

# FROM THE CAPITOL



**2023  
FDDC CAPITOL UPDATES**



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**2023 Legislative Session Update: March 3, 2023; Volume 23, Issue 1**

## **The 2023 Legislative Session Begins on March 7, 2023**

### **\$79.6 million to enroll an estimated 1,200 individuals onto the Agency's Home- and Community-Based Services Waiver**

This funding will assist approximately 1,200 individuals on the Home- and Community-Based Services (HCBS) Waiver waitlist that are in crisis by offering them enrollment for HCBS Waiver services. The funds will be used to provide HCBS Waiver enrollment to the greatest number of individuals permissible that are on the waitlist and are in crisis. This will allow those individuals to remain in a community environment and not be placed in a facility.

Individuals in crisis are the most in need of waiver services to continue living in a community setting and avoid entering a more costly institutional setting to receive services. To meet the "crisis" criteria, an individual must be currently homeless, living in a homeless shelter or living with relatives in an unsafe environment, exhibit life-threatening behaviors, or have a caregiver who is no longer able to safely care for the applicant. There are currently 22,435 individuals on the waiver waitlist.

### **\$3.4 million to support individuals who are dually diagnosed with a mental illness and a developmental disability who are behaviorally unstable and at risk of homelessness.**

The Governor's budget recommendation for those with this dual diagnosis will be used to initiate a pilot program in Orange and Broward counties. The pilot program will utilize Mobile Response Teams to support individuals who are dually diagnosed and behaviorally unstable. This pilot will provide Board Certified Behavior Analysts for existing 24-Hour

Mobile Response Teams who have experience with individuals with both mental health and developmental disability diagnoses. These existing teams consist of Licensed Mental Health Therapists, a nurse, access to a psychiatrist and can admit an individual through a Baker Act should the individual meet Baker Act criteria. The Mobile Response Team's primary role is to assess, de-escalate and stabilize the individual in their current residential setting, if possible. The team determines if a psychiatric inpatient admission is needed into a crisis stabilization unit (CSU).

Individuals with developmental disabilities can struggle finding mental health treatments that are responsive to their developmental needs. Often, clients experience lengthy stays in CSUs that jeopardize their current living arrangements.

- Please click [here](#) for the Florida Developmental Disabilities Council's Legislative Platform.
- Click [here](#) to register for DD Awareness Day on March 14, 2023!

Below are bills the Council is supporting or tracking. Please click on bill links to track a bill's full journey through the process to date.

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## Important Bills to Watch

[HB 19 Individual Education Plans - 2023I by Tant Co-Sponsors: Arrington, Eskamani, Garcia \(A\), Harris, Lopez \(J\), Rizo, Woodson Co-Sponsors: Civil Justice Subcommittee](#)

### Summary

This bill would provide that Individual Education Plans (IEPs) for certain students contain information on legal rights and responsibilities that transfer to students at age 18 as an adult. The bill requires information to include ways in which students may provide informed consent to allow their parent to continue to participate in educational decisions. **The Council supports this bill.**

### Actions

02/21/23 HOUSE Now in Education & Employment Committee

### Similar Bills

[SB 0636 Individual Education Plans by Simon](#)

02/27/23 SENATE On Committee agenda - Education Pre-K - 12, 03/06/23, 1:00 pm, 412K

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[HB 61 - Medicaid Expansion through a Medicaid Buy-in Program by Harris and Woodson](#)

### 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 that the agency seek federal waiver approval or submit any state plan amendments necessary to implement the program. Finally, the bill would require the agency to implement the program upon receiving federal approval. Effective Date: upon becoming a law. Florida is only one of a few states that does not

have a Medicaid Buy-in option. This program allows individuals who become employed to pay the state for their Medicaid benefits as they would pay for insurance. **The Council supports this bill.**

## Actions

HOUSE Now in Healthcare Regulation

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### [HB 223 - Public School Student Progression for Students With Disabilities by Bartleman Co-Sponsors: Eskamani, Garcia \(A\), Rizo CS Sponsors: Education Quality Subcommittee](#)

## Summary

This bill provides for a comprehensive plan for student progression to provide for specified students with disabilities to be retained in prekindergarten at the discretion of the student's parent. The bill would authorize certain prekindergarten students to receive instruction in early literacy skills, rather than intensive reading interventions, and revises requirements for these students with disabilities to be able to receive a good cause exemption if needed from mandatory retention in grade 3. **The Council supports this bill.**

## Actions

02/21/23 HOUSE Now in PreK-12 Appropriations Subcommittee

## Similar Bills

### [SB 0290 Public School Student Progression for Students with Disabilities by Jones](#)

1/26/23 SENATE Referred to Education Pre-K -12; Appropriations Committee on Education; Fiscal Policy

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### [SB 228 - Fetal Alcohol Spectrum Disorders by Berman](#)

## Summary

This bill would revise the definition of the term “developmental disability” to include fetal alcohol spectrum disorders and defines the term “fetal alcohol spectrum disorders”. The effective date would be next year, 7/1/2024.

## Actions

01/26/23 SENATE Referred to Children, Families, and Elder Affairs; Appropriations Committee on Health and Human Services; Fiscal Policy

## Identical Bill

### [HB 0255 Fetal Alcohol Spectrum Disorders by Barnaby](#)

01/25/23 HOUSE Now in Children, Families & Seniors Subcommittee

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