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Long-Term Managed Care Pilot Bill Poses Questions for the Future of the iBudget Waiver.

The managed care pilot bill for individuals with intellectual and developmental disabilities(I/DD) on the iBudget waitlist in Miami-Dade County Is getting attention from innovators and concerned advocates.

The Council has been following <u>HB 831</u> and its Senate companion <u>SB 1084</u>. On the one hand, the Council likes pilot projects that are innovative and could blend different waiver resources. The Council's five-year Aging Caregiver initiative could benefit from the ideas and findings of this pilot. But on the other side of this issue, there is a healthy skepticism of managed care and its effectiveness with complex and sensitive populations. There is some data from

other states that show promise and other studies that indicate serious challenges.

It was not until the House budget proviso language came out, that the council realized the large size of the pilot and the significant amount of waitlist funding that would be going to Miami-Dade County. The Governor recommended almost \$80 million dollars to transition 1200 individuals in crisis off the waitlist. The House budget language authorizes 600 individuals from that line item to be allowed to *volunteer* for the pilot.

At this point in the budget process, it appears that this would leave a much smaller amount of funding for the rest of the state who we represent. The staff analysis references that, in the last two years, almost 1900 individuals out of 2700 who transitioned onto the waiver were in crisis category #1 and the rest in other crisis categories. We are concerned the most vulnerable individuals who are homeless, a danger to themselves or others, or in foster care will not have access to enough funding and that, in fact, an already stressed safety net will be stretched even further. Currently, there is a critical shortage of support coordinators and behavioral services in most areas of the state.

Then, there is the issue of how the pilot would measure success and what the impact would be for individuals with I/DD. According to Miami-Dade waitlist data, most of those who volunteer for this project would not be in crisis categories. Questions the Council will be asking the legislature include:

- Would the pilot results be compared to the agency's complicated, regulated system, which has significant provider shortages and that also must be responsible for all those in crisis including emergencies like hurricanes?
- Would individuals who receive iBudget services and funding under the Consumer Directed Care + waiver incur service reductions because of a for-profit managed care system?
- Will the proposed pilot be delivered by a reputable provider service network?
- Could this pilot evolve into a template to serve all Floridians with intellectual and developmental disabilities?
- Would the Council and other organizations who serve those with I/DD be part of an advisory group for managed care design that includes individuals with I/DD and their family members?
- What are the mechanisms for monitoring and implementation related to quality measures, quality case management, and ongoing evaluation to ensure that the needs of a diverse population of individuals with developmental disabilities are effectively addressed?

If you would like to share your opinion and ask questions about this pilot now and during the budget conference, join the Council by asking your questions and sharing your opinions with lawmakers who sit on the following committees:

- Senate Appropriations Committee on Health and Human Services
- House Health Care Appropriations Subcommittee
- House Health & Human Services Committee

Please click <u>here</u> 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 - 2023l 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

03/31/23 HOUSE - Read Third Time; Passed (Vote: 113 Yeas / 0 Nays) SENATE - In Messages

Similar Bills

SB 0636 - Individual Education Plans by Simon 03/30/23 SENATE - Now in Rules (final committee stop)

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

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

03/31/23 HOUSE - Favorable by Education & Employment Committee; 19 Yeas, 0 Nays

Placed on Calendar, on 2nd reading

Similar Bills

SB 0290 - Public School Student Progression for Students with Disabilities by Jones

03/22/23 SENATE - Now in Fiscal Policy (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

04/06/23 HOUSE - On Committee agenda - Health & Human Services Committee, 04/10/23, 2:00 pm, 17 H

Similar Bills

SB 1084 - Long-term Managed Care Program by Trumbull

04/04/23 SENATE - Favorable by Health Policy; 11 Yeas, 0 Nays
Now in Appropriations Committee on Health and Human Services

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 03/30/23 HOUSE - Now in Health Care Appropriations 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

03/31/23 HOUSE - In Messages

Similar Bills

HB 0813 - Support of Dependent Adult Children by Tant
03/29/23 HOUSE - Now in Judiciary Committee (final committee stop)

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

04/06/23 HOUSE - On Committee agenda - Health & Human Services Committee, 04/10/23, 2:00 pm, 17 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

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

04/06/23 HOUSE - On Committee agenda - On Committee agenda - Health & Human Services Committee, 04/10/23, 2:00 pm, 17 H

Similar Bills

SB 0784 - Special Persons Registry by Burgess

04/05/23 SENATE - Committee Substitute Text (C1) Filed

• Now in Rules (last committee stop)

Compare Bills

SB 0786 - Public Records/Special Persons Registry by Burgess 04/04/23 SENATE - Now in rules (final committee stop)

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

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

• Now in Children, Families & Seniors Subcommittee

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

04/06/23 SENATE - Committee Substitute Text (C1) Filed SENATE - Reference to Rules removed; Reference to Fiscal Policy added; Remaining reference: Fiscal Policy

Now in Fiscal Policy

Similar Bills

<u>HB 1579 - Developmental Disability Treatment HB 1579 - Developmental Disability Treatment Services by Stevenson</u>

03/30/23 HOUSE - Now in Health Care Appropriations 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

03/29/23 HOUSE - Favorable by Education Quality Subcommittee; 17 Yeas, 0 Nays

3/30/23 HOUSE - Now in PreK-12 Appropriations Subcommittee

HB 445 - Certificates of Completion by Valdes

Summary

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

Actions

03/31/23 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

SB 1444 - Agency for Persons with Disabilities by Garcia (I)

Summary

Agency for Persons with Disabilities; Revising background screening requirements for certain direct service providers; requiring the licensure of adult day training programs; providing for inspections of adult day training programs; authorizing the agency to immediately suspend or revoke the license of adult day training programs under certain circumstances, etc. Effective Date: 10/1/2024. **The Council is supporting this bill.**

Actions

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

Now in Fiscal Policy

Compare Bills

HB 1517 - Agency for Persons with Disabilities by Plakon Co-Sponsors:

Lopez (V) CS Sponsors: Children, Families & Seniors Subcommittee

03/30/23 HOUSE - Now in Health Care Appropriations Subcommittee

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