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[2023 Legislative Session Update: March 13, 2023; Volume 23, Issue 2](#)

[The 2023 Legislative Session Began on March 7, 2023](#)

Investing in Home and Community Based Services for Individuals with Intellectual and Developmental Disabilities

The Florida Developmental Disabilities Council supports a Medicaid Home- and Community-Based Services waiver for individuals with intellectual and developmental disabilities (I/DD). The waiver must include services that encourage inclusion in the community; a safe, healthy, meaningful life; and help the individual avoid costly, restrictive institutional care.

Four primary recommendations include:

The Council supports estimating increases in utilization that accurately reflect the additional needs of individuals on the iBudget waiver. Service utilization estimates and management are a crucial way to predict and contain costs. The biggest reasons for increased service needs are due to aging caregivers, aging waiver recipients, and an individual's graduation from high school.

The Council recommends that a significant number of individuals on the iBudget waitlist be transitioned from the list each year with the goal of eliminating it. A careful analysis of who is on the waitlist should be undertaken and

reviewed yearly. Policymakers and the public would benefit from a detailed analysis of the largest waitlist categories six and seven. This would add to understanding the current needs of those on the waitlist and help predict future needs by gathering information about the length of time people have been on the waitlist and what services they will need.

The Council supports creating a robust case management or support coordination workforce to address the needs of individuals with I/DD on the iBudget waiver. The State needs to encourage and employ individuals to provide the support coordinator services that are essential to create and implement a person-centered service plan. Incentives can include rates commensurate with experience and training, along with streamlined reporting systems and burdensome regulations that must be met. This will increase the availability of support coordinators and improve workforce stability.

The Council supports addressing the behavioral needs of individuals with I/DD. Individuals with I/DD are having extraordinary challenges finding behavioral services even when they are in crisis situations.

Involuntary commitments through the Baker Act and voluntary hospitalizations are on the rise because families and providers are unable to care for those in crisis at home. Active recruitment of providers and priority funding for Intensive Behavioral (IB), Behavior-Focused (BF) group homes and mobile treatment providers trained to work with those with developmental disabilities who also have a mental health diagnosis are recommended.

- 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.

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

03/08/23 HOUSE

Favorable with CS by Education and Employment Committee; 20 Yeas,0 Nays

Similar Bills

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

03/06/23 SENATE

Favorable with CS by Education Pre-K – 12; 12 Yeas,0 Nays

[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

01/01/23 HOUSE

Now in Healthcare Regulation

[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

03/09/23 HOUSE

Favorable by PreK-12 Appropriations Subcommittee;13 Yeas,0 Nays

Similar Bills

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

03/09/23 SENATE

On Committee Agenda - Education Pre-K -12, 03/14/23, 8:30 AM,412K

[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

Withdrawn Prior to Introduction

[HB 831 - Medicaid Recipients with Developmental Disabilities by Duggan](#)

Summary

This bill requires AHCA to select a qualified long-term care plan to implement an *Integrated Plan for Persons with Developmental Disabilities Pilot Program* in Miami-Dade County. The bill provides a pilot program and defines its purpose and benefits. It also provides that participation in the pilot program is voluntary and limited to a specified number of enrollees. In the Senate companion bill, volunteers from the iBudget waitlist would be participants. The plan references the payment to the selected plan and provides requirements for the plan. Requirements would include disability-specific services. Finally, the bill provides requirements for financial reports, the plan's pretax income requirements and requires the agency contract for independent evaluation of the plan performance. The plan evaluation results will be presented to Legislature.

Actions

02/21/23 HOUSE

Now in Healthcare Regulation Subcommittee

Similar Bills

[SB 1084 - Long-term Managed Care Program by Trumbull](#)

02/28/23 SENATE

Referred to Health Policy; Appropriations Committee on Health and Human Services; Fiscal Policy

[SB 452 - Home Health Aides for Medically Fragile Children by Harrell](#)

Summary

This bill creates the Home Health Aides for Medically Fragile Children program to help ameliorate the impact of the shortage of healthcare workers on medically fragile children. The bill requires the Agency for Health Care Administration (AHCA), in consultation with the Board of Nursing (BON), to approve any training program created by a Home Health Agency (HHA) that meets the federal standards for a nurse aide training program and which is meant to train family caregivers as home health aides for medically fragile children Effective Date: Upon becoming a law. **The Council supports this bill.**

Actions

03/08/23 SENATE

Favorable with CS by Appropriations Committee on Health and Human Services; 16 Yeas, 0 Nays

Similar Bills

[HB 0391 - Home Health Aides for Medically Fragile Children by Tramont](#)

02/01/23 HOUSE

Now in Healthcare Regulation Subcommittee

[SB 226 Support for Dependent Adult Children by Berman CS Sponsors: Judiciary](#)

Summary

This bill specifies that parents are responsible for supporting their dependent adult child and requires that certain rights of the parents of a dependent adult child be established in a guardianship proceeding. The bill specifies that a court may modify a child support order for adult children in certain circumstances.

Actions

03/06/23 SENATE

Favorable with CS by Children, Families, and Elder Affairs; 8 Yeas, 0 Nays

Similar Bills

[HB 0813 - Support of Dependent Adult Children by Tant](#)

03/10/23 HOUSE

On Committee agenda - Civil Justice Subcommittee, 03/14/23, 11:30 am, 404 H - PCS

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