



FROM THE CAPITOL

2022 FDDC CAPITOL UPDATES



VOLUME 22, ISSUE 1 - January 24

Pay Fair for *My* Care

The 2022 Florida Legislative session opens with a crisis in the workforce for individuals with developmental disabilities! Direct Support Professionals (DSPs) are the bedrock of supports for individuals with developmental disabilities and they are leaving the profession in large numbers due to a lack of pay increases and sustainable wages.

DSPs fulfill many critical roles. They build relationships and frequently provide around-the-clock care for people with intellectual and developmental disabilities (I/DD). However, the annual DSP turnover rate nationally has reached a crisis level of over 50% and the workforce has diminished. Before the pandemic, the national average annual turnover rate of DSPs was already too high at 45%. According to the Predictors of Annual Turnover Among DSPs study out of the University of Minnesota, the magnitude of the DSP turnover rate is hardly ever seen in any other industry, thus making running an efficient and effective direct support program or business nearly impossible. Individuals with developmental disabilities and their families can't find help for the services and supports they need, thus inspiring the **Pay Fair for *My* Care** campaign.

The Florida Developmental Disabilities Council (FDDC) supports the Medicaid Home- and Community-Based Services iBudget waiver for individuals with that includes services that support inclusion in the community, provides for a meaningful life and helps the individual avoid costly and/or restrictive institutional care. DSPs provide many of these services and supports for at least half of the current iBudget waiver recipients. Increased compensation can encourage DSPs to stay in their profession, especially if they earn a living wage. Wages for DSPs should be increased to help them pay for costs of living.

Please look at the campaign page at www.fddc.org/pay-fair-for-my-care, leave your story and look over the resources. Our Council members will be contacting legislators to encourage higher wages for DSPs. Lawmakers in leadership positions have indicated their willingness to increase the wages for DSPs publicly. Please share your opinion and stories with your legislators.

See bills below that we are tracking.

Important Bills to Watch

[HB 1207 Supported Decision Making by Tant](#)

Summary

This bill authorizes adults with disabilities to enter into supported decision-making agreements. Requires documentation of any effort to use decision-making options before seeking a guardian advocate, including entering into a supported decision-making agreement under s. 393.121, a durable power of attorney under chapter 709, or an advance directive under chapter 765. And prohibits use of such agreements as evidence of incapacity. The bill provides criteria for supporters; provides requirements for supported decision making agreements; and authorizes adults with disabilities who have guardian advocates to start supported decision-making agreements if approved by their guardian advocate. The bill revises requirements for petitions to appoint guardian advocates. Effective Date: July 1, 2022

Actions

01/05/22 HOUSE - Filed

01/12/22 HOUSE - Referred to Children, Families & Seniors Subcommittee; Civil Justice & Property Rights Subcommittee; Health & Human Services Committee

HOUSE - Now in Children, Families & Seniors Subcommittee

Similar Bills

[SB 1772 Supported Decision Making for Adults with Disabilities by Torres, Jr.](#)

01/12/22 SENATE - Referred to Children, Families, and Elder Affairs; Appropriations; Rules.

[SB 1704 Social Services Estimating Conference by Ausley](#)

Summary

This bill requires the Social Services Estimating Conference to develop The Social Services Estimating Conference shall develop information related to the iBudget system for the home-based and community-based Medicaid waiver services program and must include iBudget enrollment, the number of current waiver recipients, the size of the waiting list, the utilization rate of program services, and expenditure information that the conference determines is needed to plan for and project future budgets and the drawdown of federal matching funds. Effective Date: 7/1/2022

Actions

01/07/22 SENATE - Filed

01/12/22 SENATE - Referred to Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

Identical Bills

[HB 1569 Social Services Estimating Conference by Smith \(C\)](#)

01/16/22 HOUSE - Now in Health Care Appropriations Subcommittee

[HB 235 Restraint of Students with Disabilities in Public Schools by Plasencia](#) [CoSponsors: Eskamani, Morales, Tant](#)

Summary

This bill prohibits school personnel from using mechanical restraint on students with disabilities. This does not apply to school resource officers, school safety officers, school guardians, or school security guards as described in s. 1006.12, who may use mechanical restraint in the exercise of their powers and duties to restrict students in grades 6 through 12. Effective Date: July 1, 2022

Actions

10/06/21 HOUSE - Filed.

10/22/21 HOUSE - Referred to Early Learning & Elementary Education Subcommittee; Secondary Education & Career Development Subcommittee; Education & Employment Committee

01/13/22 HOUSE - Favorable by Early Learning & Elementary Education Subcommittee; 17 Yeas, 0 Nays

HOUSE - Now in Secondary Education & Career Development Subcommittee

Identical Bills

[SB 0390 Restraint of Students with Disabilities in Public Schools by Book](#)

10/13/21 SENATE - Referred to Education; Appropriations Subcommittee on Education; Appropriations

[HB 15 Children with Developmental Delays by Tant and Hawkins \(CO-SPONSORS\) Arrington; Benjamin; Driskell; Eskamani; Goff-Marcil; Hunschofsky; Joseph; Learned; Morales; Plasencia; Skidmore; Toledo; Valdés; Williams; Woodson](#)

Summary

This bill revises definition of term "exceptional student" to include additional students with developmental delays ages birth through 9 years or through the student's completion of grade 2, whichever occurs first(current law includes up to age 5). Effective Date: July 1, 2022

Actions

07/21/21 HOUSE - Filed.

09/17/21 HOUSE - Referred to Early Learning & Elementary Education Subcommittee; PreK-12 Appropriations Subcommittee; Education & Employment Committee

01/19/22 HOUSE - Favorable by Early Learning & Elementary Education Subcommittee; 13 Yeas, 0 Nays

HOUSE - Now in PreK-12 Appropriations Subcommittee

Identical Bills

[SB 0236 Children with Developmental Delays by Jones \(CO-SPONSORS\) Ausley; Powell; Berman; Taddeo](#)

11/02/21 SENATE Now in Appropriations Subcommittee on Education

[HB 155 Certificates of Completion by Valdes \(CO-SPONSORS\) Benjamin; Hart; Morales](#)

Summary

This bill provides students who have been awarded certificate of completion are eligible to enroll in workforce education programs. The bill also requires identification of such programs by Charter Technical Career Centers and the bill requires students who will be awarded certificate of completion to be advised of their educational options. Effective Date: July 1, 2022

Actions

09/21/21 HOUSE - Filed.

09/29/21 HOUSE - Referred to Secondary Education & Career Development Subcommittee, Education & Employment Committee

HOUSE - Now in Secondary Education & Career Development Subcommittee

Identical Bills

[SB 1040 Registry of Persons with Special Needs by Brodeur-linked to SB 1042](#)

Summary

This bill is cited as the “Protect Our Loved Ones Act” and requires the Agency for Persons with Disabilities to develop and maintain a database, to be known as the Registry of Persons with Special Needs, of persons who may have developmental, psychological, or other disabilities or conditions that may be relevant to their interactions with law enforcement officers. Parents, guardians, and caregivers may enroll in the registry a person of any age with any type of developmental, psychological, or other disability or condition, including, but not limited to, autism spectrum disorder, Alzheimer's disease, dementia, bipolar disorder, and Down syndrome. Persons may also enroll themselves if they are 18 years of age or older. The registry may include, but need not be limited to, any of the following information:

(a) An enrollee's name, contact information, personal identifying information, and disability or condition that may be relevant to interactions with law enforcement officers.

(b) If a person did not enroll themselves, the name, contact information, and personal identifying information of the parent, guardian, or caregiver who enrolled the person in the registry.

(c) Any additional information provided by an enrollee or an enrollee's parent, guardian, or caregiver.

(d) Any information requested by the Agency for Persons with Disabilities or the Department of Law Enforcement or otherwise held by a law enforcement agency, a county emergency management agency, or a local fire department for the purpose of assisting law enforcement officers, emergency medical personnel, or fire personnel in responding to a call for service.

The Department of Law Enforcement shall provide information from the registry to law enforcement officers to assist officers in the performance of their official duties. The registry shall provide such relevant information to a law enforcement officer engaged in his or her official duties upon an officer's request made through the Florida Crime Information Center. Effective Date: 7/1/2022

Actions

11/23/21 SENATE - Filed.

12/13/21 SENATE - Referred to Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

Identical Bills

[HB 0733 Registry of Persons with Special Needs by Plasencia](#)

12/13/21 HOUSE - Now in Children, Families & Seniors Subcommittee

Linked Bills

[SB 1042 Public Records/Registry of Persons with Special Needs by Brodeur](#)

12/13/21 SENATE Referred to Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

Summary

This bill provides an exemption from public records requirements for all records, data, information, correspondence, and communications relating to the enrollment of persons in the registry of persons with special needs and authorizes law enforcement agencies, county emergency management agencies, and local fire departments to further disclose confidential and exempt information under certain circumstances. The bill provides for future legislative review and repeal of the exemption if there is a statement of public necessity. **Effective Date: On the same date that SB 1040 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law**

Identical Bills

[HB 0735 Pub. Rec./Registry of Persons with Special Needs by Plasencia](#)

12/13/21 HOUSE - Now in Children, Families & Seniors Subcommittee

[SB 1692 Medicaid Buy-in Program by Pizzo](#)

Summary

This bill requires the Agency for Health Care Administration to establish and implement a Medicaid buy-in program for certain individuals with disabilities. The bill provides requirements for the program and requires the agency to seek federal waiver approval or submit any state plan amendments necessary to implement the program. The bill requires the agency to implement the program upon receiving federal approval. Effective Date: Upon becoming a law

Actions

01/06/22 SENATE - Filed

01/12/22 SENATE - Referred to Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

Identical Bills

[HB 0675 Medicaid Buy-in Program by Woodson and Smith, C. \(CO-SPONSORS\) Morales; Valdés](#)

12/13/21 HOUSE - Now in Finance & Facilities Subcommittee

[SB 1822 Medicaid Buy-in Program by Jones](#)

1/12/22 SENATE - Referred to Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

CONNECT WITH US

www.fddc.org



(800) 580-7801 (toll free)
(888) 488-8633 (TDD toll free)