

FROM THE CAPITOL



2023 FDDC CAPITOL UPDATES

2023 Legislative Session Update: May 8, 2023; Volume 23, Issue 8

The 2023 Legislative Session has ended

The Budget Conference ended on May 1. Then, the budget rested for 72 hours before legislators voted on it. Remember that the Governor has a line-item veto for the budget and veto power for bills, so some line items and bills may be vetoed.

Budget highlights for individuals with intellectual and developmental disabilities include:

- 1) **\$80 million (includes federal match) in iBudget waitlist funding** - This funding will be used to get the most people possible off the iBudget waitlist and some of this funding will be transferred to the Agency for Health Care Administration to take as many as 600 volunteers off the iBudget waitlist for the long-term managed care pilot project.
- 2) **Increased rate for Support Coordination** - The Senate and the House agreed upon a 10% increase for Support Coordination rates. This equates to \$5,980,368 million including federal match.
- 3) **Dual Diagnosis Mobile Team Pilot Project** - This \$3.4 million project (includes federal match) will support individuals who are dually diagnosed with a mental illness and a developmental disability, and who are behaviorally unstable and at risk of homelessness. The project includes trained mental health staff in mobile treatment units and training for families and group home staff.

4) **A new level of reimbursement costing \$23,249,062 million for Medicaid-eligible individuals residing in or seeking admission to an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) who have severe behavioral needs.** These funds will be placed in reserve. The Agency for Health Care Administration will submit a budget amendment requesting release of the funds held in reserve. Release of the funds is contingent upon the agency demonstrating the need for individuals who have severe behavioral needs and who qualify for this level of care.

5) **Dental services funded at \$11,500,000 million to the winner of a competitive process.** In the event the Agency for Persons with Disabilities is unable to competitively procure a contract with a non-profit organization for a statewide dental services program for the developmentally disabled, funds will be used by the agency to administer the program until such a contract can be executed.

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 PASSED!

Similar Bills

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

04/18/23 SENATE Read Second Time; Substituted for HB 0019; Laid on Table, Refer to HB 0019

[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

This bill had no Senate companion and was not heard in any committee

[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

- 05/02/23 HOUSE - Laid on Table, refer to CS/SB 290

Similar Bills

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

- PASSED!
-

[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 Not heard in any committee

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

04/27/23 SENATE - Received

Similar Bills

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

05/03/23 SENATE Temporarily Postponed on Second Reading
SENATE Retained on Calendar

[SB 2510 - Health by Appropriations](#)

This bill includes budget conference issues such as; Increasing the income threshold for certain contributions required by residents of veterans' nursing homes; establishing the Slots for Doctors Program; requiring the Agency for Health Care Administration to allocate a specified amount to hospitals and qualifying institutions for certain newly created resident positions; revising the criteria for determining achieved savings rebates for purposes of Medicaid prepaid plans, and the Long Term Care Pilot for individuals with intellectual and developmental disabilities.

[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

05/02/23 SENATE - Read Second Time; Substituted for HB 0391; Laid on Table, Refer to HB 0391

Similar Bills

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

[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

PASSED!

Similar Bills

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

HOUSE Laid on Table, refer to CS/CS/SB 226

[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

PASSED!

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

PASSED

Similar Bills

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

05/01/23 - SENATE Read Second Time; Substituted for HB 1275; Laid on Table, Refer to HB 1275

Compare Bills

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

05/01/23 SENATE Read Second Time; Substituted for HB 1275; Laid on Table, Refer to HB 1275

[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

Not heard in any committee

Similar Bill

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

Actions

Not heard in any committee

[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

05/01/23 SENATE - Read Second Time; Substituted for HB 1517; Laid on Table, Refer to HB 1517

Similar Bills

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

Not heard in any committee. Refer to SB 1517

[HB 1517 - Agency for Persons with Disabilities by Plakon Co-Sponsors: Lopez \(V\) CS Sponsors: Children, Families & Seniors Subcommittee](#)

PASSED

[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

Not heard in any committee

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 - Now in PreK-12 Appropriations Subcommittee

Similar Bills

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

Not heard in any committee

[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

Language added to SB 1594 and HB1517

Compare Bills

[HB 1517 - Agency for Persons with Disabilities by Plakon Co-Sponsors: Lopez \(V\) CS Sponsors: Children, Families & Seniors Subcommittee](#)
PASSED

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