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## Florida anti-mandate law about masks, vaccinations imperils senior communities | Opinion

*Side effects of anti-masking law*

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A large retirement community in Tamarac has just announced that the clubhouse where hundreds of seniors gather on a weekly basis for social activities has been closed. The reason? A significant uptick in COVID-19 cases in the community has created concern for the community's vulnerable populace. Unfortunately, the Board of Directors had no choice but to close the property, thanks to SB 252, a law enacted by the Florida Legislature in the 2023 Legislative Session and signed by Gov. DeSantis. This law purports to protect people from discrimination based on health care choices but its application creates a new brand of discrimination.

SB 252 prevents a business from requiring people to wear facial coverings or show proof of vaccination status, even if a state of emergency has been declared related to a public health emergency and the medical community recommends such measures to curb infections. The law further prevents a business from firing or refusing to hire a person on the basis of his or her vaccine status or refusal to wear a facial covering when requested. A condominium, cooperative, or homeowners' association fits within the business category impacted by this new law. The state may impose a \$5,000 fine for each violation.

So what does this mean for the many Floridians living in “55 and older” communities, where health concerns are typically heightened? In the case of the large Tamarac community, it means that the recreational amenities are closed, because there is no safe way to keep them open without risking the spread of COVID among their vulnerable residents. Many seniors depend on the social interaction these amenities provide; sadly they’re out of luck now that the Florida Legislature is dictating healthcare policy. For multi-family buildings, this new law will prevent boards from insisting that contractors and vendors wear masks when entering residents’ units — a requirement that was welcomed by many health-conscious residents well before the advent of COVID.

Decisions about health care should be made by individuals who consult with and follow the advice of the medical community. Florida’s community association boards rose to the challenge in 2020 and 2021 when COVID was a novel and frightening threat. Many lives were saved (and even more hospitalizations avoided) because boards took the steps needed to protect their residents.

This law makes the job of volunteer boards and their management professionals seeking to protect their residents virtually impossible should COVID surges continue to emerge.

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