

Capitol Update



March 23, 2017 Volume 17, Issue 1

Florida Developmental Disabilities Council, Inc.

124 Marriott Drive, Suite 203, Tallahassee, FL 32301-2981

Phone: (850) 488-4180 / (800) 580-7801 ~ Fax: (850) 922-6702 ~ TDD (850) 488-0956 / (888) 488-8633

<http://www.fddc.org>

Developmental Disabilities Awareness Day was a great Success!

This year the Florida Developmental Disabilities Council (FDDC) and the Arc of Florida hosted DD Awareness Day 2017 on Tuesday, March 21, 2017 at Capitol. This year's events included exhibitors on the second floor rotunda and a press conference and lunch at the Senate Portico. There were opportunities to see our state government in action in the Senate Session at the new gallery and there were a lot of committee meetings that day. !

Our major theme this year is addressing the **iBudget Provider Rate Crisis**. Provider rates are 11% below where they were in 2003. The Council is asking the legislature to increase funding, closer to that previous level, for providers so that they can stay in business and provide the services that many individuals with intellectual and developmental disabilities need to be included in the community. Many individuals with intellectual and developmental disabilities are struggling to find providers to help them live independently in the community. **Please go to www.fddc.org for more information.**

Florida's DD Waitlist Campaign-No time to wait.

Another advocacy effort that the Council is working on is the **Florida DD Waitlist Campaign**. The Florida Center for Inclusive Communities out of the University of South Florida has unveiled a new website that provides information about Florida's iBudget Waitlist. Floridians with intellectual and developmental disabilities often wait years on this waitlist to receive the services they need to lead productive lives

The Florida DD Waitlist Campaign aims to raise awareness of this issue to Florida legislators and the general public by using social media to advocate for increased funding to serve the individuals on the waiting list. www.ddwaitlistfl.org

[HB 219 - Relating to Crisis Intervention by Law Enforcement Officers by Stafford](#)
[Cosponsors: Cortes \(J\)](#)

Summary

This bill requires FDLE to establish employment training component relating to crisis intervention for individuals with Autism and mental disorders. The bill specifies instruction to be included in training component; provides that completion of training shall count toward continued employment instruction requirements; provides requirements for public safety dispatchers & 911 operators. **The Council is supporting this bill.**

Actions

01/11/17 HOUSE Filed

01/23/17 HOUSE Referred to Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

HOUSE Now in Criminal Justice Subcommittee

Compare Bills

[HB 0039 Relating to Autism Awareness Training for Law Enforcement Officers by Jenne](#)

03/16/17 - HOUSE Placed on Calendar, on 2nd reading

[SB 0154 Relating to Autism Awareness Training for Law Enforcement Officers by Thurston](#)

03 /22/17 SENATE Favorable with CS by Appropriations Subcommittee on Criminal and Civil Justice; 5 Yeas, 0 Nays

[HB 95 - Relating to Consumer Protection from Nonmedical Changes to Prescription Drug Formularies by Massullo, Jr. CoSponsors: Baez, Byrd, Clemons \(C\), Cortes \(J\), Goodson, Grant \(M\), Gruters, Harrell, Jenne, Killebrew, La Rosa, Mercado, Miller \(A\), Plasencia, Renner, Brown CS Sponsors: Health Innovation Subcommittee](#)

Summary

This bill provides that changes to prescription drug formularies during health insurance policy or HMO contract year do not apply to state group insurance program. The bill limits changes to health insurance policy prescription drug formulary during policy year and requires small employer carriers to provide continuity of care with respect to prescription drug coverage. **The Council is supporting this bill.**

Actions

01/09/17 HOUSE Referred to Health Innovation Subcommittee; Insurance & Banking Subcommittee; Appropriations Committee; Health & Human Services Committee

02/22/17 HOUSE Favorable with CS by Health Innovation Subcommittee; 13 Yeas, 0 Nays

02/28/17 HOUSE Committee Substitute Text (C1) Filed

03/01/17 HOUSE Reference to Appropriations Committee removed; Remaining references: Insurance & Banking Subcommittee; Health & Human Services Committee

HOUSE Now in Insurance & Banking Subcommittee

Similar Bills

[SB 0182 Relating to Consumer Protection from Nonmedical Changes to Prescription Drug Formularies by Mayfield](#)

02/24/17 - SENATE Now in Appropriations

[SB 104 - Relating to Computer Coding Instruction by Brandes](#)

Summary

This bill Authorizes high schools to offer students opportunities to take specified computer coding courses The bill provides that high schools will not be required to offer such courses and requires the Commissioner of Education to identify the computer coding courses that satisfy two credits of sequential foreign language instruction under certain circumstances. **The Council is supporting this bill**

Actions

12/05/16 SENATE Filed

12/16/16 SENATE Referred to Education; Rules

02/06/17 SENATE Favorable by Education; 8 Yeas, 0 Nays

02/07/17 SENATE Now in Rules

Identical Bills

[HB 0265 Relating to Computer Coding Instruction by Porter](#)

01/25/17 - HOUSE Now in PreK-12 Quality Subcommittee

[HB 151 - Relating to Proceedings Involving Minors or Certain Other Persons by Brodeur, Moskowitz CoSponsors: Williamson, Stevenson CS Sponsors: Children, Families & Seniors Subcommittee, Civil Justice & Claims Subcommittee](#)

Summary

This bill provides that judges may allow use of certain service animals, therapy animals, or facility dogs in proceedings involving abuse, abandonment, or neglect; allows such animals to be used when taking testimony of certain other persons including adults with intellectual disabilities. **The Council is supporting this bill.**

Actions

01/11/17 HOUSE Referred to Civil Justice & Claims Subcommittee; Children, Families & Seniors Subcommittee; Judiciary Committee

01/26/17 HOUSE Favorable with CS by Civil Justice & Claims Subcommittee; 15 Yeas, 0 Nays

01/27/17 HOUSE Committee Substitute Text (C1) Filed

02/09/17 HOUSE Favorable with CS by Children, Families & Seniors Subcommittee; 14 Yeas, 0 Nays

HOUSE Committee Substitute Text (C2) Filed

03/16/17 HOUSE Favorable by Judiciary Committee; 16 Yeas, 0 Nays

HOUSE Placed on Calendar, on 2nd reading

Similar Bills

[SB 0416 Relating to Use of Animals in Proceedings Involving Minors by Montford](#)

03/15/17 - SENATE Now in Rules

[SB 772 - Relating to Assistive Technology Devices by Rouson](#)

Summary

This bill revises provisions relating to the accessibility and use of assistive technology devices by persons with disabilities; providing for use at home and in the community after school.

Actions

02/07/17 SENATE Filed

02/23/17 SENATE Referred to Education; Appropriations Subcommittee on Pre-K - 12 Education; Appropriations

03/21/17 SENATE Favorable with CS by Education; 7 Yeas, 0 Nays

03/22/17 SENATE Committee Substitute Text (C1) Filed

Identical Bills

[HB 0371 Relating to Assistive Technology Devices by Ausley](#)

02/06/17 - HOUSE Now in PreK-12 Innovation Subcommittee

[SB 810 - Relating to Students with Disabilities in Public Schools by Stewart Co-Sponsors: Campbell](#)

Summary

This bill amends provisions relating to the use, prevention, and reduction of restraint and seclusion on students with disabilities. This bill takes out imminent danger language that discontinues the existing implicit use of imminent danger by virtue of its use as part of the reporting requirements.

The student's behavior leading up to and precipitating the decision to use manual or physical restraint or seclusion, including an indication as to why there was an imminent risk of serious injury or death to the student or others is an important reporting requirement that needs to stay included

In fact, there are staff at FLDOE that think it is explicit when in truth it is implicit. We think that even though teachers can currently restrain and seclude children for any reason and for any length of time in Florida at least implicit reporting requirements are better than nothing and we think have improved the treatment of children. The Council believes that restraint and seclusion should only be used in imminent danger to self or others. Please keep in mind that the largest use of restraint and seclusion is on children with disabilities age preK-3 grade so this is used on small children most frequently.

The second concern is the use of property damage as criteria for restraint and seclusion. There have been many cases of restraint and seclusion for minor property damage such as throwing down a pencil. Major property damage would certainly indicate imminent danger to self or others such as hurling equipment or punching walls.

The third concern would be any use of seclusion, prone restraint and mechanical restraint. There is no evidence that these are needed or that they are missed when banned.

There is too much evidence to the contrary for the Council to support these methods for any reason. For example, mechanical restraint is banned in many institutional settings.

The last major concern is including restraint and seclusion as part of a behavioral and individual education plan. Research shows that restraint and seclusion are not therapeutic.

This clause also renders the whole bill moot. If restraint and seclusion are part of a plan that all students with disabilities have then it can be used for all situations as a therapeutic tool.

The Council is opposing this bill.

Actions

02/08/17 SENATE Filed

02/23/17 SENATE Referred to Education; Appropriations Subcommittee on Pre-K - 12 Education; Appropriations

Compare Bills

[SB 1418 Relating to Seclusion and Restraint of Students with Disabilities in Public Schools by Flores](#) 03/14/17 - SENATE Referred to Education; Appropriations; Rules

Identical Bills

[HB 0233 Relating to Students with Disabilities in Public Schools by Edwards](#)
01/23/17 - HOUSE Now in PreK-12 Quality Subcommittee