

Capitol Update



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The iBudget Waiver Provider Rate Crisis

The Individual Budgeting Home and Community Based waiver administered by the Agency for Persons with Disabilities offers supports and services to assist almost 30,000 individuals with developmental disabilities to live in the community by ensuring that their health and safety needs are met, as well as providing services to improve their access to their community and a meaningful life. The reductions in waiver funding that was experienced for several years until 2013 resulted in multiple reductions to services and significant reductions to provider rates. Today's Agency for Persons with Disabilities (APD) iBudget Waiver reimbursement rates are on average 14.17% lower than they were in 2003! Retaining a qualified workforce is reaching crisis proportion with large turnover rates, little service availability and the closure of group homes and other provider businesses. Florida needs to offer providers a rate that will maintain and improve the availability of a qualified workforce that can adequately address the needs of individuals with developmental disabilities.

Provider agencies and individual providers are facing increased insurance costs and the state has added multiple unfunded responsibilities in the form of additional billing requirements, background screening costs for staff, licensure standards, staff training and experience requirements. Remaining on the current path will continue the deterioration of a network that exists to provide for Florida's most vulnerable citizens. Florida has seen a 29.8% drop in the number of providers actually providing services since FY 07-08; and, agencies who were providing multiple (two or more) services show a 42% reduction over the last 8 years.

Florida's expenditures on its most vulnerable individuals are very low compared to other states recovering from the Great Recession. According to The State of the States in Intellectual and Developmental Disabilities, (10th Edition, 2015, Braddock), Florida's fiscal effort in 2013, or spending for Intellectual and developmental disability services(I/DD) per \$1,000 of aggregate statewide personal income, ranked 50th out of 51 entities (50 states plus the District of Columbia). Florida's fiscal effort for I/DD services has decreased 13% since 2011!

The Florida Developmental Disabilities Council, Florida ARF, Arc of Florida, WaiverProvider.com and Family Care Council of Florida invites you to attend a Webinar entitled; "The SERIOUS Effects of the iBudget Waiver Provider Rate Crisis.

Please register to join us Friday, February 12, 2016 from 11:30 a.m. to 12:30 p.m.

We have fixed the problems that occurred on the previous webinar with the beeps and have increased the maximum # of attendees. We now can accommodate 1000 people on this webinar to include the ability to hear it as well. Please know that this webinar will be recorded to send out to everyone.

To register for this webinar, click here.

<https://attendee.gotowebinar.com/register/6093154064446147074>

Support Early Steps!

Legislation has been developed with the input of the state Early Steps office, local Early Steps providers, the Florida Developmental Disabilities Council and other stakeholders and advocates. This is the first time that legislation has been written for this program! The bills [SB 7034](#) and [HB 943](#) called **Prenatal Services and Early Childhood Development by Children, Families and Elder Affairs** revises the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers on developmental evaluation and early intervention programs. The bill renames the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program" and specifies the duties of local Early Steps providers and the state Early Steps office. The bill includes accountability and eligibility requirements.

Advocates are also supporting the expansion of eligibility to where it was in 2010. There is an amendment to the Senate bill that would provide that improvement if there is funding available.

Expanding eligibility for Early Steps helps infants and toddlers receive intervention at earlier signs of developmental delay rather than waiting until the delay is more serious. Early intervention is proven effective at the first indication of developmental delay and can prevent more serious and costly problems for children that can result from waiting until delays become severe.

SB 7034 will be heard on the Senate floor this week. The Council will be calling [Chair Matt Hudson of the House Health Care Appropriations Committee](#) And [Speaker of the House Steve Crisafulli to put HB 943 on the agenda!](#)

Developmental Disabilities Awareness Day is February 18, 2016! Click [here](#) for more information.

[SB 144 - Relating to Autism by Ring](#)

Summary

This bill requires that a physician refer a minor to an appropriate specialist for screening for autism spectrum disorder under certain circumstances and requires that certain insurers and health maintenance organizations provide direct patient access to an appropriate specialist for screening for, or evaluation or diagnosis of autism spectrum disorder. The bill also requires that certain insurance policies and health maintenance organization contracts provide a minimum number of visits per year for screening for or evaluation or diagnosis of autism spectrum disorder. **The Council voted to support this bill.**

Actions

09/09/15 SENATE Referred to Health Policy; Banking and Insurance; Appropriations Subcommittee on General Government; Fiscal Policy

Similar Bill

[HB 49- Relating to Autism by Cruz](#)

08/27/15 HOUSE Now in Health Innovation Subcommittee

[SB 138 - Relating to Disability Awareness by Ring](#)

Summary

This bill requires rather than authorizes, each district school board to provide disability history and awareness instruction in all K-12 public schools beginning in 2016-2017. Presentations by individuals with a disability are to be included in the disability history and awareness instruction. **The Council voted to support the bill with the addition of language that would add the flexibility of being able to provide this instruction anytime during the school year instead of just the first two weeks of October.**

Actions

09/09/15 SENATE Referred to Education Pre-K - 12; Appropriations Subcommittee on Education; Fiscal Policy

Identical Bill

[HB 0317 - Relating to Disability History and Awareness Instruction by McGhee](#)

10/30/15 HOUSE Now in K-12 Subcommittee

[SB 718C1 - Relating to Identification Cards by Sobel](#)

Summary

This bill requires the Department of Highway Safety and Motor Vehicles to issue an identification card(at the request of parent ,guardian or individual with a developmental exhibiting a special designation (a capital D) for a person who is diagnosed by a licensed physician as having a developmental disability. The bill requires payment of an additional fee of \$10 and proof of diagnosis. It authorizes the issuance of a replacement identification card that includes the special designation without payment. **After several lengthy discussions, the Council did not take action on this bill and will watch it.**

Actions

11/18/15 SENATE Referred to Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations

12/03/15 SENATE Favorable with CS by Transportation; 4 Yeas, 0 Nays

12/04/15 SENATE Committee Substitute Text (C1) Filed

01/13/16 SENATE Favorable by Appropriations Subcommittee on Transportation, Tourism, and Economic Development; 9 Yeas, 0 Nays

SENATE Now in Appropriations

Identical Bill

[HB 1105 - Relating to Identification Cards by Stark](#)

02/02/16 HOUSE Now in Appropriations Committee

[SB 230C1 - Missing Persons with Special Needs by Dean](#)

Summary

This bill creates a pilot project in specified counties to provide personal devices to aid search-and-rescue efforts for persons with special needs. The bills provide for administration of the project and require reports. The Senate bill covers more counties than the House bill. APPROPRIATION: \$100,000.00. **The Council is supporting this bill.**

Actions

01/15/16 SENATE Read Third Time; Passed (Vote: 35 Yeas / 0 Nays)

01/21/16 HOUSE in Messages

Similar Bill

[HB 11 by Porter](#)

02/02/16 HOUSE Now in Judiciary Committee

[SB 7034 - Prenatal Services and Early Childhood Development by Children, Families and Elder Affairs](#)

Summary

This legislation revises the requirements for the Department of Health to maintain a clearinghouse of information for parents and health care providers on developmental evaluation and early intervention programs. The bill renames the "Infants and Toddlers Early Intervention Program" as the "Early Steps Program" and requires the development of an individual family support plan for each child served in the program. The bill specifies duties, provides for accountability and eligibility requirements. **The Council is supporting this bill.**

Actions

02/03/16 SENATE Favorable with CS by Appropriations; 19 Yeas, 0 Nays

02/05/16 SENATE Committee Substitute Text (C1) Filed

SENATE Placed on Special Order Calendar, 02/10/16

Similar Bills

[HB 0943 - Relating to Prenatal Services and Early Childhood Development by Gonzalez](#)

01/25/16 HOUSE Now in Health Care Appropriations Subcommittee

[SB 1142 Treatments for Stable Patients- Hayes](#)

Summary

This bill prohibits an insurer or a pharmacy benefits manager from limiting or excluding coverage for a drug for an insured with a certain medical condition under certain conditions. In an effort to cut costs, insurance companies are increasingly forcing patients who are stable on their medications off their therapies. It may happen mid-plan year when a health plan removes a drug from its formulary or when it increases patient out-of-pocket costs – regardless of the health impact on the patient.

This bill helps patients who have complex, chronic, or rare conditions by limiting the change of a stable patient's medication that puts the patient's health at risk (potentially causing adverse side effects and decreased effectiveness of their medication). **The Council is supporting this bill.**

Actions

02/01/16 SENATE Favorable with CS by Banking and Insurance; 11 Yeas, 0 Nays

02/03/16 SENATE Committee Substitute Text (C1) Filed

02/04/16 SENATE on Committee agenda - Health Policy, 02/09/16, 10:00 am, 412 K

Similar Bills

[HB 0915 - Relating to Continuity of Care for Medically Stable Patients by Mayfield](#)

01/08/16 HOUSE Now in Insurance & Banking Subcommittee

[SB 962 - Relating to Vocational Rehabilitation by Gaetz \(D\)](#)

Summary

This bill requires the Division of Vocational Rehabilitation to initiate, by a specified date, a performance improvement plan designed to achieve specified goals. The bill requires the division to submit a performance report annually to the Governor and the Legislature which includes specified information. This year the Senate worked with the Division to get their input and align the goals with federal WIOA requirements. **The Council is supporting this bill.**

Actions

02/02/16 SENATE Read Second Time; Placed on Third Reading, 02/10/16

Identical Bills

[HB 1359 - Relating to Vocational Rehabilitation by Fresen](#)

02/02/16 HOUSE Favorable by Education Appropriations Subcommittee; 12 Yeas, 0 Nays

02/03/16 HOUSE Now in Education Committee

[HB 495 - Relating to Florida Association of Centers for Independent Living](#) by Harrell CS Sponsors: Education Appropriations Subcommittee

Summary

This bill requires specified agreements to be maintained; requiring the program to provide additional support and services. The bill requires the program to reimburse Florida Association of Centers for Independent Living for certain costs approved by Advisory and Oversight Committee. **The Council is supporting this bill.**

Actions

01/27/16 HOUSE Favorable by Education Committee; 16 Yeas, 0 Nays

HOUSE Placed on Calendar, on 2nd reading

Similar Bills

[SB 0202 - Relating to Florida Association of Centers for Independent Living by Bean](#)

02/02/16 SENATE Read Second Time; Placed on Third Reading, 02/10/16

[SB 7054 - Relating to Agency for Persons with Disabilities - by Children, Families, and Elder Affairs](#)

Summary

This bill creates and amends certain statutes to provide the Agency for Persons with Disabilities ("agency" or "APD") the ability to assign priority of clients to the waiting list. The bill allows family members of active duty service members to receive waiver services. The bill allows for utilization reviews and allow contractors to use agency data management systems. The bill requires annual reviews of persons involuntarily admitted to residential services and allows for the use of video and audio monitoring of the comprehensive transitional education programs facilities.

The bill provides that individuals that are 18 but not yet 22 and staying in extended foster care are eligible to receive foster care services and waiver services. The bill directs persons or entities under contract with the agency to use the agency data management systems to document service provision to clients. The bill clarifies the process used in development of a client's iBudget and adds

transportation as a service that can be considered for an increase when determining the allocation of funds to the client's iBudget.

Additionally, the bill directs the agency to conduct utilization review activities in both public and private intermediate care facilities as necessary to meet the requirements of the approved Medicaid state plan and federal law. The bill provides that persons involuntarily admitted to residential services by court order shall have such admission orders reviewed annually by a qualified evaluator employed by the agency. Such reviews shall consider the appropriateness of placement, treatment, habilitation, and rehabilitation in the residential setting.

The bill revises the purposes of comprehensive transitional education programs, authorizes the agency to approve the admission or readmission of individuals to the program and provides for video and audio recording and monitoring of common areas and program activities in the facilities. The bill would allow the establishment of residential facilities that meets with local land use and zoning requirements that does not exceed a capacity of 15 persons. **The Senate bill is comprehensive and the House shares the parts of this bill in three separate bills. The Council is supporting this bill.**

Actions

01/20/16 SENATE Submitted as Committee Bill by Children, Families, and Elder Affairs; 4 Yeas, 0 Nays

01/21/16 SENATE Committee Bill Text filed

01/26/16 SENATE Referred to Appropriations Subcommittee on Health and Human Services; Appropriations

Compare Bills

[HB 4037 - Relating to Licensure of Facilities and Programs for Persons with Developmental Disabilities by Rodrigues \(R\)](#)

01/26/16 HOUSE Temporarily Postponed on Second Reading

[HB 0919 - Relating to Involuntary Admission to Residential Services by Wood](#)

02/08/16 HOUSE Committee Substitute Text (C3) Filed

[HB 1083 - Relating to Agency for Persons with Disabilities by Renner](#)

02/05/16 HOUSE On Committee agenda - Health & Human Services Committee, 02/09/16, 11:30 am, 17 H

[HB 1089 - Relating to Criminal History Information - by Rooney](#)

Summary

This bill provides for a reduced fee for criminal history information (in line with other agencies) provided to Agency for Persons with Disabilities under specified provisions. **The Council support this bill.**

Actions

01/13/16 HOUSE Referred to Criminal Justice Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

01/25/16 HOUSE Favorable by Criminal Justice Subcommittee; 8 Yeas, 0 Nays

02/04/16 HOUSE On Committee agenda - Justice Appropriations Subcommittee, 02/08/16, 3:00 pm, 102 H

Similar Bills

[SB 0628 - Relating to Fees for Records by Richter](#)

02/02/16 SENATE Read Second Time; Placed on Third Reading, 02/10/16