Working People with Disabilities Program

Individuals with developmental disabilities can be discouraged from seeking employment, living independent lives, or contributing as productive citizens. Currently, persons with developmental disabilities who are on Florida's Medicaid Home and Community-Based Medicaid Waiver known as the iBudget must choose between life-sustaining services or earning a livable income. In Florida, individuals enrolled in the waiver cannot make more than $2,250 monthly without losing iBudget benefits, not covered by traditional health insurance. There is an annual income limit of 300% of the federal benefit rate or $27,000 for individuals enrolled in the iBudget waiver. Unfortunately, services provided by the waiver such as, bathing, dressing, mobility, etc., can cost $30,000-60,000 yearly, far exceeding the annual income limit of $27,000. Persons with disabilities are disincentivized to seek employment or pursue career advancements because these costly, crucial support services would be lost if the income cap is exceeded.

Florida is an Employment First state, meaning that state government and other organizations have made it a priority to employ persons with disabilities in supported and competitive jobs. Last year, the Florida Legislature directed the Agency for Health Care Administration (AHCA) to seek federal approval to
operate a program described as "Working People with Disabilities." The Legislature directed AHCA to provide a report on amending the state waiver to help individuals who wish to work maintain their services. The report was released late last year and included policy options for the Legislature to consider.

The preferred option included in the report is to pursue a Medicaid waiver amendment to "disregard" certain specified income sources when determining Medicaid eligibility. This would allow the state to increase the monthly $2,250 income cap to $4,240 allowing individuals with disabilities to work and earn additional income without losing Medicaid services.

The Florida Developmental Disabilities Council has long advocated for employment of persons with disabilities as part of a wider policy of inclusion and independence in the community. Building on the AHCA report, the Council and other stakeholders are seeking to increase the cap on income earnings to 550% of the Federal Benefit Rate for an individual before Medicaid services are lost.

Similar language to increase the income cap is in the current Senate budget, but not in the House plan. If it is the policy of this state to incentivize persons with disabilities to seek gainful employment, the Legislature can adopt the Senate language (the AHCA recommendation) during budget conference. The Council will be working with the Senate Appropriations Subcommittee on Health and Human Services and the House Health Care Appropriations Subcommittee to encourage legislators to adopt the Senate language for the Working People with Disabilities Program during Budget Conference.

See below information and updates on each bill we are monitoring as they directly impact those with intellectual and developmental disabilities.

**Important Bills to Watch**

**SB 62 - Students with Disabilities in Public Schools - 2019 by Book CS**

**Sponsors: Education - Amended to the Dorothy L. Hukill Student Safety**

**Summary**

This bill provides requirements for the use of physical restraint and the use of exclusionary and non-exclusionary time. The bill also provides requirements for documenting, reporting, and monitoring the use of restraint and exclusionary or non-exclusionary time. The bill includes continuing education
and in-service training for instructional personnel in teaching students with emotional or behavioral disabilities. Education Committee members passed this bill along but they had concerns about reporting requirements and types of restraints that may be omitted. The Council is supporting this proposed legislation.

Actions

12/13/18 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

03/12/19 SENATE Favorable with CS by Education; 8 Yeas, 0 Nays

03/13/19 SENATE Committee Substitute Text (C1) Filed

03/14/19 SENATE Now in Appropriations Subcommittee on Education

Similar Bills

HB 0349 Students with Disabilities in Public Schools by DuBose
HB349C1 HOUSE Placed on Special Order Calendar, 04/10/19

SB 844 - At-Risk Adult Alert Plan by Berman CS Sponsors: Infrastructure and Security

Summary

The At-Risk Adult Alert Plan redefines the term "missing endangered person" to include a missing adult who meets the criteria for activation of the At-Risk Adult Alert Plan of the Department of Law Enforcement. SB 844 creates the At-Risk Adult Alert Plan which aids in the search for a missing adult:

- Who has a verified mental or cognitive impairment;
- Whose disappearance poses a credible threat to the person's welfare and safety; and
- Who does not meet the criteria for activation of the Silver Alert Plan.

The bill requires the Department of Law Enforcement, in cooperation with the Department of Transportation, the Department of Highway Safety and Motor Vehicles, and local law enforcement agencies, to establish and implement the At-Risk Adult Alert Plan; requiring a local law enforcement agency to broadcast information to the public and the media about certain missing
adults. The Council is supporting this proposed legislation.

Actions

02/15/19 SENATE Referred to Infrastructure and Security; Children, Families, and Elder Affairs; Appropriations

03/25/19 SENATE Favorable by Children, Families, and Elder Affairs; 7 Yeas, 0 Nays

04/08/19 SENATE On Committee agenda - Appropriations, 04/11/19, 9:00 am, 412 K

Similar Bills

HB 0305 At-Risk Adult Alert Plan by Ausley
02/21/19 HOUSE Favorable with CS by Criminal Justice Subcommittee; 11 Yeas, 2 Nays
02/22/19 HOUSE Committee Substitute Text (C1) Filed
02/27/19 HOUSE Now in Justice Appropriations Subcommittee

HB 253 - Assisted and Independent Living Facility Task Force - by Gottlieb
Cosponsors: Cortes, Eskamani, Geller, Killebrew, Newton

Summary

The bill establishes the Assisted & Independent Living Facility Task Force. The bill provides duties, membership, and meetings of task force. The task force is required to submit report to the Governor and the Legislature. The bill creates s. 393.25 and shall develop and evaluate policy proposals that incentivize building contractors and developers to create space for assisted living facilities or independent living facilities within mixed-use developments which may be used as low-cost, supportive, and affordable housing for individuals who are in need of such housing and who have an intellectual disability or autism, as those terms are defined in s. 393.063, or a mental illness, as defined in s. 394.455. The Council is supporting this proposed legislation.

Actions

01/23/19 HOUSE Referred to Children, Families & Seniors Subcommittee; Local, Federal & Veterans Affairs Subcommittee; Health & Human Services Committee
Similar Bills

SB 0670 Assisted and Independent Living Facility Task Force by Rader
03/25/19 - SENATE Now in Rules

HB 869 - X-linked Myotubular Myopathy - by Hattersley Cosponsors: Jenne

Summary

The bill revises the definition of the term "developmental disability" to include a disorder or syndrome attributable to X-linked myotubular myopathy; defining the term "X-linked myotubular myopathy" to mean a diagnosed, inherited, genetic neuromuscular disorder characterized by mild to profound muscle weakness, diminished muscle tone or hypotonia, feeding difficulties, ophthalmoplegia, areflexia, scoliosis, joint deformities, or potentially severe breathing difficulties. This disorder is very rare. A child with this disorder gave compelling testimony in sign language along with his parents and their doctor.

The Council is neutral on this proposed legislation because the Council uses the federal definition of developmental disability and supports the addition of all the conditions that come under the federal definition.

Actions

02/15/19 HOUSE Filed

02/28/19 HOUSE Referred to Children, Families & Seniors Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

04/05/19 HOUSE Favorable by Health Care Appropriations Subcommittee; 11 Yeas, 0 Nays

Identical Bills

SB 0390 X-linked Myotubular Myopathy by Cruz
SB 302 - Nonemergency Medical Transportation Services - by Brandes CS
Sponsors: Health Policy

Summary

This bill would authorize Medicaid non-emergency transportation services to be provided to a Medicaid recipient by certain transportation network companies or transportation brokers, subject to compliance with certain requirements. The bill requires the Agency for Health Care Administration to update the Non-Emergency Transportation Services Coverage Policy by a specified date.

Actions

02/22/19 SENATE Reference to Appropriations Subcommittee on Health and Human Services, Appropriations removed; Reference to Banking and Insurance, Rules added; Remaining References: Banking and Insurance, Rules
03/11/19 SENATE Favorable by Banking and Insurance; 8 Yeas, 0 Nays
03/12/19 SENATE Now in Rules

Similar Bills

HB 0411 Nonemergency Medical Transportation Services by Perez
04/04/19 - HOUSE Placed on Special Order Calendar, 04/10/19

HB 183 - Student Elopement - by Jenne CoSponsors: Mercado

Summary

This bill requires public schools to create Staff Assistance for Emergencies (SAFE) Team and school elopement plan. The bill provides requirements for team and plan including requirements for elopement quick reference guides for certain students. The bill requires public schools to annually submit their plans to district school board. The Council is neutral on this bill.
### Actions

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### Similar Bills

**SB 1736 Student Elopement by Book**
03/08/19 - SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations