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**2023 Legislative Session Update: March 13, 2023; Volume 23, Issue 3**

## **Mobile Response Team Pilot Program**

The Governor's budget recommendation of \$3,357,950 in nonrecurring funds for those with a co-occurring mental health diagnosis and a developmental disability will be used to initiate a Mobile Response Team Pilot program in Orange and Broward counties. The Council supports the Governor's budget recommendation.

The pilot program will utilize Mobile Response Teams to support individuals on the Agency for Persons with Disabilities (APD) iBudget waiver who have this dual diagnosis and who are 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.

National trends show that 35-40% of individuals who have a developmental disability also have a mental health need. This indicates that potentially 12,416 of the 35,474 individuals served by Agency for Persons with Disabilities Medicaid Waiver, could benefit from the specialized services.

It is estimated that close to 1900 individuals will be admitted to a CSU through a Baker Act this year.

Please click [here](#) for the Florida Developmental Disabilities Council's Legislative Platform.

Please click [here](#) for the APD Mobile Response Team flyer.

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

#### **HOUSE**

03/08/23 - Favorable with CS by Education and Employment Committee; 20 Yeas,0 Nays

03/10/23 - Committee Substitute Text (C2) Filed

03/13/23 - Placed on Calendar, on 2nd reading

### Similar Bills

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

#### **SENATE**

03/08/23 - Now in Judiciary

## [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

01/10/23 - 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

#### HOUSE

03/09/23 - Favorable by PreK-12 Appropriations Subcommittee;13 Yeas,0 Nays

- Now in Education & Employment Committee (final committee stop)

### Similar Bills

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

#### SENATE

03/16/23 - SENATE Committee agenda - Appropriations Committee on Education, 03/21/23, 11:00 am, 412 K

### [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

##### SENATE

01/26/23 - 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](#)

##### HOUSE

01/25/23 - 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

##### HOUSE

02/21/23 - Now in Healthcare Regulation Subcommittee

#### Similar Bills

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

**SENATE**

02/28/23 - 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****SENATE**

03/08/23 - 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](#)****HOUSE**

02/01/23 - 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****SENATE**

03/08/23 - Committee Substitute Text (C2) Filed

- Now in Rules

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

**HOUSE**

03/10/23 - Now in Children, Families & Seniors Subcommittee

**[HB 1275 - Persons with Disabilities Registry by Plasencia](#)****Summary**

This bill authorizes local law enforcement agencies to develop and maintain a registry for the Persons with Disabilities Registry database, which shall contain a listing of individuals with conditions that may be relevant to their interactions with law enforcement officers. Individual adults, parents, and guardians may enroll and remove someone from registry voluntarily. The Persons with Disabilities Registry may include, but need not be limited to:

(a) The enrollee's name, address, contact information, personal identifying information, and condition that may be relevant to interactions with law enforcement officers, (b) The name, address, contact information, and personal identifying information of a parent, legal guardian, or guardian advocate who enrolled an individual (c) Any additional information provided, including the certification of the condition.

The local law enforcement agency may provide access to the registry and relevant information from the registry to a law enforcement officer engaged in his or her official duties. Effective Date: January 1, 2024

**Actions****HOUSE**

03/06/23 - Referred to Children, Families & Seniors Subcommittee; Criminal Justice Subcommittee; Health & Human Services Committee

03/17/23 - On Committee agenda - Children, Families & Seniors Subcommittee, 03/21/23, 9:00 am, 102 H

**Linked Bills****[HB 1277 - Pub. Rec./Persons with Disabilities Registry by Plasencia](#)****Summary**

This bill provides a public records exemption for all records and personal identifying information relating to the enrollment of persons in a persons with disabilities registry held by a local law enforcement agency are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. It is the intent of the Legislature that this exemption apply to persons with disabilities registries held by a local law enforcement agency before, on, or after the effective date of this paragraph. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature. Information made confidential and exempt by this subsection may be disclosed upon a showing of good cause before a court

of competent jurisdiction, or in furtherance of the official duties and responsibilities of the agency holding the information, to 1. Another local law enforcement agency; 2. A county emergency management agency; 3. A local fire department; or 4. Another local, state, or federal agency. (c) The entities or persons receiving such information shall maintain the exempt status of the information.

## **Actions**

### **HOUSE**

03/17/23 - On Committee agenda - Children, Families & Seniors Subcommittee, 03/21/23, 9:00 am, 102 H

Similar Bills

### **SB 0784 - Special Persons Registry by Burgess**

### **SENATE**

02/23/23 - Referred to Children, Families, and Elder Affairs; Criminal Justice; Rules

## **Compare Bills**

### **SB 0786 - Public Records/Special Persons Registry by Burgess**

### **SENATE**

02/23/23 - Referred to Children, Families, and Elder Affairs; Criminal Justice; Rules

### **[HB 1275 - Persons with Disabilities Registry by HB 1531 - Programs and Services for Young Adults with Developmental Disabilities by Tant](#)**

## **Summary**

This bill creates the Transition Success Network and provides requirements for the Agency for Persons with Disabilities to take the lead. The bill names participating agencies and purpose of a multiagency network. The bill would also provide for initial statewide needs assessment and biennial local needs assessments. The bill provides network requirements and provides for funding from each agency as applicable. Finally, the bill would require that a member of the network participate in IEP meetings for students with disabilities as requested by a parent or adult individual. Effective Date: July 1, 2023

## **Actions**

### **HOUSE**

03/09/23 - Referred to Children, Families & Seniors Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

- Now in Children, Families & Seniors Subcommittee

## Similar Bills

### [SB 1694 - Programs and Services for Young Adults with Developmental Disabilities by Jones](#)

#### Actions

##### **SENATE**

03/09/23 - Referred to Children, Families, and Elder Affairs; Appropriations Committee on Health and Human Services; Fiscal Policy

### [SB 1594 - Services for Persons with Disabilities by Brodeur](#)

#### Summary

The bill revises provisions related to the application for services for persons with disabilities and revises timeframes within which the Agency for Persons with Disabilities must make certain eligibility determinations. The bill requires the agency to request additional documentation from applicants if it determines such documentation is necessary to make an eligibility determination. It is stated that the agency shall place on an agency registration list any client who meets the level of care requirement for an intermediate care facility for individuals with intellectual disabilities pursuant to 42 C.F.R. s. 435.217(b)(1) and 42 C.F.R. s. 440.150 and is:

(a) Younger than 21 years of age, requesting but not receiving waiver services, and not assigned to category 1, category 2, category 3, category 4, or category 5; or (b) An adult that resides in an institutional setting, including, but not limited to, a penal institution, an intermediate care facility for the developmentally disabled, a mental health hospital, a nursing home, or a forensic facility run by the agency pursuant to chapter 916.

#### Actions

##### **SENATE**

03/09/23 - Referred to Children, Families, and Elder Affairs; Health Policy; Rules.

## Similar Bills

### [HB 1579 - Developmental Disability Treatment HB 1579 - Developmental Disability Treatment Services by Stevenson](#)

##### **HOUSE**

03/09/23 - Now in Children, Families & Seniors Subcommittee

### [SB 1568 - Student Elopement by Book Co-Sponsors: Osgood](#)

#### Summary

This bill requires public schools to create a School Staff Assistance for Emergencies (SAFE) Team and a school elopement plan. The bill provides for membership and responsibilities of the team and provides requirements for the plan. The bill requires the team to create student-specific elopement quick reference guides for certain students. The **Council is supporting this bill.**

### **Actions**

#### **SENATE**

03/09/23 - Referred to Education Pre-K -12; Children, Families, and Elder Affairs; Rules.

### **Similar Bills**

[HB 1429 - Student Elopement by Eskamani](#)

#### **HOUSE**

03/09/23 - Now in Education Quality Subcommittee

[HB 445 - Certificates of Completion by Valdes](#)

### **Summary**

Certificates of Completion: Prohibits award of certificates of completion after July 1, 2023.

### **Actions**

#### **HOUSE**

02/01/23 - Referred to Education Quality Subcommittee; PreK-12 Appropriations Subcommittee; Education & Employment Committee

- Now in Education Quality Subcommittee

### **Similar Bills**

[SB 1168 - Certificates of Completion by Calatayud](#)

#### **SENATE**

03/02/23 - Referred to Education Pre-K -12; Appropriations Committee on Education; Fiscal Policy

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