

Capitol Update



Announcement from the Florida Developmental Disabilities Council

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Medicaid Managed Care

This week everyone was surprised when the House Select Committee on the Economic and Strategic Policy released two major Medicaid Managed Care bills that directly impact people with developmental disabilities. These Medicaid reform bills put all Medicaid services (with few exceptions) under a managed care entity that could be either a Health Maintenance Organization (HMO) or a Provider Services Network (PSN). The key features of the bill, PCB SPCSEP 10-03- (link here) Medicaid Managed Care, include the following:

- All purchased Medicaid services will be under managed care. There will be no exceptions or "carve outs".
- For people with developmental disabilities, this includes all Waiver services, all private Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) services, and all basic health care services.
- The only services not subject to managed care will be those provided at state-run institutions.
- The effective date for HMOs or PSNs to begin delivering services to people with developmental disabilities is 2015.
- The state will be divided into six areas with at least two HMOs and one PSN managing services in each area.
- The tier system is continued except that a fifth level is added for services provided by private ICF/DDs.
- The managed care entity is expected to save 8% of the current cost of care with a preferred savings of 15%.
- The savings will be used to pay for the administrative costs (overhead and profits) of the HMO or PSN.
- No additional funds can be expected to offset their costs and the waiting list will not be initially addressed.

The Agency for Persons with Disabilities (APD) functions would be limited to managing the

two remaining state institutions, the forensic programs and a small general revenue program. Case management would be provided by the HMO or PSN and independent support coordination would be eliminated.

The House, the Select Committee on Economic and Strategic Policy heard its proposed committee Medicaid reform bill on Monday. The Senate Health Regulation Committee will hear the proposal on Wednesday and Thursday. Then the bill would be negotiated between the House and the Senate.

The Florida Developmental Disabilities Council will be working with members of the [Senate Health Regulation Committee](#), and [Health and Human Services Appropriations Committee](#) and [Senate President Atwater](#).

Our message will be to develop a plan and specialty networks for individuals with developmental disabilities for basic health care needs and pilot the plan in the existing pilot counties.

Also we are advocating that the Agency for Persons with Disabilities and the Individual Budget(IBudget) system be used to manage the care provided by the Developmental Disabilities Home and Community Based Waiver.

Please call your legislators and let your opinion be heard!

[HB 81](#) - Relating to Use, Prevention, and Reduction of Seclusion and Restraint on Students with Disabilities in Public Schools

by Hukill Cosponsors: Anderson, Brandenburg, Burgin, Flores, Fresen, Glorioso, Gonzalez, Heller, Hudson, Jenne, Kiar, Llorente, McBurney, Nehr, Pafford, Planas, Porth, Precourt, Sachs, Schenck, Schultz, Schwartz, Skidmore, Soto, Stargel, Steinberg, Tobia, Williams (T), Zapata

Summary

During the PreK-12 Policy Committee on March 25th, HB 81 passed! This marked the first time a bill on guidelines for Restraint and Seclusion had passed a committee. A House Proposed Committee Substitute (PCS) combined this bill with HB 1073(see next bill below). The original bill was laid on Table so from now on we will refer to the combined HB 1073.

The Council has taken a supporting the original legislation. Council position

Effective Date: July 1, 2010

Actions

08/20/09 HOUSE Filed

10/01/09 HOUSE Referred to PreK-12 Policy Committee; Health Care Services Policy Committee; PreK-12 Appropriations Committee; Education Policy Council

03/25/10 HOUSE PCS combines this bill with H 1073; Original bill laid on Table, refer to combined H 1073

Similar Bills

SB 2118 - Relating to Students with Disabilities/Seclusion/Restraint by Gardiner

03/01/10 SENATE Referred to Education Pre-K - 12; Children, Families, and Elder Affairs; Education Pre-K - 12 Appropriations

03/23/10 SENATE Temporarily postponed by Education Pre-K - 12

04/06/10 SENATE Favorable with CS by Education Pre-K - 12; 7 Yeas, 0 Nays

04/09/10 SENATE Committee Substitute Text (C1) Filed

04/12/10 SENATE Now in Children, Families, and Elder Affairs

[SB 1166](#) - Relating to Community Residential Homes by Altman

Co-Sponsors: Storms

Summary

This bill prohibits rules adopted by the Agency for Persons with Disabilities from restricting the number of facilities designated as community residential homes located within a planned residential community. The bill also defines the term "planned residential community" and provides that community residential homes located within a planned residential community may be contiguous to one another and exempt from the 1000 foot rule. The 1000 foot rule states that group homes that have six beds or less may not be within 1000 feet of each other. [Position](#)

EFFECTIVE DATE: 07/01/2010.

Actions

01/21/10 SENATE Referred to Community Affairs; Children, Families, and Elder Affairs

02/16/10 SENATE Favorable by Community Affairs; 10 Yeas, 0 Nays

03/26/10 SENATE Favorable by Children, Families, and Elder Affairs; 6 Yeas, 0 Nays

03/29/10 SENATE Placed on Calendar, on second reading

Identical Bills

HB 0645 - Relating to Community Residential Homes by Stargel

Actions

01/28/10 HOUSE Referred to Military & Local Affairs Policy Committee; Health Care Services Policy Committee; Economic Development & Community Affairs Policy Council

03/25/10 HOUSE Favorable with CS by Military & Local Affairs Policy Committee; 9 Yeas, 4 Nays

03/30/10 HOUSE Committee Substitute Text (C1) Filed

04/05/10 HOUSE Reference to Health Care Services Policy Committee Removed; Reference to Health & Family Services Policy Council Added; Remaining references: Health & Family Services Policy Council; Economic Development & Community Affairs Policy Council

04/05/10 HOUSE Now in Health & Family Services Policy Council

04/09/10 HOUSE On Council agenda - Health & Family Services Policy Council, 04/13/10, 9:15 am, 212 K

[SB 1388](#) - Relating to Intellectual Disabilities by Haridopolos

Summary

This bill amends provisions in statute by substituting the term "intellectual disability" for the term "mental retardation." The bill revises definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms. The bill also provides that the name Arc of Florida is substituted for the Association for Retarded Citizens. This bill is a "reviser bill". It provides a directive to the Division of Statutory Revision.

EFFECTIVE DATE: 07/01/2010.

Committees of Reference

Children, Families, and Elder Affairs, Criminal Justice, Judiciary, Health and Human Services Appropriations

Actions

01/26/10 SENATE Filed

03/26/10 SENATE Favorable with CS by Children, Families, and Elder Affairs; 6 Yeas, 0 Nays

03/29/10 SENATE Committee Substitute Text (C1) Filed

04/08/10 SENATE On Committee agenda - Criminal Justice, 04/13/10, 9:30 am, 37 S

[SB 2038](#) - Relating to Medicaid Buy-in Program/Persons with Disabilities by Crist

Summary

The bill provided for Medicaid eligibility for certain persons with disabilities under a Medicaid buy-in program, subject to specific federal authorization. The proposed Work Incentive Medicaid Coverage program would continue to offer Medicaid coverage to people with disabilities who are working. Once they enrolled in the program they would have the opportunity to earn more and save more than the allowable limits for regular Medicaid and still retain their health care coverage through the State's Medicaid Program. The bill requires the Department of Children and Family Services to adopt rules for determining eligibility. The bill also directs the Department of Health to perform all disability determinations. Finally, the bill requires the Agency for Health Care Administration to seek amendments to specified Medicaid waivers for certain persons with disabilities. The Council supports this [Council Position](#) **EFFECTIVE DATE: 07/01/2010.**

Committees of Reference

Health Regulation, Children, Families, and Elder Affairs, Health and Human Services Appropriations; Policy and Steering Committee on Ways and Means

Actions

02/16/10 SENATE Filed

03/01/10 SENATE Referred to Health Regulation; Children, Families, and Elder Affairs; Health and Human Services Appropriations; Policy & Steering Committee on Ways and Means

03/26/10 SENATE Favorable with CS by Health Regulation; 5 Yeas, 0 Nays

04/07/10 SENATE Favorable by Children, Families and Elder Affairs; 7 Yeas, 0 Nays

04/08/10 SENATE Now in Health and Human Services Appropriations

Similar Bills

HB 0837 - Relating to Medicaid Buy-in for Persons with Disabilities by Homan

02/10/10 HOUSE Referred to Health Care Regulation Policy Committee; Health Care Appropriations Committee; Health & Family Services Policy Council

2/10/10 HOUSE Now in Health Care Regulation Policy Committee

[SB 0214](#) -Relating to Autism by Ring

Summary

This bill requires a physician to refer a minor whose parent suspects the minor has an autism spectrum disorder, cerebral palsy, or Down syndrome to an appropriate specialist for screening, evaluation, or diagnosis. The bill requires health insurers and health maintenance organizations to provide direct access to an appropriate specialist for a diagnosis. The terms "direct access" and "appropriate specialist" are defined in the bill. The bill mandates health insurance policies and health maintenance organization contracts to provide at least three visits per policy year for the screening, evaluation, or diagnosis of autism spectrum disorder, cerebral palsy, or Down syndrome.

EFFECTIVE DATE: 07/01/2010.

Actions

10/05/09 SENATE Filed

12/09/09 SENATE Referred to Health Regulation; Banking and Insurance; Policy & Steering Committee on Ways and Means

03/09/10 SENATE Favorable with CS by Health Regulation; 7 Yeas, 0 Nay

03/11/10 SENATE Committee Substitute Text (C1) Filed

03/15/10 SENATE Reference to Governmental Oversight and Accountability added; Remaining references: Banking and Insurance; Governmental Oversight and Accountability; Policy & Steering Committee on Ways and Means

03/24/10 SENATE Favorable with CS by Banking and Insurance; 10 Yeas, 0 Nays

04/06/10 SENATE Favorable with CS by Governmental Oversight and Accountability; 7 Yeas, 1 Nay

04/07/10 SENATE Committee Substitute Text (C3) Filed

04/09/10 SENATE Now in Policy & Steering Committee on Ways and Means

Compare

HB 0107 -Relating to Autism by Coley

09/11/09 HOUSE Filed

10/12/09 HOUSE Referred to Health Care Regulation Policy Committee; Insurance, Business & Financial Affairs Policy Committee; Government Operations Appropriations Committee; General Government Policy Council

03/22/10 HOUSE Favorable with CS by Health Care Regulation Policy Committee; 10 Yeas, 1 Nay

03/30/10 HOUSE Committee Substitute Text (C1) Filed

04/05/10 HOUSE Reference to Insurance, Business & Financial Affairs Policy Committee Removed; Remaining References: Government Operations Appropriations Committee; General Government Policy Council

04/09/10 HOUSE Favorable by Government Operations Appropriations Committee; 8 Yeas, 3 Nays

04/09/10 HOUSE Now in General Government Policy Council

[SB 0222](#) -Relating to Childhood Vaccinations by Ring

Summary

This bill requires a pediatrician or attending physician to discuss the risks, benefits, and alternatives of each vaccination before a child is vaccinated. The bill provides requirements for the administration of certain vaccines required for school entry. Licensed health care providers will be required to provide certain vaccine information statements to parents, legal guardians, and legal representatives before administering certain vaccines to children.

EFFECTIVE DATE: 07/01/2010.

Actions

10/05/09 SENATE Filed

12/09/09 SENATE Referred to Health Regulation; Children, Families, and Elder Affairs; Policy & Steering Committee on Ways and Means

Similar

HB 0117 -Relating to Childhood Vaccinations by Ambler

09/15/09 HOUSE Filed

10/12/09 HOUSE Referred to Health Care Regulation Policy Committee; PreK-12 Appropriations Committee; Civil Justice & Courts Policy Committee; Health Care Appropriations Committee

02/16/10 HOUSE Temporarily postponed by Health Care Regulation Policy Committee

03/01/10 HOUSE Withdrawn prior to introduction

[SB 0490](#) -Relating to Dentistry by Smith

Summary

This bill defines the term "public health supervision" and redefines the term "health access settings" to include school-based prevention programs. The bill would authorize dental hygienists to perform certain additional dental hygiene services under public health supervision. The bill provides that certain tasks are remediable and delegable to dental hygienists in certain settings. The bill includes a list of remediable and delegable tasks.

EFFECTIVE DATE: 07/01/2010.

Actions

10/20/09 SENATE Filed

12/09/09 SENATE Referred to Health Regulation; Education Pre-K - 12; Health and Human Services Appropriations

Similar

HB 1469 -Relating to Dentistry and Dental Hygiene by Patterson
03/10/10 HOUSE Referred to Health Care Regulation Policy Committee; Health Care Appropriations Committee; Health & Family Services Policy Council
03/10/10 HOUSE Now in Health Care Regulation Policy Committee

[HB 0719](#) -Relating to Child Care by Zapata

Summary

This bill revises provisions relating to standards that child care facilities must meet to obtain and maintain a Gold Seal Quality Care provider designation. The bill requires the Department of Children and Families to notify specified accrediting associations upon adoption of additional or revised Gold Seal Quality Care program standards. This bill also revises minimum age requirements and establishes minimum education standards for child care personnel. Minimum staff credential requirements are redefined. **Effective Date: July**

1, 2010

Actions

01/19/10 HOUSE Filed
01/28/10 HOUSE Referred to Health Care Services Policy Committee; Health Care Appropriations Committee; Health & Family Services Policy Council
01/28/10 HOUSE Now in Health Care Services Policy Committee

Similar

SB 1382-Relating to Child Care Facilities by Rich 02/03/10
02/03/10 SENATE Referred to Children, Families, and Elder Affairs; Health and Human Services Appropriations
03/26/10 SENATE Favorable with CS by Children, Families, and Elder Affairs; 6 Yeas, 0 Nays
03/26/10 SENATE Favorable with CS by Children, Families, and Elder Affairs; 6 Yeas, 0 Nays
03/29/10 SENATE Committee Substitute Text (C1) Filed
04/01/10 SENATE Now in Health and Human Services Appropriations
04/08/10 SENATE On Committee agenda - Health and Human Services Appropriations,
04/13/10, 2:45 pm, 110 S

[HB 1505](#)-Relating to John M. McKay Scholarships for Students with Disabilities Program by Flores

Summary

This bill revises student eligibility requirements for participation in this scholarship program. It authorizes students who are eligible to enter kindergarten to receive the John M. McKay Scholarship. It provides eligibility requirements for students identified with a developmental delay and authorizes students who were enrolled and reported by a school district for funding during any prior year to receive the scholarship. The bill authorizes the Commissioner of Education to deny, suspend, or revoke a private school's participation in the program for certain acts or omissions by owner or operator. And finally the bill permits students to receive instruction and services at a site other than the physical location of the private school under specified conditions. Effective Date: July 1, 2010

Actions

03/01/10 HOUSE Filed
03/10/10 HOUSE Referred to PreK-12 Policy Committee; PreK-12 Appropriations Committee; Education Policy Council
03/17/10 HOUSE Favorable with CS by PreK-12 Policy Committee; 12 Yeas, 0 Nays
03/18/10 HOUSE Committee Substitute Text (C1) Filed
03/26/10 HOUSE Favorable by PreK-12 Appropriations Committee; 8 Yeas, 0 Nays
04/07/10 HOUSE Favorable by Education Policy Council; 16 Yeas, 0 Nays
04/07/10 HOUSE Placed on Calendar, on second reading

Compare

SB 2746 -Relating to Education Programs for Children with Disabilities by Gardiner

03/09/10 SENATE Referred to Education Pre-K - 12; Commerce; Education Pre-K - 12 Appropriations

04/09/10 SENATE On Committee agenda - Education Pre-K - 12, 04/14/10, 1:00 pm, 301 S

[SB 2192](#) -Relating to Prepaid Developmental Disabilities Savings Program Peaden, Jr.

Summary

This bill provides for administration and management of the savings program by the Florida Prepaid College Board in conjunction with the Stanley G. Tate Florida Prepaid College Program. The bill provides that the prepaid contract fund and the investment fund shall consist of certain moneys. The bill creates the Prepaid Services for Parents of Children with Developmental Disabilities Study Group.

Effect of Proposed Changes: The Savings Program provides that the legislature intends:

·The creation of such a program can offer accessibility to services regardless of a family's income,

insurance or Medicaid eligibility.

· A program consisting of a prepaid contract plan and an investment plan will allow for advance payment

of or saving for the costs associated with developmentally disabled children as they age out of the

education system.

· The prepaid contract plan is to be interchangeable with an advance payment plan of the Stanley G.

Tate Florida Prepaid College Program.

· The investment plan is to be a supplement or alternative to the prepaid contract plan, which will allow

funds to be placed in trust to meet future needs.

· The program is to be conducted to maximize program efficiency and effectiveness.

EFFECTIVE DATE: 07/01/2010.

Actions

02/18/10 SENATE Filed

03/01/10 SENATE Referred to Children, Families, and Elder Affairs; Governmental Oversight and Accountability; Finance and Tax; Higher Education Appropriations; Policy & Steering Committee on Ways and Means

03/18/10 SENATE Favorable with CS by Children, Families, and Elder Affairs; 8 Yeas, 0 Nays

03/22/10 SENATE Committee Substitute Text (C1) Filed

04/09/10 SENATE On Committee agenda - Governmental Oversight and Accountability, 04/14/10, 1:00 pm, 110 S

Identical

HB 1111-Relating to Prepaid Developmental Disabilities Savings Program by Ford

03/01/10 HOUSE Referred to Health Care Services Policy Committee; State Universities & Private Colleges Policy Committee; Full Appropriations Council on Education & Economic Development; Health & Family Services Policy Council

HOUSE Now in Health Care Services Policy Committee

[SB 2200](#) - Relating to Allocation/Expenditure of State Lottery Revenues by Altman

Summary

This bill requires net proceeds from a scratch-off lottery game to be allocated to the Division of Vocational Rehabilitation in the Department of Education to be distributed to programs offering services to individuals with developmental disabilities. EFFECTIVE DATE: 07/01/2010.

Actions

02/18/10 SENATE Filed

03/01/10 SENATE Referred to Regulated Industries; Education Pre-K - 12; Education Pre-K - 12 Appropriations; Policy & Steering Committee on Ways and Means

Identical Bills

HB 0943 - Relating to Allocation and Expenditure of State Lottery Revenues by Proctor
02/18/10 HOUSE Referred to PreK-12 Appropriations Committee; Governmental Affairs Policy Committee; Full Appropriations Council on Education & Economic Development

[HB 5303](#) -Relating to Agency for Persons with Disabilities Health Care Appropriations Committee

Summary

This bill revises provisions relating to order of priority for clients with developmental disabilities waiting for waiver services and extends the date for implementation for certain categories of clients. The bill specifies assessment instruments to be used for delivery of home and community-based services and provides a limit on annual expenditures for clients with certain service needs. The bill directs the agency to eliminate behavior assistance services and reduces the geographic differential for Miami-Dade, Broward, Palm Beach, and Monroe Counties for residential habilitation services. Finally, the bill establishes the iBudget program for delivery of home and community-based services and provides for hearings on Medicaid programs administered by the agency. Effective Date: July 1, 2010

03/17/10 HOUSE Filed (Formerly Filed PCB HCA3)

03/18/10 HOUSE Referred to Full Appropriations Council on Education & Economic Development

03/23/10 HOUSE Favorable by Full Appropriations Council on Education & Economic Development; 12 Yeas, 6 Nays

03/23/10 HOUSE Placed on Calendar, on second reading

03/23/10 HOUSE Placed on Special Order Calendar for 03/31/10

Compare

SB 1468 Relating to Home and Community-based Services by Peaden, Jr.

01/27/10 SENATE Filed

02/03/10 SENATE Referred to Health and Human Services Appropriations; Policy & Steering Committee on Ways and Means; Rules

03/19/10 SENATE Favorable with CS by Health and Human Services Appropriations; 4 Yeas, 2 Nays

03/19/10 SENATE Committee Substitute Text (C1) Filed

03/22/10 SENATE Reference to Rules removed; remaining references: Policy & Steering Committee on Ways and Means

03/26/10 SENATE Favorable with CS by Policy & Steering Committee on Ways and Means; 16 Yeas, 4 Nays

03/26/10 SENATE Committee Substitute Text (C2) Filed

03/30/10 SENATE Placed on Calendar, on second reading

03/31/10 SENATE Read Second Time; Read Third Time; Passed (Vote: 26 Yeas / 10 Nays)