mara  
**To:** Mahon, Jason  
**Subject:** Re: [EXTERNAL] FW: Miami Herald story on lack of detail/info from state  
**Date:** Thursday, April 16, 2020 2:28:23 PM

---

Please call Helen on this full inquiry this needs to be a broader response

Mara Gambineri  
Director of External Affairs  
Executive Office of Governor Ron DeSantis  
407-575-4966

---

**From:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Sent:** Thursday, April 16, 2020 2:27:22 PM  
**To:** Gambineri, Mara <Mara.Gambineri@eog.myflorida.com>  
**Subject:** FW: [EXTERNAL] FW: Miami Herald story on lack of detail/info from state

David,

It is false to say that the state has not been forthcoming about modeling. As we have said numerous times to the Miami Herald, the state relies on all available models and all available data to respond to COVID-19. Just as you would not expect the state to endorse one single hurricane track, we will not endorse one single model for COVID-19. We will continue to prepare for all contingencies and provide an unprecedented response to keep Floridians safe.

Jason

**From:** Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>  
**Sent:** Thursday, April 16, 2020 10:26 AM  
**To:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Subject:** [EXTERNAL] FW: Miami Herald story on lack of detail/info from state

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FYI

**From:** Smiley, David <dsmiley@miamiherald.com>  
**Sent:** Thursday, April 16, 2020 10:20 AM  
**To:** Ferre, Helen <Helen.Ferre@eog.myflorida.com>; Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>; tiffany.vause@deo.myflorida.com; michelle.glady@fdc.myflorida.com  
**Cc:** Beatrice, Meredith M. <Meredith.M.Beatrice@eog.myflorida.com>; McCloud, Cody <Cody.McCloud@eog.myflorida.com>; media@deo.myflorida.com; publicaffairs@fdc.myflorida.com  
**Subject:** Miami Herald story on lack of detail/info from state

Good morning.

I'm working on an article that looks at a number of issues where the state has either been unwilling or unable to provide key details regarding the coronavirus response. Those issues include:

- \*The refusal to name nursing homes with confirmed cases
- \*The lack of detail regarding private testing, the refusal to release contracts with private testing companies, and the refusal to directly explain whether the state has ordered private contractors to release data to the state on the number of tests pending results
- \*The request that the Miami-Dade coroner's office keep confidential public info on coronavirus deaths
- \*The refusal to release information on inmate covid-19 deaths or (until yesterday) data on the testing of corrections inmates
- \*An inability to provide the number of unemployment claims submitted
- \*The lack of identification for the 1K companies receiving \$50K bridge loans
- \*An unwillingness to discuss with any detail the forecasts/projections used by the state to help guide decisions

Ideally, the state and its various agencies will release the information at issue here, making this story moot. For now, I'm aiming to publish in the late afternoon, with a 3 p.m. deadline for comment or new information.

I'm available on my cell should you want to talk.

David Smiley  
Senior Political Reporter  
Miami Herald  
Cell: 786-683-2195

**Under Florida law, correspondence with the Florida Division of Emergency Management, which is neither confidential nor exempt pursuant to Florida Statutes Chapter 119, is a public record made available upon request.**

**From:** Primrose, Nicholas  
**To:** Sayler, Erik; StLaurent, Louise  
**Subject:** Re: [EXTERNAL] FW: public events  
**Date:** Wednesday, March 11, 2020 10:59:53 AM

---

We haven't waived sunshine requirement at this point. Let's definitely chat about this.

The EO doesn't give locals the ability to waive the statutory sunshine requirements, only Governor or SCO can do that. What they can do is utilize the pre-existing allowances under sunshine to hold telephonic meetings as long as they follow all the other requirements.

Nicholas A. Primrose  
Deputy General Counsel  
Executive Office of the Governor  
400 South Monroe Street, Suite 209  
Tallahassee, Florida 32399  
Office: (850) 717-9310  
Facsimile: (850) 488-9810  
[nicholas.primrose@eog.myflorida.com](mailto:nicholas.primrose@eog.myflorida.com)

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---

**From:** Sayler, Erik <[Erik.Sayler@em.myflorida.com](mailto:Erik.Sayler@em.myflorida.com)>  
**Sent:** Wednesday, March 11, 2020 10:50:17 AM  
**To:** StLaurent, Louise <[louise.stlaurent@flhealth.gov](mailto:louise.stlaurent@flhealth.gov)>; Primrose, Nicholas <[Nicholas.Primrose@eog.myflorida.com](mailto:Nicholas.Primrose@eog.myflorida.com)>  
**Subject:** RE: [EXTERNAL] FW: public events

Louise,  
I'm looping in Nick on this question since it touches on Sunshine law for public meetings.

*Erik L. Sayler*

Deputy General Counsel, Florida Division of Emergency Management  
Direct: (850) 815-4154 | Mobile: (850) 694-6620 | [Erik.Sayler@em.myflorida.com](mailto:Erik.Sayler@em.myflorida.com)

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Sent via the Samsung Galaxy S9, an AT&T 5G Evolution smartphone.

----- Original message -----

**From:** "St Laurent, Louise R" <[Louise.StLaurent@flhealth.gov](mailto:Louise.StLaurent@flhealth.gov)>  
**Date:** 3/11/20 10:29 AM (GMT-05:00)  
**To:** "Sayler, Erik" <[Erik.Sayler@em.myflorida.com](mailto:Erik.Sayler@em.myflorida.com)>  
**Cc:** [erika.friedlander@osceola.org](mailto:erika.friedlander@osceola.org)  
**Subject:** [EXTERNAL] FW: public events



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Erik,

I'd like to chat with you today about guidance for county/community attorneys on public meetings during state of emergency. I'll catch up with you soon. Just spoke with Ms. Friedlander from Osceola County and want to see if we can have some sort of reach out to the Florida Association of Community Attorneys too.

Thanks!

Louise St. Laurent

General Counsel

Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)

(850) 597-3531 (Cell)  
(850) 245-4790 (Fax)

**From:** St Laurent, Louise R  
**Sent:** Wednesday, March 11, 2020 10:22 AM  
**To:** erika.friedlander@osceola.org  
**Subject:** public events

<https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/mass-gatherings-ready-for-covid-19.html>

Will call you momentarily.

Louise St. Laurent

General Counsel

Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)

(850) 597-3531 (Cell)

(850) 245-4790 (Fax)

**Mission:** To protect, promote, and improve the health of all people in Florida through integrated state, county, & community efforts.

**Vision:** To be the **Healthiest State** in the Nation

**Values: ICARE**

I innovation: We search for creative solutions and manage resources wisely.

C collaboration: We use teamwork to achieve common goals & solve problems.

A accountability: We perform with integrity & respect.

R responsiveness: We achieve our mission by serving our customers & engaging our partners.

E excellence: We promote quality outcomes through learning & continuous performance improvement.

**Purpose:** To protect the public through health care licensure, enforcement and information.

**Focus:** To be the nation's leader in quality health care regulation.

---

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**From:** Gambineri, Mara  
**To:** Mahon, Jason  
**Subject:** Re: [EXTERNAL] Fwd: ICE and FDOH/ URGENT Miami Herald story  
**Date:** Tuesday, April 14, 2020 2:57:24 PM

---

Is there a draft?

Mara Gambineri  
Director of External Affairs  
Executive Office of Governor Ron DeSantis  
407-575-4966

---

**From:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Sent:** Tuesday, April 14, 2020 2:53:20 PM  
**To:** Gambineri, Mara <Mara.Gambineri@eog.myflorida.com>  
**Subject:** FW: [EXTERNAL] Fwd: ICE and FDOH/ URGENT Miami Herald story

Please see below

**From:** Monique O. Madan <mmadan@miamiherald.com>  
**Sent:** Tuesday, April 14, 2020 2:46 PM  
**To:** Mahon, Jason <Jason.Mahon@em.myflorida.com>; Bequer, Samantha <Samantha.Bequer@em.myflorida.com>  
**Cc:** EOC-ESF14 <ESF14@em.myflorida.com>  
**Subject:** [EXTERNAL] Fwd: ICE and FDOH/ URGENT Miami Herald story

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Can I please get an answer on this?

----- Forwarded message -----

**From:** Moscoso, Alberto <Alberto.Moscoso@flhealth.gov>  
**Date:** Tue, Apr 14, 2020 at 1:35 PM  
**Subject:** Re: ICE and FDOH/ URGENT Miami Herald story  
**To:** Dalton, Brad L <Brad.Dalton@flhealth.gov>, Monique O. Madan <mmadan@miamiherald.com>, EOC-ESF14 <ESF14@em.myflorida.com>

Monique,

I am forwarding your question to the Joint Information Center, the best point of contact for information regarding the state's response to COVID-19.

Thanks,

Alberto Moscoso

Communications Director  
Florida Department of Health  
(850) 408-7687

---

**From:** Monique O. Madan <[mmadan@miamiherald.com](mailto:mmadan@miamiherald.com)>  
**Sent:** Tuesday, April 14, 2020 1:33:49 PM  
**To:** Moscoso, Alberto <[Alberto.Moscoso@flhealth.gov](mailto:Alberto.Moscoso@flhealth.gov)>; Dalton, Brad L <[Brad.Dalton@flhealth.gov](mailto:Brad.Dalton@flhealth.gov)>  
**Subject:** ICE and FDOH/ URGENT Miami Herald story

Hi there,

ICE has referred me to the FDOH on what the protocol is when releasing immigrants from detention centers amid COVID-19.

It's my understanding that FDOH is currently in talks with ICE about how to arrange the safe release of detainees who currently have COVID-19, or may have been exposed to it.

Can you please explain to the Miami Herald how FDOH is coordinating with ICE on this?

Thank you. My deadline is 5 p.m.

My cell: :305.910.3343

Below is ICE's statement:

"Specifically in regard to individuals we are reviewing for potential discretionary release due to having medical conditions that might place them at higher risk for severe illness as a result of COVID-19, persons identified as having vulnerable medical conditions could still potentially be granted discretionary release prior to completion of a cohort. Any such decision for those persons would be made in coordination with state and local health officials.

Generally, persons wouldn't be released discretionarily until recovery and/or completion of a cohort, but for persons identified as having a vulnerable medical condition, there could be an exception. Again, any such release of those persons would be made in coordination with state and local health officials."

--  
**Monique O. Madan**

Immigration Reporter, Miami Herald

[mmadan@miamiherald.com](mailto:mmadan@miamiherald.com)

o. 305-376-2108 | twitter: [@moniqueomadan](https://twitter.com/moniqueomadan)

facebook: [@moniqueomadan](https://www.facebook.com/moniqueomadan)

3511 NW 91st Ave. Miami, FL 33172

Miami Herald



*NOTE: Emailed material could also be used  
in my reporting for Reveal, where I am a fellow.*



--  
**Monique O. Madan**

Immigration Reporter, Miami Herald

[mmadan@miamiherald.com](mailto:mmadan@miamiherald.com)

o. 305-376-2108 | twitter: [@moniqueomadan](https://twitter.com/moniqueomadan)

facebook: [@moniqueomadan](https://www.facebook.com/moniqueomadan)

3511 NW 91st Ave. Miami, FL 33172

Miami Herald



*NOTE: Emailed material could also be used  
in my reporting for Reveal, where I am a fellow.*



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**From:** Gambineri, Mara  
**To:** Mahon, Jason  
**Subject:** Re: [EXTERNAL] Re: [EXTERNAL] Re: Question about testing capacity  
**Date:** Wednesday, April 29, 2020 8:38:20 PM

---

Good

Mara Gambineri  
Director of External Affairs  
Executive Office of Governor Ron DeSantis  
407-575-4966

---

**From:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Sent:** Wednesday, April 29, 2020 8:22:11 PM  
**To:** Gambineri, Mara <Mara.Gambineri@eog.myflorida.com>  
**Subject:** FW: [EXTERNAL] Re: [EXTERNAL] Re: Question about testing capacity

**From:** EOC-ESF14 <ESF14@em.myflorida.com>  
**Sent:** Wednesday, April 29, 2020 8:21 PM  
**To:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Subject:** Re: [EXTERNAL] Re: [EXTERNAL] Re: Question about testing capacity

Hi Aaron,

Please find a list of state-supported testing sites, including walk-up testing sites, here: <https://floridadisaster.org/covid19/testing-sites/>

At this time, the walk-up testing site in Miami-Dade at the Holy Family Catholic Church can test up to 200 individuals per day.

The Marlins Stadium and the Hard Rock Stadium can test up to 750 individuals per day. Combined, these two sites have nearly 4,000 collection kits on site and are being resupplied daily.

These kits are sent proactively to the sites, in anticipation of need and demand. The state is prepared to meet all testing needs at these sites.

Hope this helps, thanks!

Joint Information Center on COVID-19 for the State of Florida  
Florida State Emergency Operations Center  
Media Line: 850-921-0217  
[ESF14@em.myflorida.com](mailto:ESF14@em.myflorida.com)

---

**From:** Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)>  
**Sent:** Wednesday, April 29, 2020 11:26 AM  
**To:** EOC-ESF14  
**Subject:** [EXTERNAL] Re: [EXTERNAL] Re: Question about testing capacity

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I actually have a separate question that I will also pose here while I have you. I know that two walk-up testing sites were opened in Broward a couple weeks ago, and there's one in Miami-Dade that opened this week.

Are there other walk-up testing sites in Florida either currently open or in the works?

Thanks so much. My deadline on both of these inquiries is 5 pm.

--  
Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](https://twitter.com/aaron_leib)

On Wed, Apr 29, 2020 at 11:07 AM Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)> wrote:

Thanks so much!

--  
Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](https://twitter.com/aaron_leib)

On Wed, Apr 29, 2020 at 11:07 AM EOC-ESF14 <[ESF14@em.myflorida.com](mailto:ESF14@em.myflorida.com)> wrote:

Hi Aaron,

Looking into this for you! Thanks.

--  
Joint Information Center on COVID-19 for the State of Florida  
Florida State Emergency Operations Center  
Media Line: 850-921-0217



[ESF14@em.myflorida.com](mailto:ESF14@em.myflorida.com)

---

**From:** Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)>

**Sent:** Wednesday, April 29, 2020 11:05 AM

**To:** EOC-ESF14

**Cc:** OEM Miami-Dade County EOC PIO Workroom (MDFR)

**Subject:** [EXTERNAL] Re: Question about testing capacity

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I'm writing to follow up on my inquiry yesterday about testing capacity in Miami-Dade County: How many testing kits are currently available at each testing site, and how many are en route/under contract? I initially contacted the county EOC and was told to refer my questions to the state.

If you could please get back to me today, I'd greatly appreciate it. And I'd be happy to discuss any questions at 914-960-2739.

Thanks,  
Aaron

---

Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](https://twitter.com/aaron_leib)

On Tue, Apr 28, 2020 at 4:45 PM OEM Miami-Dade County EOC PIO Workroom (MDFR) <[eocpio@miamidade.gov](mailto:eocpio@miamidade.gov)> wrote:

Great!

---

**From:** Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)>

**Sent:** Tuesday, April 28, 2020 4:44 PM

**To:** OEM Miami-Dade County EOC PIO Workroom (MDFR) <[eocpio@miamidade.gov](mailto:eocpio@miamidade.gov)>

**Subject:** Re: Question about testing capacity

EMAIL RECEIVED FROM EXTERNAL SOURCE.

Thanks, I just called them and was told they would work on it.

Best,  
Aaron

Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](#)

On Tue, Apr 28, 2020 at 4:43 PM OEM Miami-Dade County EOC PIO Workroom (MDFR) <[eocpio@miamidade.gov](mailto:eocpio@miamidade.gov)> wrote:

Good afternoon,

Please contact (850) 815-4940, [ESF14@em.myflorida.com](mailto:ESF14@em.myflorida.com) for further information on your request.

Thanks,  
EOC PIO

---

**From:** Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)>  
**Sent:** Tuesday, April 28, 2020 12:28 PM  
**To:** OEM Miami-Dade County EOC PIO Workroom (MDFR) <[eocpio@miamidade.gov](mailto:eocpio@miamidade.gov)>  
**Subject:** Fwd: Question about testing capacity

EMAIL RECEIVED FROM EXTERNAL SOURCE.

---

Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](#)

----- Forwarded message -----

From: **Leibowitz, Aaron** <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)>  
Date: Tue, Apr 28, 2020 at 12:27 PM

Subject: Question about testing capacity

To: Marquez, Myriam (Office of the Mayor) <[Myriam.Marquez@miamidade.gov](mailto:Myriam.Marquez@miamidade.gov)>, Abril, Patricia (Office of the Mayor) <[Patricia.Abril@miamidade.gov](mailto:Patricia.Abril@miamidade.gov)>

Hi Myriam and Patty,

I was hoping to get a sense of how many testing kits are available/under contract at each of the Miami-Dade testing sites. I know that many sites are relaxing their age/symptom requirements, but I don't think we have a great sense of how many testing kits (along with the corresponding equipment) are available in total.

I know more tests and equipment are still being procured, but it would be helpful to have the latest update on what is currently in hand and/or under contract.

I sent a message to the EOC text line a little while ago but haven't heard back yet. Thanks so much for your help.

Aaron

--  
Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](https://twitter.com/aaron_leib)

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**From:** Gambineri, Mara  
**To:** Mahon, Jason  
**Subject:** Re: [EXTERNAL] Re: [EXTERNAL] Re: [EXTERNAL] Re: Question about travelers from high-risk states  
**Date:** Sunday, April 12, 2020 2:13:28 PM

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One edit  
Mara Gambineri  
Director of External Affairs  
Executive Office of Governor Ron DeSantis  
407-575-4966

---

**From:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Sent:** Sunday, April 12, 2020 1:58 PM  
**To:** Gambineri, Mara  
**Subject:** FW: [EXTERNAL] Re: [EXTERNAL] Re: [EXTERNAL] Re: Question about travelers from high-risk states

Verified by Farrill:

The state has been and continues to work closely with all 67 counties and local municipalities to slow the spread of COVID-19.

As per Executive Order 20-80, individuals are required to isolate or quarantine for a period of 14 days from the time of entry into the State of Florida or the duration of the person's presence in the State of Florida, whichever is shorter. To date, more than 5200 traveler forms have been collected at the I-10 and I-95 checkpoints. Additionally, more than 13,200 traveler forms have been collected at public use airports across the state.

These individuals are asked not to leave their quarantine location. DOH, FDOT, and state and local law enforcement continue to work together to implement and enforce Executive Order 20-80.

Once a form is submitted, the information is aggregated into a system which allows the state to check in with individuals to ensure they are feeling well and are self-isolating. The state is utilizing Florida Highway Patrol officers to assist in this work in an effort to not strain local resources. We will continue to work with all counties and municipalities as we respond to COVID-19 together.

---

**From:** Leibowitz, Aaron <aaleibowitz@miamiherald.com>  
**Sent:** Sunday, April 12, 2020 12:41 PM  
**To:** Mahon, Jason <Jason.Mahon@em.myflorida.com>  
**Subject:** [EXTERNAL] Re: [EXTERNAL] Re: [EXTERNAL] Re: Question about travelers from high-risk states

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Thanks.

--  
Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](#)

On Sun, Apr 12, 2020 at 12:40 PM Mahon, Jason <[Jason.Mahon@em.myflorida.com](mailto:Jason.Mahon@em.myflorida.com)> wrote:

Yes. Thank you for your patience on this one

**From:** Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)>  
**Sent:** Sunday, April 12, 2020 9:57 AM  
**To:** Mahon, Jason <[Jason.Mahon@em.myflorida.com](mailto:Jason.Mahon@em.myflorida.com)>  
**Subject:** [EXTERNAL] Re: [EXTERNAL] Re: Question about travelers from high-risk states

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jason, checking on this. Are you able to get me some information today? Thanks very much.

On Sat, Apr 11, 2020 at 12:01 PM Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)> wrote:

Thank you, Jason. Appreciate it.

--  
Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](#)

On Sat, Apr 11, 2020 at 12:00 PM Mahon, Jason <[Jason.Mahon@em.myflorida.com](mailto:Jason.Mahon@em.myflorida.com)> wrote:

Aaron,

I'm working on this for you, will get back to you today.

Jason

**From:** Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)>  
**Sent:** Saturday, April 11, 2020 11:51 AM

**To:** Ferre, Helen <[Helen.Ferre@eog.myflorida.com](mailto:Helen.Ferre@eog.myflorida.com)>  
**Cc:** Mahon, Jason <[Jason.Mahon@em.myflorida.com](mailto:Jason.Mahon@em.myflorida.com)>; Martin Vassolo <[mvassolo@miamiherald.com](mailto:mvassolo@miamiherald.com)>  
**Subject:** [EXTERNAL] Re: Question about travelers from high-risk states

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Hi Helen, following up on this. Thanks again.

Aaron

--  
Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](https://twitter.com/aaron_leib)

On Thu, Apr 9, 2020 at 12:29 PM Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)> wrote:

Appreciate it. You too.

On Thu, Apr 9, 2020 at 12:28 PM Ferre, Helen <[Helen.Ferre@eog.myflorida.com](mailto:Helen.Ferre@eog.myflorida.com)> wrote:

Hi Aaron, will get back to you. Stay safe.

Helen Aguirre Ferre  
Director of Communications  
Governor Ron DeSantis  
(850)717-9290  
(850)717-9282  
[@HelenAguirreFer](https://twitter.com/HelenAguirreFer)

**From:** Leibowitz, Aaron <[aleibowitz@miamiherald.com](mailto:aleibowitz@miamiherald.com)>  
**Sent:** Thursday, April 9, 2020 12:27 PM  
**To:** Ferre, Helen <[Helen.Ferre@eog.myflorida.com](mailto:Helen.Ferre@eog.myflorida.com)>; Mahon, Jason <[Jason.Mahon@em.myflorida.com](mailto:Jason.Mahon@em.myflorida.com)>  
**Cc:** Martin Vassolo <[mvassolo@miamiherald.com](mailto:mvassolo@miamiherald.com)>  
**Subject:** Question about travelers from high-risk states

Hi Helen and Jason,

Thank you again for your help yesterday.

The Miami Beach mayor told us he has been asking for a list of travelers from high-risk states that have come to Miami Beach, so that his city can enforce the Governor's 14-day quarantine order, but that he has not received this list.

Therefore, I wanted to ask: What is the state doing with the names/addresses/contact information being collected at airports and at the checkpoint for vehicles on I-95 from people from high-risk states? Is there a plan to provide a list of these individuals to county and/or municipal governments so they can conduct their own follow-up and enforcement?

Thanks so much.

Aaron

--

--

Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](https://twitter.com/aaron_leib)

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Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
Twitter: [@aaron\\_leib](https://twitter.com/aaron_leib)

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Aaron Leibowitz, Staff Writer  
Miami Herald  
3511 NW 91st Ave., Doral, FL 33172  
cell: 914-960-2739  
desk: 305-376-2235  
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Under Florida law, correspondence with the Florida Division of Emergency Management, which is neither confidential nor exempt pursuant to Florida Statutes Chapter 119, is a public

record made available upon request.



**From:** [Primrose, Nicholas](#)  
**To:** [StLaurent, Louise](#); [Sayler, Erik](#); [Ernst, Colleen](#)  
**Subject:** Re: [Loggovtopics] [EXTERNAL] Sunshine Law and Declared Emergencies  
**Date:** Monday, March 16, 2020 9:11:02 AM  
**Attachments:** [image002.png](#)

---

Thanks. It has been an ongoing conversation internal, so I'll let you know if we have any guidance

Nicholas A. Primrose  
Deputy General Counsel  
Executive Office of the Governor  
400 South Monroe Street, Suite 209  
Tallahassee, Florida 32399  
Office: (850) 717-9310  
Facsimile: (850) 488-9810

[nicholas.primrose@eog.myflorida.com](mailto:nicholas.primrose@eog.myflorida.com)

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---

**From:** St Laurent, Louise R <[Louise.StLaurent@flhealth.gov](mailto:Louise.StLaurent@flhealth.gov)>  
**Sent:** Monday, March 16, 2020 9:07:45 AM  
**To:** Sayler, Erik <[erik.sayler@em.myflorida.com](mailto:erik.sayler@em.myflorida.com)>; Primrose, Nicholas <[Nicholas.Primrose@eog.myflorida.com](mailto:Nicholas.Primrose@eog.myflorida.com)>; Ernst, Colleen <[Colleen.Ernst@eog.myflorida.com](mailto:Colleen.Ernst@eog.myflorida.com)>  
**Subject:** FW: [Loggovtopics] [EXTERNAL] Sunshine Law and Declared Emergencies

Please see the string below. I have not advised anyone that DOH has the authority to waive sunshine requirements or quorum requirements for any board or council outside of DOH's boards and councils.

Let me know if I can be of assistance in working through these sunshine/in-person quorum requests.

Thanks!

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)

(850) 245-4790 (Fax)

**From:** Gregg Morton <greggrileymorton@gmail.com>

**Sent:** Monday, March 16, 2020 8:58 AM

**To:** St Laurent, Louise R <Louise.StLaurent@flhealth.gov>

**Subject:** Fwd: [Locgovtopics] [EXTERNAL] Sunshine Law and Declared Emergencies

Thank you Louise. The education law folks are interested in this issue, too, because school boards and charter school boards have the same quorum requirement. If possible, could you include me on any communication re: what you decide? I'm hoping that DOH makes that determination, because I suspect we won't be able to meet in person for the foreseeable future. Hope all is going as well as possible for you under the circumstances.

Gregg.

----- Forwarded message -----

From: **Andrew Mai via LocGovTopics** <[locgovtopics@listserve.com](mailto:locgovtopics@listserve.com)>

Date: Fri, Mar 13, 2020 at 3:43 PM

Subject: Re: [Locgovtopics] [EXTERNAL] Sunshine Law and Declared Emergencies

To: Susan Woolf <[swoolf@cityofpensacola.com](mailto:swoolf@cityofpensacola.com)>, Bob Swain <[bswain@alachuacounty.us](mailto:bswain@alachuacounty.us)>

Cc: [locgovtopics@listserve.com](mailto:locgovtopics@listserve.com) <[locgovtopics@listserve.com](mailto:locgovtopics@listserve.com)>

Susan and Bob:

We reached out to

Louise St. Laurent  
General Counsel  
Office of the General Counsel  
Florida Department of Health  
4052 Bald Cypress Way, A-02  
Tallahassee, FL 32399  
(850) 245-4956 (Office)  
(850) 597-3531 (Cell)

The Department of Health arguably has authority from the Governor's declaration of emergency to waive the requirement that a quorum must be physically present. She is in the process of determining whether there is such authority and whether the Department of Health wishes to exercise that authority. Should the Department of Health take action I will forward on.

Andrew Mai  
Osceola County Attorney

**From:** LocGovTopics [mailto:[locgovtopics-bounces+andrew.mai=osceola.org@listserve.com](mailto:locgovtopics-bounces+andrew.mai=osceola.org@listserve.com)] **On Behalf Of** Susan Woolf via LocGovTopics  
**Sent:** Wednesday, March 11, 2020 2:05 PM  
**To:** Bob Swain <[bswain@alachuacounty.us](mailto:bswain@alachuacounty.us)>  
**Cc:** [locgovtopics@listserve.com](mailto:locgovtopics@listserve.com)  
**Subject:** Re: [Locgovtopics] [EXTERNAL] Sunshine Law and Declared Emergencies

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Bob,

We are asking the same questions here. My research indicates that the AG always has opined that a quorum must be physically present before anyone who is sick or infirm may appear by telephone. I have not found any latitude for allowing a videoconference of the board members under circumstances such as an epidemic. The emergency management statutes don't address any type of relaxation of or waiver of the Sunshine law requirements, at least nothing I have found.

Susan

**Susan A. Woolf, City Attorney**  
City of Pensacola  
(850) 435-1615  
[swoolf@cityofpensacola.com](mailto:swoolf@cityofpensacola.com)

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**From:** LocGovTopics <[locgovtopics-bounces+swoolf=cityofpensacola.com@listserve.com](mailto:locgovtopics-bounces+swoolf=cityofpensacola.com@listserve.com)> **On Behalf Of** Bob Swain via LocGovTopics  
**Sent:** Tuesday, March 10, 2020 4:06 PM  
**To:** [locgovtopics@listserve.com](mailto:locgovtopics@listserve.com)  
**Subject:** [EXTERNAL] [Locgovtopics] Sunshine Law and Declared Emergencies

**THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT**

Given the issues that COVID-19 presents, other than asking the Governor to include a waiver of the public meeting requirements in the Declaration of Emergency, does anyone have any ideas about the ability to handle public meetings during an infectious disease breakout? Natural disasters do provide some challenges, but this seems to be different. I would welcome any suggestions. The issues I see is that we have to have a quorum of our Board present to begin a meeting and we have to provide some method for public participation.



**Robert C. Swain**

Senior Assistant County Attorney

Office of the County Attorney

12 SE 1st Street, Gainesville, FL 32601

352.374.5218 (office) 352.374.5216 (fax)



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Phone: (850) 408-0719

**From:** [Gambineri, Mara](#)  
**To:** [Mahon, Jason](#); [Moscoso, Alberto](#)  
**Subject:** Re: smiley  
**Date:** Friday, April 3, 2020 7:58:17 PM

---

Good

**Mara Gambineri**  
Director of External Affairs  
Executive Office of Governor Ron DeSantis  
407-575-4966

---

**From:** Mahon, Jason <[Jason.Mahon@em.myflorida.com](mailto:Jason.Mahon@em.myflorida.com)>  
**Sent:** Friday, April 3, 2020 7:57:45 PM  
**To:** Gambineri, Mara <[Mara.Gambineri@eog.myflorida.com](mailto:Mara.Gambineri@eog.myflorida.com)>; Moscoso, Alberto <[Alberto.Moscoso@flhealth.gov](mailto:Alberto.Moscoso@flhealth.gov)>  
**Subject:** smiley

Tests conducted at the Broward County testing site may be originally attributed to that site when first reported. As the epidemiological investigations are conducted, these cases are then attributed to the individual's place of residency. It is important to note that this may add to the total in the zip code for CB Smith Park, but there are also more tests being done in the area through the site, which could contribute to the heightened number of recorded cases as well.

**Jason Mahon**  
Communications Director  
Florida Division of Emergency Management  
850-815-4131 (desk)  
850-294-2169 (cell)  
[Jason.Mahon@em.myflorida.com](mailto:Jason.Mahon@em.myflorida.com)

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**From:** Ernst, Colleen  
**To:** O'Connor, Kasey; Jones, Jason; St Laurent, Louise  
**Subject:** Top Florida medical examiner calls list of fatalities faulty | Miami Herald  
**Date:** Monday, May 11, 2020 3:31:56 PM

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<https://www.miamiherald.com/news/coronavirus/article242552796.html>

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