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**2023 Legislative Session Update: March 28, 2023; Volume 23, Issue 4**

## **The House and Senate Pass Budgets this Week and Gear-Up for Budget Conference**

This week budgets from all the appropriation subcommittees were merged into House and Senate appropriations bills that are being heard this week in House and Senate full appropriations committees.

From there, the final budget will be negotiated between the House and the Senate with the Governor's recommendations also in mind.

Budget items we are following include:

**1) \$80 million in iBudget waitlist funding** - the Governor wants this funding used for the crisis categories of the iBudget Waitlist and the Senate language states it should be used to get the most people possible off the waitlist. Finally, the House uses the same language as the Senate with the very notable exception that if [HB 831](#) passes (or another Medicaid I/DD, Miami/Dade Pilot) for individuals who volunteer to get off the iBudget waitlist, that half of that funding will be transferred to AHCA for the implementation of the pilot project.

**2) Increased rate for Support Coordination** - Only the Senate has an increase of 10% for Support Coordination and this amount only adds up to just under a \$15 a month increase per support coordinator service and per client.

**3) Dual Diagnosis Mobile Team Pilot Project** - This \$3.4 million project to support individuals who are dually diagnosed with a mental illness and a developmental disability and who are behaviorally unstable and at risk of homelessness is supported by the Governor and the House. The Council is encouraging the Senate to adopt this important pilot. Please click [here](#) for the pilot flyer.

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

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

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

#### Similar Bills

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

03/24/23 SENATE - On Committee Agenda - Judiciary, 03/29/23, 12:00 pm, 412 K

[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**

01/10/23 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

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

### **Similar Bills**

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

03/22/23 SENATE - Now in Fiscal (final committee stop)

[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

03/27/23 HOUSE - On Committee agenda - Health Care Appropriations Subcommittee, 03/29/23, 8:00 am, 17 H

### 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

03/09/23 SENATE - Now in Fiscal Policy (final committee stop)

### Similar Bills

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

03/24/23 HOUSE - On Committee agenda - Healthcare Regulation Subcommittee, 03/28/23, 2:00 pm, 102 H

#### [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**

03/22/23 SENATE - Placed on Calendar, on 2nd reading.

### **Similar Bills**

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

03/27/23 HOUSE - Favorable with CS by Children, Families & Seniors Subcommittee; 15 Yeas, 0 Nays

#### **[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**

03/21/23 HOUSE - Favorable by Children, Families & Seniors Subcommittee; 15 Yeas, 2 Nays

03/27/23 HOUSE - On Committee agenda - Criminal Justice Subcommittee, 03/29/23, 11:30 am, 404 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**

03/27/23 HOUSE - On Committee agenda - Ethics, Elections & Open Government Subcommittee, 03/29/23, 8:00 am, 102 H

### **Similar Bills**

#### **[SB 0784 - Special Persons Registry by Burgess](#)**

03/27/23 SENATE - Favorable with CS by Children, Families, and Elder Affairs; 8 Yeas, 0 Nays

### **Compare Bills**

#### **[SB 0786 - Public Records/Special Persons Registry by Burgess](#)**

03/22/23 SENATE - On Committee agenda - Children, Families, and Elder Affairs, 03/27/23, 11:30 am, 37 S

#### **[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**

03/27/23 HOUSE - On Committee agenda - Education Quality Subcommittee, 03/29/23, 3:00 pm, 102 H

### **Similar Bill**

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

### **Actions**

03/09/23 SENATE - 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**

03/27/23 SENATE - Favorable by Children, Families, and Elder Affairs; 8 Yeas, 0 Nays

#### **Similar Bills**

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

03/09/23 HOUSE - 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**

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

#### **Similar Bills**

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

03/09/23 HOUSE - 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

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

### Similar Bills

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

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

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

Florida Developmental Disabilities Council | 124 Marriott Drive, Suite 203, Tallahassee, FL 32301

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