

Capitol Update

February 6, 2018 Volume 18, Issue 3

Pay Fair for Care!

The Florida Developmental Disabilities Council is supporting the Governors recommendations for the Agency for Persons with Disabilities (below) **with the addition of rate increases for direct care staff.**

Florida families and providers must be able to recruit and retain dedicated people to work with the direct care needs of persons with developmental disabilities. Higher wages for direct care staff are needed to resolve a shortage of direct care workers that has become a crisis and must be resolved. For families, the combination of concerns about the quality of care, less provider availability and fewer service options poses a distinct threat to the health, safety and quality of life of individuals with disabilities. To help strengthen this service system, as well as maintain current services with a choice of providers, rates must increase! The Council is working with the [House Health Care Appropriations Subcommittee](#) and the [Senate Appropriations Subcommittee on Health and Human Services](#). You can share your opinion with the committee members.

The Arc of Florida and Florida ARF have joined the Council in the Pay Fair for Care Campaign. [Click here](#) to learn more!

Improved Transportation for individuals with intellectual and developmental disabilities

The delivery of transportation services is unique to each community with local control by transportation coordinating boards. The Commission for the Transportation Disadvantaged (CTD) is legislated and funded to ensure that persons who have disabilities, are low income and/or are elderly receive transportation services within their community. To specifically address the transportation needs of persons with intellectual and developmental disabilities four priorities were recommended by the Task Force. Two of the priorities were picked up by the legislature so far;

- 1) Redesign the APD transportation model and transition APD toward a collaborative partnership with the Transportation Disadvantaged Coordinated System and community transportation coordinators providing mobility management services-\$250,000
- 2) Fund two pilot programs (urban and rural) to develop a single point mobility information center that includes mobility management services, and serves as a single point of contact for persons with disabilities, with a priority for persons with intellectual and developmental disabilities-\$500,000

[HB 63 - Students with Disabilities in Public Schools by Edwards-Walpole, Rodrigues \(R\) Co-sponsors: Cortes \(J\), Donalds, Harrell, Jenne, Plasencia, Willhite CS Sponsors: PreK-12 Quality Subcommittee](#)

Summary

This bill provides requirements for use of restraint, and exclusionary and nonexclusionary timeout. The bill prohibits seclusion, prone and supine restraint. The bill does not clearly define the parameters for the use of mechanical restraint. The bill revises school district policies and procedures. The bill also requires continuing education and in service training relating to students with certain disabilities. Effective Date: July 1, 2018. **The Council is supporting this bill if the definition of student is broadened to include all students with disabilities as written in the Senate amendment.**

Currently the House bill defines students as those having both a functional behavioral analysis and a behavioral intervention plan. Most students with disabilities do not have one of these plans and fewer have both plans. The Senate version of the bill defines student as a student with a disability.

Actions

01/25/18 HOUSE Favorable by Education Committee; 20 Yeas, 0 Nays

HOUSE Placed on Calendar, on 2nd reading

Similar Bills

[SB 0260 Students with Disabilities in Public Schools by Book](#)

09/22/17 - SENATE Referred to Education; Health Policy; Rules

02/06/18 - SENATE Favorable with CS by Education; 11 Yeas, 0 Nays

[SB 648 - Employment Services for Persons with Disabilities - by Baxley](#)

Summary

This bill specifies that individuals with disabilities who work in state sponsored work experience activities are considered state employees for workers' compensation purposes, etc. Effective Date: 7/1/2018. **The Council is supporting this bill.**

Actions

11/08/17 SENATE Referred to Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; Appropriations

01/11/18 SENATE Now in Appropriations

Identical Bills

[HB 1437 Employment Services for Persons with Disabilities by Abruzzo](#)

02/06/18 - HOUSE Favorable by Government Operations & Technology Appropriations Subcommittee; 11 Yeas, 0 Nays

[HB 1373 - Persons with Developmental Disabilities by Stevenson](#)

Summary

The bill prohibits granting new or renewing existing licenses for comprehensive transitional education programs (CTEP's) after specified dates. This statutory change would end the CTEP license category in a two-step phase out process. First, there would be no new CTEP licenses after July 1, 2018, and then no renewal of any existing CTEP licenses after December 31, 2020. The CTEP model is institutional in nature and contrary to the Agency for Persons with Disabilities of serving clients in smaller, community-based settings. This licensure elimination is controversial and may be amended off this bill.

The bill revises competency assessment and validation requirements for direct service providers who administer or supervise self-administration of medication. Effective Date: July 1, 2018. **The Council is supporting this bill, however the CTEP language has been removed and the medication language is controversial with providers.**

Actions

02/05/18 HOUSE Reference to Health Care Appropriations Subcommittee removed;
Remaining reference: Health & Human Services Committee

Identical Bill

[SB 1788 Agency for Persons With Disabilities by Passidomo](#)

02/01/18 - SENATE Now in Appropriations Subcommittee on Health and Human Services

[HB 985 - Involuntary Commitment - by Gonzalez](#)

Summary

This bill requires the Agency for Persons with Disabilities (APD) to provide eligibility determinations before involuntary commitment to the agency and requires the court to conduct annual hearings on the continued need for involuntary placement in residential services. The bill provides for the participation of guardian or guardian advocate in placement determinations and requires the court to hold competency hearings within a specified timeframe when the defendant is competent to proceed. The bill also provides limitations on conditional release for community-based competency training for the defendant who is incompetent to proceed. Effective Date: July 1, 2018. **The Council is supporting this bill.**

Actions

12/20/17 HOUSE Referred to Children, Families & Seniors Subcommittee; Health Care
02/02/18 HOUSE On Committee agenda - Health Care Appropriations Subcommittee, 02/06/18, 9:30 am, 404 H

Identical Bills

[SB 1280 Involuntary Commitment by Steube](#)

01/11/18 - SENATE Referred to Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

[HB 57 - Appointment of Attorneys for Dependent Children with Special Needs - by White, Williams](#) **[Co-Sponsors: Geller, Killebrew](#)**

Summary

This bill designates this act as "Pro Bono Matters Act of 2018" and requires payment of due process costs of litigation of all pro bono attorneys appointed to represent dependent children with special needs. The bill is subject to appropriation and review. Effective Date: upon becoming a law. **The Council is supporting this bill.**

Actions

01/24/18 HOUSE Temporarily Postponed on Second Reading

Identical Bills

[SB 0146 Appointment of Attorneys for Dependent Children with Special Needs by Bean](#)

02/01/18 - HOUSE In Messages

[SB 242 - Developmental Disabilities by Baxley CS Sponsors: Children, Families, and Elder Affairs](#)

Summary

Developmental Disabilities; Revising the term "developmental disability" to include the disorder and symptoms attributable to Duchenne muscular dystrophy, etc. Effective Date: 7/1/2018. **The Council is neutral on this bill.**

Actions

09/22/17 SENATE Referred to Children, Families, and Elder Affairs; Banking and Insurance; Appropriations; Rules
01/16/18 SENATE Favorable with CS by Children, Families, and Elder Affairs; 5 Yeas, 0 Nays
01/17/18 SENATE Committee Substitute Text (C1) Filed
01/19/18 SENATE Now in Banking and Insurance

Similar Bills

[HB 0969 Developmental Disabilities by Burgess](#)

12/20/17 - HOUSE Now in Children, Families & Seniors Subcommittee