Legislative Session Results for 2019

The 2019 Legislative Session is over. Here are the results of the Florida Developmental Disabilities Council priorities and bills we were following;

iBudget Waiver Funding
$22 million requested - $18,842,000 funded

Funding to provide Waiver services for Florida's most vulnerable citizens and to meet their changing service needs as their health and living situations change

Serve Additional Clients on iBudget Waiver Waiting List
$15.8 million requested - $0 funded

Funding specific to offers for Waiver enrollment to individuals with the greatest need on the iBudget Waiver waiting list

iBudget Waiver Rate Funding for direct care services

- Personal Supports - $27 million requested - $0 funded
- Residential Habilitation - $16 Million requested - $11 million funded
Transportation programs specific to Individuals with Developmental Disabilities

$500,000 for continuation of pilot project in Hillsborough, Manatee and Sarasota counties.

In Agency for Healthcare Administration Proviso

The Working Program for People with Disabilities will allow those on Home and Community Based Waivers in Florida to keep their Medicaid should they earn up to 250% more than the current income limit. The program is limited to those already on the waiver, who are employed and who do not have Social Security income.

Working Program for People with Disabilities language

The Agency for Health Care Administration is directed to seek federal approval for a federal waiver, a state plan amendment or other federal authorization to provide a program called Working People with Disabilities, for adults with developmental disabilities who receive services under Florida’s Medicaid waiver programs. The agency shall request an increase to the monthly income limit up to 550 percent of the Federal Benefit Rate for individuals with earned income through paid employment. Cash assets can be up to the amount of $13,000 for a single individual and $24,000 for a couple. In addition, the program allows participants to have a retirement account recognized by the Internal Revenue Service. The agency is authorized to implement the program upon Federal approval and shall provide a report by June 30, 2020, of the number of participants in the program to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

In the Implementing Bill

The language below was added on the last meeting of the budget conference to redesign the agency if the agency runs a deficit for this fiscal year. This language essentially updates existing statutory language from 2013.

APD WAIVER REDESIGN STUDY

Amends s.393.0661(1), F.S., to requires that if the Agency for Persons with Disabilities (APD) runs a deficit during the 2018-2019 fiscal year, the APD must work in conjunction with the Agency for Health Care Administration (AHCA) to develop a plan to redesign the waiver program. Provides for a report to House, Senate, and Governor’s Office. This provision requires monthly status update of
the redesign. And provides that implementation of redesigned program is contingent on legislative approval.

**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
- 05/03/19 SENATE Indefinitely postponed and withdrawn from consideration

**Similar Bills**

**HB 0349 Students with Disabilities in Public Schools by DuBose**
04/11/19 HOUSE Read Third Time; Passed (Vote: 115 Yeas / 0 Nays)
04/18/19 SENATE in Messages
05/03/19 SENATE Indefinitely postponed and withdrawn from consideration
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
04/11/19 SENATE Favorable with CS by Appropriations; 20 Yeas, 0 Nays
04/15/19 SENATE Committee Substitute Text (C2) Filed. Placed on Calendar, on 2nd reading
05/03/19 SENATE Indefinitely postponed and withdrawn from consideration

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
05/03/19 HOUSE Indefinitely postponed and withdrawn from consideration
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

03/22/19 HOUSE References to Local, Federal & Veterans Affairs Subcommittee; Health & Human Services Committee removed; Reference to State Affairs Committee added; remaining reference: State Affairs Committee

Now in State Affairs Committee

04/18/19 HOUSE Favorable by State Affairs Committee; 22 Yeas, 0 Nays
Placed on Calendar, on 2nd reading

04/29/19 HOUSE Read Third Time; Passed (Vote: 112 Yeas / 1 Nay)
SENATE in Messages

05/03/19 SENATE Indefinitely postponed and withdrawn from consideration

Similar Bills

SB 0670 Assisted and Independent Living Facility Task Force by Rader
03/25/19 SENATE Now in Rules
04/18/19 SENATE on Committee agenda - Rules, 04/23/19, 2:00 pm, 110 S
04/23/19 SENATE Not Considered by Rules
05/03/19 SENATE Indefinitely postponed and withdrawn from consideration

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
04/09/19 HOUSE   Favorable by Health Care Appropriations Subcommittee; 11 Yeas, 0 Nays. Now in Health & Human Services Committee
05/03/19 HOUSE   Indefinitely postponed and withdrawn from consideration

Identical Bills

SB 0390 X-linked Myotubular Myopathy by Cruz
02/01/19 - SENATE Referred to Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations
05/03/19 SENATE indefinitely postponed and withdrawn from consideration. Died in Health Policy

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

04/29/19 SENATE Read Second Time; Substituted for HB 0411; Laid on Table, Refer to HB 0411

Similar Bills

HB 0411 Nonemergency Medical Transportation Services by Perez
04/11/19 HOUSE Read Third Time; Passed (Vote: 116 Yeas / 0 Nays)
04/18/19 SENATE in Messages
04/30/19 HOUSE In returning messages
05/01/19 HOUSE Received from Messages; Concurred with Amendment (319712); Passed (Vote: 114 Yeas / 0 Nays) HOUSE Ordered engrossed, then enrolled HOUSE Engrossed Text (E2) Filed
05/02/19 HOUSE Enrolled Text (ER) Filed

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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

01/08/19 HOUSE Filed

01/16/19 HOUSE Referred to PreK-12 Quality Subcommittee; PreK-12 Appropriations Subcommittee; Education Committee

Now in PreK-12 Quality Subcommittee

05/03/19 HOUSE Indefinitely postponed and withdrawn from consideration
Died in PreK-12 Quality Subcommittee

Similar Bills

**SB 1736 Student Elopement by Book**
03/08/19 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
05/03/19 SENATE Indefinitely postponed and withdrawn from consideration