

Legislative Link

A legislative update provided by the United Way of Florida, Inc.

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United Way of Florida

United Way of Florida, Inc.
307 E. Seventh Avenue
Tallahassee, FL 32303
850/488-8287

The American dream of home ownership is slipping away from thousands of Floridians because of the Legislature's refusal to assist them with funds earmarked to assist.

There is more than \$900 million in the Sadowski Housing Trust Fund awaiting appropriation to assist moderate and low income families with their housing costs.

Not only that, but by its inaction the Legislature appears poised to allow a cap of \$243 million to go into effect later this year, thereby limiting the amount of money available for affordable housing to \$243 million annually in the future.

The need for affordable housing throughout the state is staggering. Many areas are in crisis, as home prices have sky rocketed by almost 90 percent since 2001 while average wages have risen only about 10 percent. As a result, many Florida families cannot afford safe, decent, and affordable rental and single family housing.

The Florida Legislature has taken definitive steps over the years to address the ever-present and quickly growing affordable housing problem. In 1992, the Legislature passed the William E. Sadowski Affordable Housing Act, establishing a dedicated revenue source for affordable housing by phasing in two 10 cent increases in the documentary stamp tax paid on the transfer of real estate, the first in August 1992 and the second in July 1995.

Sadowski Act monies are statutorily dedicated to state and local housing trust funds, with 70 percent of the revenue dedicated to local governments through the State Housing Initiatives Partnership program (SHIP) and 30 percent dedicated to the state to fund programs such as the State Apartment Incentives Loan Program (SAIL). This year the Trust Fund will total more than \$900 million, with about \$500 million attributable to annual intangibles tax revenues and about \$400 million carried-over from the previous year.

The 2006 Legislature passed far-reaching affordable housing legislation designed to stimulate the construction of home ownership and rental housing in high cost and high growth areas to meet the needs of extremely-low, very-low, low, moderate and middle-income families and, in particular, to assist essential services personnel who are facing tremendous difficulties living in the communities in which they work. Approximately \$520 million was appropriated to support the bill.

While the 2006 legislation may have an impact, the bottom line is that more funding is needed. The SAIL and SHIP programs, already in place in statute, offer a reliable, quick and accountable vehicle for targeting the funds to areas of the state that need them and that can best use them.

In addition, the 2005 Legislature placed a cap of \$243 million on the amount of funds that can be appropriated out of the Affordable Housing Trust Fund, effective July 1, 2007. The extent of the crisis facing the state dictates that the cap be removed so the Legislature can maximize appropriations for affordable housing.

Recognizing that this is a tight fiscal year, advocates are urging the Legislature to Scrap the Cap so future opportunities to assist Floridians achieve the American dream will not be compromised. Please contact your legislators today and urge them to Scrap the Cap.

BILLS HEARD THIS WEEK

(Some information below is excerpted from legislative staff analysis)

HB 31 Bicycle Safety (Jordan)

Florida law requires bicycle riders and passengers younger than 16 years of age to wear bicycle helmets that meet certain safety standards the state adopted in 1996. Florida law also requires every bicycle in use between sunset and sunrise to be equipped with a white light visible from at least 500 feet from the front, as well as a lamp and reflector exhibiting a red light visible 600 feet from the rear. Current law does not contain a specific provision allowing law enforcement officers the option of issuing a bicycle safety brochure and a verbal warning to a bicycle rider who violates these lighting provisions. Violators of these standards can receive citations that include fines and court costs.

HB 31 requires that bicycle helmets comply with current federal safety standards.

Mirroring the current law relating to bicycle helmets, HB 31 specifically authorizes verbal warnings and the issuance of safety brochures for violations of bicycle lighting equipment requirements and requires the court to dismiss the charge against a bicycle rider for a first violation relating to bicycle lighting equipment if proof is provided that proper lighting equipment has been installed.

Last Action: 04/04/07 Added to Second Reading Calendar

CS/SB110 Health Insurance/Prostate Cancer Coverage (Banking and Insurance Committee and Senator Hill and others)

The bill, cited as the "Senator Les Miller Act", requires all individual, group, and out-of-state group health insurance policies, as well as all health maintenance organization (HMO) contracts, which cover a man age 40 or over to provide coverage for an annual screening for prostate cancer, according to the early detection guidelines of the National Comprehensive Cancer Network.

Last Action: 04/11/07 SENATE Now in General Government Appropriations

CS/HB 139 Suicide Prevention (Healthcare Council, Gibson and others)

The bill creates the Statewide Office for Suicide Prevention in the Office of Drug Control within the Executive Office of the Governor. It requires the director of the Office of Drug Control to employ a coordinator for the Statewide Office of Suicide Prevention. The Statewide Office for Suicide Prevention is required to draft and implement a statewide plan for suicide prevention to coordinate and direct numerous suicide prevention initiatives.

The bill also creates a 28-member Suicide Prevention Coordinating Council within the Statewide Office of Suicide Prevention. Council membership consists of representatives from private sector organizations, agency secretaries and executive directors, and Governor's appointees.

The bill appropriates \$150,000 from the General Revenue Fund and authorizes two positions, one of which is a coordinator for the office to implement the provisions of the bill for Fiscal Year 2007-2008.

Last Action: 04/10/07 S In Messages

Bills Heard this Week continued

SB 212 The Florida 211 Network (Senators Lynn, Rich, and others)

This bill provides for the expansion of the human services information and referral program known as the Florida 211 Network to all counties in the state. The bill adds services to persons with disabilities and special health care needs to the program's objectives. In addition, this bill designates the Agency for Health Care Administration (AHCA or agency) as the lead agency for receiving and distributing federal funds in support of the 211 Network. Each 211 provider must provide \$1 for each \$1 of state funds that it receives in support of the network. The bill requires funds expenditure reports from 211 Network providers to the agency and from the agency to the Governor and the presiding officers of the Legislature.

This bill appropriates \$5 million in nonrecurring general revenue to fund the statewide expansion of the 211 Network to all Florida counties and to enhance the operations of existing 211 providers. The bill also appropriates \$193,516 in recurring general revenue and \$7,830 in nonrecurring general revenue to fund three full-time equivalent positions to implement the provisions of the bill.

Last Action: 04/12/07 SENATE Favorable by Community Affairs; YEAS 8 NAYS 0

HB 443 Child Passenger Safety (Altman and others)

Currently, a child is required to be transported in a motor vehicle in a separate carrier or an integrated child seat from birth through 3 years of age. HB 443 extends that period to birth through 4 years of age. Currently, a child is required to be transported in a motor vehicle in a separate child safety seat, an integrated child seat, a child booster seat, or a seat belt from 4 to 5 years of age. HB 443 extends that period to 4 to 7 years of age. The bill also adds the requirement that children 8 to 17 years of age be transported with a lap belt and shoulder belt in use.

HB 443 also specifies the requirements for use of child restraint devices and seating positions, specifies driver responsibility with respect to passenger seating, and requires motor vehicle leasing businesses to provide notice of restraint device requirements.

Last Action: 04/10/07 Now in Policy & Budget Council

SB 564 Children's Services (Senator Rich and others)

SB 564 describes the Legislature's finding that all state agencies and programs that touch the lives of children and youth must work in a coordinated and comprehensive manner to provide a continuum of services from prenatal care through successful transition to adulthood. The bill describes the Legislature's finding that the creation of a Children and Youth Cabinet (Cabinet) is the best method to ensure that Florida is the first place families think of when asked, "Where do you want to raise a child?"

The bill creates the Cabinet in the Executive Office of the Governor (EOG) and directs it to ensure that Florida's public policy promotes interdepartmental collaboration and program implementation so that services for children and youth are planned, managed, and delivered in a holistic and integrated manner.

The EOG will provide administrative support to the Cabinet, and the Cabinet must meet for its organizational session no later than October 1, 2007. After its organizational meeting, the

Bills Heard this Week continued

Cabinet is to meet six times each year in different regions of the state. Each meeting must provide an opportunity for public comment.

The Cabinet shall have fifteen members as follows:

- The Governor (who shall serve as chair);
- The Secretary of Children and Family Services;
- The Secretary of Juvenile Justice;
- The Director of the Agency for Persons with Disabilities;
- The Director of the Agency for Workforce Innovation;
- The Secretary of Health;
- The Secretary of Health Care Administration;
- The Commissioner of Education;
- The Director of the Statewide Guardian ad Litem Office;
- The Director of the Office of Child Abuse Prevention; and
- Five members appointed by the Governor who are representatives of children and youth advocacy organizations, but who are not service providers.

The bill describes the duties and responsibilities of the Cabinet:

- Develop and implement a shared vision using integrated services to improve child, youth and family outcomes in Florida;
- By December 31, 2007, develop a strategic plan to achieve the goals of the shared vision;
- Develop and implement measurable outcomes, and regularly report on progress made toward the outcomes;
- Design and implement actions to promote collaboration, creativity, increased efficiency, information sharing, and improved service delivery between and within state governmental organizations, and develop long-range plans in accordance with s. 2 16.013, F.S.
- Foster public awareness of issues related to children and youth, and develops new partners;
- Create a children and youth impact statement evaluating proposed legislation, requested appropriations, and programs;
- Develop a budget through an estimating conference; and
- Engage in other activities.

The bill permits the Governor to appoint an advisory board to assist the Cabinet, and specifies that the board should include representatives of advocacy groups, as well as young people who have received services funded by the state.⁶

The bill requires the Cabinet to provide an annual report by February 1 of each year.

Last Action: 04/12/07 SENATE CS by Governmental Operations; YEAS 4 NAYS 0; On Committee agenda-- Health and Human Services Appropriations, 04/17/07, 9:00 am, 110-S --If received.

Bills Heard this Week continued

CS/HM 889 State Children's Health Insurance Program (Healthcare Council and Harrell)

CS/HM 889 is a resolution to encourage federal reauthorization of funding for the Healthy Kids component of the Florida Kid Care Program that provides health care to low-income children who are uninsured and not eligible for Medicaid.

The memorial requests the Florida delegation to Congress to work to ensure that the Congress reauthorizes the State Children's Health Insurance Program (SCHIP). The memorial requests the Governor to work with the Florida delegation to ensure that SCHIP is reauthorized in a timely manner.

The memorial also requests the Governor to provide the assistance necessary to identify and enroll children who qualify for Medicaid or the Florida Kid Care program. It proclaims that all components of state government should work together with educators, health care providers, social workers, and parents to ensure that to the maximum extent possible all available public and private assistance is used to provide health benefits to uninsured children.

Last Action: 04/11/07 1st Reading

HB 977 Primary Care Access Network (Gardiner)

Primary Care Access Networks (PCAN) are currently established in Orlando and Pasco counties and provide access to health care services to persons who are not eligible for Medicaid coverage and who do not have other health care insurance. These networks represent a collaborative approach to health care delivery that includes county health departments, primary health care centers, community agencies, hospitals and state and local social services. The overall mission of PCANs is to improve the access, quality and coordination of health care services to the under insured and uninsured populations.

One of the primary missions of PCANs is to establish a "Medical Home" for individuals and families.

House Bill 977 provides legislative findings and statutory revisions relating to improving access to health care for the uninsured by expanding health care services through the Primary Care Access Network (PCAN).

The bill requires the Agency for Health Care Administration (agency) to establish a two-year pilot program to offer health care services during the weekend and after regular business hours during the week at PCAN clinics in Orlando and Pasco counties. The bill directs the agency to develop procedures for operating the pilot program.

The bill provides \$2.3 million to fund the pilot program.

Last Action: 04/12/07 1st Reading

HB 1477 Forensic Mental Health Services (Ausley and others)

HB 1477 creates the Public Safety Mental Health and Substance Abuse Local Matching Grant Program. It provides matching grant awards to local communities to address the needs of persons with serious mental illness and substance abuse problems who are in or at risk of entering the criminal justice system. It establishes the Criminal Justice Mental Health Policy Council within the Substance Abuse and Mental Health Corporation to oversee the grants and

Bills Heard this Week Continued

creates the Public Safety, Mental Health, and Substance Abuse Technical Assistance Center to help local communities plan and implement their local efforts.

The House version of the General Appropriations Act appropriates \$4,000,000 from the General Revenue Fund to provide grants through the Public Safety, Mental Health and Substance Abuse Matching Grant program and to establish the Public Safety, Mental Health, and Substance Abuse Technical Assistance Center.

Last Action: 04/10/07 Favorable with CS by Healthcare Council

SB 1480 Alzheimer's Disease (Senator Wise)

This bill requires the Department of Elderly Affairs (DOEA) to establish a program to educate the public with respect to screening for memory impairment. The DOEA is required to submit an annual report concerning these activities.

The bill authorizes the DOEA to award grants in support of programs which provide both information about memory screening and memory screening services. The bill establishes criteria for selecting grant recipients and provides preference to entities meeting certain requirements. Each grantee must submit an evaluation of its activities to the DOEA.

Last Action: 04/11/07 SENATE Now in Health and Human Services Appropriations -SJ 00328

CS/SB 1612 Direct-Support Organization for Guardian Ad Litem Program (Children, Families, and Elder Affairs Committee and Senators Rich and Lynn)

A direct-support organization (DSO) is typically created as a not-for-profit corporation to give a governmental entity or program the flexibility to seek an additional funding source. Numerous DSOs are provided for in statute. One example is the DSO created to support the Statewide Public Guardianship Office within the Department of Elderly Affairs.

This bill authorizes the Statewide Guardian Ad Litem Office to create and contract with a not-for-profit direct-support organization to conduct programs and activities, raise funds, and make expenditures for the benefit of the office. The office currently oversees and provides assistance to all guardian ad litem and attorney ad litem programs within the judicial circuits.

Last Action: 04/12/07 SENATE On Committee agenda-Criminal and Civil Justice Appropriations, 04/17/07, 9:00 am, 37-S

SB 1686 Court Actions Involving Families (Senator Rich)

Senate Bill 1686 amends several sections of statute to reflect the Legislature's goal of moving toward a unified court system by adding language that states the following legislative purposes and intent:

- It is the intent of the Legislature to provide all children and families with a comprehensive and integrated approach to handling all cases that involve children and families, while at the same time resolving family disputes in a fair, timely, efficient, and cost-effective manner.
- It is in the best interests of this state that the courts embrace methods of resolving disputes that do not cause additional emotional harm to the children and families who are required to interact with the judicial system.

Bills Heard this Week continued

- The legal system should focus on the needs of children who are involved in the litigation, refer families to resources that will make their relationships stronger, coordinate their cases to provide consistent results, and strive to leave families in better condition than when they entered the system.
- It is the intent of the Legislature to support the development of a unified family court and to support the state courts system's efforts to improve the resolution of disputes involving children and families through a comprehensive and integrated approach that includes coordinated case management, the concept of "one family, one judge," community collaboration and alternative dispute resolution.

Last Action: 04/11/07 SENATE Now in Judiciary -SJ 00328

SB 1690 Medicaid Provider Service Networks (Senator Rich)

The bill establishes Medicaid specialty provider service networks (PSNs) for persons with psychiatric disabilities. The bill requires the Agency for Health Care Administration (AHCA or agency) to seek applications for these specialty PSNs and authorizes the agency to contract with these networks. In the regular Medicaid program, persons with psychiatric disabilities who are required but fail to enroll in a managed care plan must be assigned to a specialty PSN if one is approved in their geographic area.

The bill also requires the agency to develop and implement a service delivery alternative (specialty PSNs) for persons with psychiatric disabilities within capitated managed care plans in the Medicaid reform pilot areas. The bill prohibits AHCA from enrolling beneficiaries in Medicaid reform plans in any geographic area where an application for a specialty PSN that serves persons with psychiatric disabilities is being considered, until such PSN is available as a choice to beneficiaries.

The bill requires that an open enrollment period be offered to persons with psychiatric disabilities when a specialty PSN becomes available in their geographic area.

Last Action: 04/11/07 SENATE Now in Children, Families, and Elder Affairs -SJ 00327

SB 1826 APD and AHCA Pilot Project (Senator Gaetz)

This bill directs the Agency for Persons with Disabilities (APD or "the agency") and the Agency for Health Care Administration (AHCA) to establish a five year pilot project for APD Area One (Escambia, Santa Rosa, Okaloosa, and Walton Counties) to demonstrate strategies and methods for provision of the Home and Community Based and Family Supported Living Waiver.

The proposed strategies and methods include:

- Utilization of a valid needs assessment of client level of need;
- Setting rates for services commensurate with assessed level of need;
- Encouraging use of community/informal supports and services rather than those provided via state sources; and
- Having APD area offices implement utilization control measures to ensure cost predictability and controlling annual costs.

Utilization control measures, implemented by the APD area offices would place the

Bills Heard this Week continued

responsibility for service authorization, rate setting, care management, and care monitoring on the area office.

Last Action: 04/13/07 SENATE Now in Health Policy

CS/SB 1942 Children's Zones (Community Affairs Committee and Senator Joyner and others)

Harlem Children's Zone

Founded in 1970, Harlem Children's Zone, Inc., (HCZ) is an innovative non-profit, community based organization that works to enhance the quality of life for children and families in some of New York City's most desolate neighborhoods. The HCZ's 15 centers serve more than 12,500 children and adults, including over 8,600 at-risk children. The work of HCZ focuses not only on education, social service, and recreation, but also on rebuilding the basic fabric of community life.

The mission of the Harlem Children's Zone Project (HCZ Project) is to create significant, positive opportunities for all children living in a 60-block area of Central Harlem by helping parents, residents, teachers, and other stakeholders create a safe learning and living environment for youth. Behind this mission lie two main principles:

- Children from troubled communities are far more likely to grow into healthy, productive adults if a critical mass of the adults around them are knowledgeable about the techniques of effective parenting, and are engaged in local educational, social, and religious activities with their children; and
- The earlier a child is touched by sound health care, intellectual and social stimulation, and consistent guidance from loving, attentive adults, the more likely that child will be to grow into a responsible and fulfilled member of the community.

This committee substitute (CS) authorizes local governments to request designation of a children's zone for the purpose of revitalizing a disadvantaged area through programs and services that support family stability. The local government must adopt a resolution making certain findings, establish a planning team, develop a strategic plan, and create a not-for-profit corporation to implement the children's zone. The planning team is required to specifically address certain focus areas, including the development of objectives and strategies.

The CS creates Magic City Children's Zone, Inc., a ten-year pilot project within Liberty City in Miami-Dade County. It establishes the boundaries of the zone. It provides for a not-for-profit corporation to manage the pilot project. The not-for-profit corporation will be governed by a 15- member board of directors. The board of directors of the not-for-profit shall contract with a management consultant to provide a ten-year business plan. There is an annual reporting requirement.

This CS appropriates \$3.6 million in nonrecurring General Revenue Funds and \$28,362 in nonrecurring funds from the Tobacco Settlement Trust Fund to the Ounce of Prevention Fund of Florida, Inc., as a grant for a three-year period to implement the provisions of this CS.

Last Action: 04/13/07 SENATE Now in Governmental Operations

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SB 1946 Traffic Control/Non Profit Organizations (Senator Goetz)

This bill exempts organizations qualified under s. 501(c)(3) of the Internal Revenue Code and registered under ch. 496, F.S., as well as those persons or organizations acting on their behalf, from local government permitting requirements for solicitation along roadways not maintained by the state, provided certain conditions and requirements are met. Specifically, the bill provides sponsoring entities must provide the local government with the following information:

- The names and addresses of those conducting the solicitation and of those receiving the contributions;
- A safety plan for persons participating in the solicitation;
- A detailed description of the location and hours of the solicitation activities;
- Proof of a commercial general liability insurance policy against bodily injury and property damage arising from the solicitation activities, with a limit of no less than \$1 million per occurrence;
- Proof that the organization is either registered with the state Department of Agriculture and Consumer Services, pursuant to s. 496.405, F.S., or is exempt from registration.

Last Action: 04/12/07 SENATE Placed on Calendar, on 2nd reading -SJ 00330

SB 2048 Child Restraint Requirements (Senator Posey)

A study, published in a 2003 issue of the Journal of the American Medical Association (JAMA), was conducted to assess the relative effectiveness of belt-positioning booster seats compared with seat belts alone in reducing risk of injury to children 4 to 7 years of age. The study found the odds of injury were 59% lower for children aged 4 to 7 years in belt-positioning boosters than in seat belts. Children in belt-positioning booster seats had no injuries to the abdomen, neck/spine/back, or lower extremities, while children in seat belts alone had injuries to all body regions.

SB 2048 revises child restraint requirements for child passengers in motor vehicles. Motor vehicle operators will be required to use child restraint devices for certain children through 7 years of age instead of the current 4 years of age. Under the bill's provisions, a safety belt alone is no longer sufficient protection for any child aged 4 through 7 years. In addition, the bill specifies certain child safety seats are appropriate restraint devices for children aged through 4 years, and certain child booster seats are appropriate restraint devices for children aged 4 through 7 years. The infraction is a moving violation punishable by a fine of \$60 plus court costs and add-ons, and by assessment of 3 points against the driver's license.

The bill provides exceptions to the child restraint law for persons who are:

- Visiting the state;
- Transporting the child gratuitously and in good faith in response to a declared emergency situation or an immediate emergency involving the child; or
- Acting generally as a Good Samaritan.

Last Action: 04/12/07 SENATE On Committee agenda-- Criminal Justice, 04/17/07, 2:00 pm, 401-S

*"Some cause happiness wherever they go; others, whenever they go."
-- Oscar Wilde*

Bills Heard this Week continued

SB 2114 Independent Living Transition Services (Senator Rich and others)

This bill provides that a caseworker at an agency at which a minor in foster care has been placed may sign the minor's application for a driver's license or learner's driver's license without liability or obligation for damages caused by the minor driver. The bill also provides that foster parents or caregivers who develop a written plan of goals for a transitioning child may not have their licensure status jeopardized as a result of the actions of the child pursuant to the plan.

The bill makes young adults who are placed with a court-approved dependency guardian or adopted from foster care after reaching age 16 eligible for independent living transition services, specifically for the Road to Independence Program. The bill mandates that youth between the ages of 16 and 18 be formally evaluated for subsidized independent living services under certain circumstances.

Last Action: 04/13/07 SENATE Now in Health and Human Services Appropriations

SB 2182 Managed Health Care Entities (Senator Bennett)

The bill prohibits the Agency for Health Care Administration (AHCA) from contracting with a health maintenance organization (HMO) to provide Medicaid services unless the HMO has demonstrated to the agency that it has a successful record of providing comprehensive health insurance coverage in this state for at least 3 years and has successfully contracted with this state, or another state, to provide comprehensive Medicaid services on a prepaid capitated basis for at least 3 years, or has successful experience providing comprehensive prepaid services in any state for a state child health insurance program or Medicare members for at least 3 years.

Last Action: 04/05/07 SENATE On Committee agenda-- Health Policy, 04/10/07, 2:00 pm, 301 S --Temporarily postponed

SB 2272 Fetal Alcohol Syndrome Prevention (Senators Bennett and Rich)

One of the most severe effects of drinking during pregnancy is fetal alcohol syndrome (FAS), which is one of the leading known preventable causes of mental retardation and birth defects. If a woman drinks alcohol during her pregnancy, her baby can be born with FAS, a lifelong condition that causes physical and mental disabilities. FAS is characterized by abnormal facial features, growth deficiencies, and central nervous system problems.

The bill creates the Fetal Alcohol Syndrome Prevention Act, requires the Department of Health (DOH) to develop a public education program to inform the public regarding the detrimental effects of fetal alcohol syndrome, requires the information to be placed on the website's of the DOH, the Department of Children and Family Services (DCF), and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

The DOH and the DCF must establish a Fetal Alcohol Syndrome Prevention Network and the DOH must establish a telephone hotline on fetal alcohol syndrome.

The disability of minority is removed for a pregnant minor solely for obtaining voluntary alcohol or substance abuse treatment services from a licensed substance abuse treatment services provider. The bill establishes criteria and procedures for voluntary and involuntary assessment,

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stabilization, and treatment of a female pregnant minor or adult woman whose consumption of alcoholic beverages may be placing her unborn child at risk of fetal alcohol syndrome.

The bill specifies criteria and evidence necessary to support a court finding for involuntary admission of a pregnant woman for preventing fetal alcohol syndrome.

Last Action: 04/11/07 SENATE Now in Children, Families, and Elder Affairs -SJ 00327

SB 2400 Child Care Services (Senator Wilson)

Senate Bill 2400 requires that a child under the jurisdiction of the circuit court receive priority consideration in a quality child care center, defined as a program that has been designated either a Gold Star Quality Seal program or a high-quality program pursuant to a professional quality rating system.

The bill requires a quality child care center to notify a child's legal guardian if the center is unable to accept the child, and requires the Department of Children and Family Services (DCF) to report on capacity of quality child care centers in each district.

Last Action: 04/12/07 SENATE Pending reference review under Rule 4.7(2)

CS/SB 2746 Physical Education (Pre-K-12 Education Committee and Senator Constantine)

This bill requires the Commissioner of Education to provide professional development in physical education for physical education teachers, elementary and secondary school teachers whose assignments include physical education courses, and developers of physical education curricula. The bill defines "physical education," and requires each district school board to provide 150 minutes of physical education each week for students in kindergarten through grade 5. The bill requires the Department of Education to review and revise the Sunshine State Standards regarding physical education in 2007-2008. The bill also requires each public school to have an automated defibrillator on the school grounds.

Last Action: 04/12/07 SENATE Pending reference review under Rule 4.7(2)

HB 7045 PCB HCC 07-02 Tobacco education and prevention (Healthcare Council and Representative Harrell)

Article X, section 27 of the Florida Constitution adopted in 2006 requires the Legislature to annually appropriate 15 percent of the total gross funds that tobacco companies paid to the State of Florida in 2005 under the Tobacco Settlement for a comprehensive statewide tobacco education and prevention program. This amount must be adjusted annually for inflation using the Consumer Price Index.

This Council Bill requires the Department of Health to conduct a comprehensive, statewide tobacco education and prevention program consistent with the 1999 Best Practices for Comprehensive Tobacco Control Programs developed by the United States Centers for Disease Control and Prevention.

The bill creates the Tobacco Education and Prevention Advisory Council to advise the Secretary of Health as to the direction and scope of the program. The bill also creates a competitive grant and contract award program. Grants and contracts will be awarded by the

Bills Heard this Week continued

Secretary of Health, in consultation with the council, on the basis of merit through a competitive, peer review process.

Last Action: 04/12/07 Laid on Table, refer to CS/SB 1126

HB 7065 PCB HCC 07-12 Medicaid (Healthcare Council and Representative H. Gibson)

The bill amends section 409.9 12(5), Florida Statutes, to implement an integrated fixed-payment service delivery system (Florida Senior Care) for Medicaid recipients age 60 and older in Area 7(Orange, Osceola, Seminole and Brevard counties) and Area 11 (Dade and Monroe counties) of the Agency for Health Care Administration. The bill authorizes the Agency for Health Care Administration to implement the Florida Senior Care program in accordance with approved federal waivers.

The bill makes participation of eligible individuals voluntary at both pilot sites. The Medicaid recipients must affirmatively choose to enroll into the pilot program. The bill specifies that individuals who choose to participate in the pilot may remain in their current licensed residence even if this residence is not under contract to the managed care program operator. The bill also provides enrollees access to an additional grievance process through the Subscriber Assistance Panel by designating the participating managed care organizations as prepaid health plans. The bill removes the requirement for the Agency for Health Care Administration to competitively procure managed care entities to operate the pilot program. The agency may select entities to operate the pilots who meet or exceed the minimum standards of the Agency. In addition, providers who participate are also provided with a grievance system that includes a formal and informal process. The bill creates a 10-business-day prompt payment requirement for participating managed care organizations in the pilot projects to make payment to nursing homes that bill electronically. This bill also clarifies section 409.9 15, Florida Statutes, to ensure continuation of county participation in nursing home cost contributions.

Finally, the bill makes changes to the OPPAGA evaluation requirement and requires AHCA to perform an analysis of the merits of seeking a combined Medicaid and Medicare federal waiver.

The House of Representatives proposal for general appropriations provides \$649,384 from the General Revenue Fund and \$649,384 in a matching trust fund to provide choice counseling services.

Last Action: 04/12/07 S In Messages

THINGS NOT TO SAY TO A POLICEMAN



Sorry, Officer. I didn't realize my radar detector wasn't plugged in.

You're not gonna check the trunk, are you?

No, I don't know how fast I was going. The little needle stops at 110 mph.

FLORIDA REMAINS WORLD'S SHARK ATTACK CAPITAL IN 2006

Gainesville Sun, 2/13/2007

[View article on Gainesville Sun](#)

Florida recorded 23 shark attacks in 2006, continuing its status as the world's shark attack capital, according to a University of Florida study.



The number was slightly higher than the 19 cases reported in 2005 but lower than the annual average of 33 between 2000 and 2003, said George Burgess, director of the International Shark Attack File at the university's Florida Museum of Natural History

"I think that's how Chicago got started. Bunch of people in New York said, 'Gee, I'm enjoying the crime and the poverty, but it just isn't cold enough, let's go west.'

--Richard Jeni

"If life were fair, Elvis would be alive and all the impersonators would be dead."

--Johnny Carson



*These are real notes written by parents in a New York school district.
Spellings have been left intact.*

*Megan could not come to school today because she has been bothered
by very close veins.*

*Please excuse tommy for being absent yesterday. He had diarrhea,
and his boots leak.*

Irving was absent yesterday because he missed his bust.



United Way of Florida

UNITED WAY OF FLORIDA, INC.

**307 East Seventh Avenue
Tallahassee, FL 32303
Phone - (850) 488-8287
Fax – (850) 681-9137**

Theodore G. Granger
President & Editor

Beth Meredith
Chief Operating Officer

Kay Racine
Office Manager

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