

# Legislative Link

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

## BILLS HEARD THIS WEEK

(Some information below is excerpted from legislative staff analysis)

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### **CS/HB 3 Children's Zones(Healthcare Council;Bendross-Mindingall, others)**

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. HCZ's 15 centers serve more than 12,500 children and adults, including over 8,600 at-risk children. The work of the Children's Zone focuses not only on education, social service, and recreation, but also on rebuilding the basic fabric of community life.

The Harlem Children's Zone Project is a comprehensive community building initiative of the Harlem Children's Zone. The HCZ Project's mission 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.

CS/HB 3 implements idea #69 from the book 100 Innovative Ideas for Florida's Future. It creates a statutory mechanism for communities to create "Children's Zones," using the Harlem Children's Zone as a model. Specifically, the bill:

- Provides a nominating process for areas within communities to be designated as children's zones;
- Provides for the creation of a planning team, a strategic community plan, and focus areas to be included in the plan;
- Provides for the creation of a not for profit corporation to implement and govern a designated children's zone; and
- Creates the Magic City Children's Zone pilot, specifies geographical boundaries of the zone, provides for a board of directors, specifies membership on the board, provides duties for the board, and provides for a report.
- Creates the Jacksonville Children's Zone pilot, requires a Request for Proposal (RFP) process to select a not for profit corporation to implement the zone pilot, specifies geographical boundaries of the zone, provides for membership on an advisory committee, and provides for a report.

The proposed General Appropriations Act for Fiscal Year 2008-2009 includes \$3.6 million for the implementation of the Magic City Children's Zone and \$1 million for the implementation of the Jacksonville Children's Zone.

*Last Action: 04/16/08 HOUSE Read Second Time; Amendment Adopted (543575); Amendment Withdrawn (118865); Read Third Time; Passed (Vote: 115 Yeas / 0 Nays); Immediately Certified; Engrossed Text (E1) Filed*

### **CS/HB 19 Coverage for Mental, Nervous, and Substance-related Disorders (Healthcare Council; Homan and others)**

CS/HB 19 amends s. 627.6688, F.S., to create a second category of mandated insurance coverage offering for mental health services. The offering must be made to the policyholder for an appropriate additional premium, as part of the application for a group hospital and medical expense-incurred insurance policy under a group prepaid health care contract or a group health maintenance organization contract.

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The bill specifically defines those mental health conditions that must be covered within the new mandated offering, generally including all diagnostic categories of mental health conditions listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders and as listed in the mental and behavioral disorders section of the current International Classification of Diseases.

The bill requires that the mental health benefits may not be more restrictive than the treatment limitations and cost-sharing requirements that are applicable to other diseases, illnesses, and medical conditions, and imposes some utilization limits. The bill authorizes plans to provide the mental health benefits in a managed care setting, and exempts plans from the requirement that the coverage be on par with physical benefits coverage which would experience a cost increase of more than 2 percent.

*Last Action: 04/18/08 HOUSE Read Third Time; Passed (Vote: 107 Yeas / 0 Nays)*

**CS/HB 111 Hurricane Preparedness (Economic Expansion & Infrastructure, Nehr & others)**

CS/HB 111 provides that no sales tax will be collected on specified hurricane preparedness items from June 1, 2008, through June 7, 2008. This coincides with the beginning of hurricane season (June 1).

The list of exempt items includes: (a) any portable self-powered light source selling for \$20 or less; (b) any portable self-powered radio, two-way radio, or weather band radio selling for \$75 or less; (c) any tarpaulin or other flexible waterproof sheeting selling for \$50 or less; (d) any ground anchor system or tie-down kit selling for \$50 or less; (e) any gas or diesel fuel tank selling for \$25 or less; (f) any package of AAA-cell, AA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, selling for \$30 or less; (g) any cell phone battery selling for \$60 or less and any cell phone charger selling for \$40 or less; (h) any non-electric food storage cooler selling for \$30 or less; (i) any portable generator used to provide light or communications or preserve food in the event of a power outage selling for \$1,000 or less; (j) any storm shutter device selling for \$200 or less; (k) any carbon monoxide detector selling for \$75 or less; (l) any re-usable ice selling for \$10 or less; (m) any single product consisting of two or more of the items listed in (a)- (l) selling for \$75 or less; and (n) any missile resistant, impact-rated single garage door selling for \$500 or less or double garage door selling for \$1,000 or less.

*Last Action: 04/14/08 HOUSE Favorable with CS by Policy & Budget Council; 33 Yeas, 0 Nays*

**SB 226 Social Worker Identification (Rich, Bullard, and Deutch)**

The bill makes it a first degree misdemeanor for a person to hold himself or herself out to the public as a social worker unless the person has completed certain educational requirements, including a bachelor's degree or master's degree in social work.

The bill exempts from this requirement persons who used the title "social worker" in their employment prior to July 1, 2008.

*Last Action: 04/15/08 SENATE Favorable by Children, Families, and Elder Affairs; 6 Yeas, 1 Nay; 04/17/08 SENATE Withdrawn from Higher Education Now in Health and Human Service*

*Appropriations*

**CS/HB 241 Homelessness (Healthcare Council; Culp)**

CS/HB 241 implements idea #99 from the book 100 Innovative Ideas for Florida's Future. It establishes Housing First, which is an approach to homelessness that stresses the immediate return of individuals and families to independent living, as an alternative to the prevalent system of emergency shelter and transitional housing. The bill:

- Establishes a grant program to provide emergency financial assistance to families facing the loss of their current home due to financial or other crises.
- Defines the phrase "children and youths who are experiencing homelessness" to mirror the federal McKinney-Vento definition.

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- Amends the current definition of the term “homeless” to include changes in the proposed federal HEARTH Act.
- Encourages local coalitions for the homeless to adopt the Housing First approach to ending homelessness.
- Encourages the Department of Children and Family Services (DCF or department) and the community-based care lead agencies (CBCs) to develop and implement procedures to reduce the number of young adults who become homeless after leaving the child welfare system.
- Amends the school code definition of “homeless child”.

*Last Action: 04/18/08 HOUSE Read Third Time; Amendment(s) Adopted (457117); Passed (Vote: 111 Yeas / 0 Nays)*

**SB 366 Elderly Persons & Disabled Adults/ Abuse & Neglect (Margolis)**

SB 366 increases the felony degree of the offense of aggravated abuse of an elderly person or disabled adult from a second degree felony to a first degree felony. The increase in felony degree means an increase in the maximum penalty that may be imposed for the offense. A second degree felony has a maximum penalty of 15 years in state prison, while a first degree felony generally has a maximum penalty of 30 years in state prison. The bill also requires that certified law enforcement personnel receive training in the identification and investigation of elder abuse and neglect.

*Last Action: 04/16/08 SENATE Read Third Time; Passed (Vote: 39 Yeas / 0 Nays)*

**CS/SB 370 Personal Care Attendant Program (Wise)**

Committee Substitute for Senate Bill 370 amends the existing personal care attendant program for individuals who are disabled as the result of a traumatic spinal cord injury and expands participant eligibility to persons who have severe and chronic disabilities of all kinds. The bill also names the program the James Patrick Memorial Work Incentive Personal Attendant Services Program.

The bill requires the Florida Endowment Foundation for Vocational Rehabilitation (FEFVR, also known as the Able Trust<sup>1</sup>) to contract with the Florida Association of Centers for Independent Living (FACIL or the association) to administer the program using 15 percent of the funds deposited with FEFVR pursuant to the Tax Collection Enforcement Diversion Program and the Motorcycle Specialty License Plate program.

*Last Action: 04/16/08 SENATE Read Third Time; Passed (Vote: 39 Yeas / 0 Nays)*

**CS/HB 623 School Food Service Programs (Schools & Learning Council, Kendrick and others)**

There is an entire body of literature which suggests that there are positive nutritional and cognitive benefits to eating breakfast. Among others, according to the Food Research and Action Center (FRAC):

- Children who skip breakfast are less able to distinguish among similar images, show increased errors, and have slower memory recall;
- Children experiencing hunger have lower math scores and are more likely to have to repeat a grade;
- Behavioral, emotional, and academic problems are more prevalent among children with hunger;
- Children experiencing hunger are more likely to be hyperactive, absent, and tardy, in addition to having behavioral and attention problems more often than other children;
- Children who are undernourished score lower on cognitive tests when they miss breakfast;
- Teens experiencing hunger are more likely to have been suspended from school, have difficulty getting along with other children, and have no friends;
- Children with hunger are more likely to have repeated a grade, received special education services, or received mental health counseling, than low-income children who do not experience hunger;
- Children who eat a complete breakfast, versus a partial one, make fewer mistakes and work faster in mathematics tests;
- Children who eat breakfast at school—closer to class and test-taking time—perform better on standardized tests than those who skip breakfast or eat breakfast at home;

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CS/HB 623 requires each district school board, beginning with the 2010-2011 school year, to expand the School Breakfast Program (currently required in elementary schools) to all middle and high schools. The council substitute directs each school district, beginning with the 2009-2010 school year, to annually set prices for breakfast meals which cover the costs of the breakfast meals, except if the district school board sets lower prices. Each school district is also required to annually provide students and parents with information about the district's School Breakfast Program.

Each school is directed, to the maximum extent practicable, to serve breakfast at alternative sites (e.g., "Grab 'n' Go Breakfast"). Beginning with the 2009-2010 school year, a school must make a "Grab 'n' Go Breakfast" available for a student who arrives at school on the school bus less than 15 minutes before the first bell rings. In addition, the school must allow the student at least 15 minutes to eat the "Grab 'n' Go Breakfast."

The council substitute encourages school districts to provide universal-free school breakfast in all schools and requires district school boards, by the beginning of the 2010-2011 school year, to consider a policy for providing universal-free school breakfast for all students in schools in which 80 percent or more of the students are eligible for free or reduced-price meals.

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is directed, by January 15, 2009, to issue a report that estimates the implementation costs of universal-free school breakfast, examines school meal prices and the efficiency and effectiveness of school district food service programs, identifies best practices and strategies for reducing food service costs, evaluates the state reporting of food service revenues and costs, assesses the methodology used for allocating state funds to school district food service programs, and evaluates the state's organizational structure for implementation of the National School Lunch Program, federal School Breakfast Program, and federal Summer Food Service Program.

*Last Action: 04/18/08 HOUSE Read Third Time; Passed (Vote: 110 Yeas / 0 Nays)*

**CS/HB 625 Independent Living Transition Services (Healthcare Council; Glorioso)**

When they become 18, many young adults, a great number of whom have grown up in foster care, lose the support they received while in care. Without the support of a family, they are on their own to obtain further education and preparation for employment, as well as health care, mental health care, and housing. Although youth in foster care have many strengths and a desire to succeed, the reality is that an overwhelming number are leaving care ill prepared for the responsibilities of adulthood. They encounter tremendous obstacles that many times put their emotional, economic, and personal security at risk.

CS/HB 625 amends a provision related to independent living transition services to provide a reference to "family foster homes" and "residential child-caring agencies" regarding authority to approve participation in age-appropriate activities for children in out of home care. The bill also requires the Independent Living Services Advisory Council to include in the report due to the Legislature on December 31, 2008, an analysis of the system of independent living transition services for young adults who attain 18 years of age while in foster care prior to completing high school or its equivalent and recommendations for action by either the Department of Children and Family Services or the legislature. The council is also required to assess and report on the most effective method of providing assistance to these young adults to enable them to complete high school or its equivalent by examining the practices of other states. Finally, the bill removes the disability of nonage of minors for purposes allowing youth aging out of foster care to secure utility services.

*Last Action: 04/18/08 HOUSE Read Third Time; Passed (Vote: 112 Yeas / 0 Nays)*

**HB 669 School Safety (N. Thompson and others)**

Following a series of school shootings in the late 1990s, in which the shooters were reported to be victims of bullying at school, at least 29 states have enacted anti-bullying legislation.

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House Bill 669 creates the “Jeffrey Johnston Stand Up for All Students Act.” The bill prohibits the bullying or harassment of any public K-12 student or employee during a public K-12 education program or activity; during a school-related or school-sponsored program or activity; on a public K-12 school bus; or through a public K-12 computer, computer system, or computer network.

The Department of Education (DOE), by October 1, 2008, must adopt a model policy prohibiting bullying and harassment. By December 1, 2008, each school district is required to adopt a bullying and harassment policy in substantial conformity with DOE’s model policy. A school district must include students, parents, teachers, administrators, school staff, volunteers, community representatives, and local law enforcement agencies in the development of the district’s policy. A school district’s bullying and harassment policy must be published in its codes of student conduct and employee handbooks and requires ongoing implementation throughout the school year, integrated with a school’s curriculum, discipline policies, and violence prevention efforts.

The bill provides limited civil immunity for a school employee, volunteer, student, or parent who reports bullying or harassment in good faith.

*Last Action: 04/18/08 HOUSE Read Third Time; Amendment(s) Failed; Amendment(s) Withdrawn; Amendment(s) Adopted; Passed (Vote: 112 Yeas / 0 Nays)*

**CS/HB 699 Affordable Housing (Economic Expansion and Infrastructure Council, Aubuchon & others)**

The bill substantially revises and updates ss. 125.0104, 159.807, 196.1978, 420.5087, 420.5095, 420.628, 420.9071, 420.9073, 420.9075 and 420.9076 which govern the implementation of the numerous affordable housing practices and procedures statewide.

In addition, the bill amends s. 420.5061 to remove the provision requiring the Florida Housing Finance Corporation (FHFC) to pay a General Revenue service charge.

Finally, the bill expands the availability of property tax exemptions for properties used to provide affordable housing by charitable entities.

*Last Action: On Council agenda - Policy & Budget Council, 04/14/08, 3:15 pm, 212 K; Favorable with CS by Policy & Budget Council; 32 Yeas, 0 Nays;*

**CS/HB 769 Education of Children in Shelter Care or Foster Care (Healthcare Council; Kelly)**

CS/HB 769 provides authority for the court to appoint a surrogate parent for a child in proceedings under chapter 39, Florida Statutes, who has or is suspected to have a disability for the purpose of educational decision making under certain specified circumstances, specifies the individuals the court can and cannot appoint, and provides that the court may defer to the district school board’s appointment of a surrogate parent if such appointment is made prior to the court’s appointment. In addition, the bill:

- Adds a designated liaison between a local school district and the Department of Children and Family Services (DCF or department) or the court to the list of entities that may be granted access to records in child abuse and neglect cases.
- Requires the court to request parental consent for the release of a child’s educational records if the child is placed in shelter following a shelter hearing and provides that the court may order the release of those records if the parents withhold consent.
- Creates a definition for the term “surrogate parent”.
- Adds children who are in shelter or foster care to those children who can be granted a 30 exception to providing records for purposes of school enrollment and obtaining health records and immunizations.
- Establishes provisions in the K-20 Education Code related to the appointment of surrogate parents.

*Last Action: 04/18/08 HOUSE Read Third Time; Passed (Vote: 112 Yeas / 0 Nays)*

**CS/HB 793 Transitional Services for Young Adults with Disabilities (Healthcare Council and Davis)**

CS/HB 793 creates the Health Care Transition Services Task Force for Youth and Young Adults with Disabilities within the Department of Health to address the transition of youth and young adults with disabilities from the pediatric to the adult health care system.

The 14 member task force is directed to convene by August 31, 2008 and will perform the following functions:

- Assess the need for health care transition services and identify barriers that impede access to comprehensive medical treatment and health care for youth and young adults who have chronic special health care needs or disabilities by obtaining input from key stakeholders.
- Develop a statewide plan to promote the development of health care transition services. The plan should suggest different models that accommodate the diversity of the state and that are adapted to the local needs of communities and to local health services delivery systems. The plan should also promote the integration of health care transition services with transition programs for education, vocational rehabilitation, and independent living.
- Identify common or comparable performance measures for all entities that provide health care transition services for youth and young adults with chronic special health care needs or disabilities.
- Collect and disseminate information concerning best practices in health care transition services for youth and young adults who have chronic special health care needs or disabilities.
- Identify existing and potential funding sources to create healthcare transition services within communities.

A final report of the findings and recommendations of the task force is due to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2009. The task force expires upon submission of the report.

*Last Action: 04/15/08 HOUSE Favorable by Policy & Budget Council; 31 Yeas, 0 Nays*

**CS/SB 988 Transitional Services for Young Adults with Disabilities (Health Policy Committee and Wise)**

Transitioning into adulthood is a difficult process for all adolescents, but the transition presents additional challenges for young people with special health care needs.

Committee Substitute for Senate Bill 988 establishes the Health Care Transition Services Task Force for Young Adults with Disabilities and directs the Department of Health to create this statewide task force.

The task force must convene by August 31, 2008, to obtain input from key stakeholders and youth who have chronic special health care needs and disabilities and to develop a statewide plan to:

- Promote the development of health care transition services;
- Identify common or comparable performance measures for the program;
- Collect and disseminate information concerning best practices in health care transition services; and
- Identify existing and potential funding sources.

The task force shall present a final report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2009.

*Last Action: 04/15/08 SENATE Favorable by Health and Human Services Appropriations; 3 Yeas, 0 Nays; 04/17/08 SENATE Placed on Special Order Calendar for 04/23/08*

**SB 1092 Alzheimer's Disease/Medicaid Waiver Program (Committee on Health Policy)**

SB 1099 codifies the recommendations of Senate Interim Project Report 2008-133, "Review of the Medicaid Home and Community-Based Waiver Program for Persons with Alzheimer's Disease."

The bill extends the repeal date for the Alzheimer's disease Medicaid home and community-based services waiver program so that the program is automatically eliminated at the close of the 2010

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The bill requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an evaluation of comparable Medicaid home and community-based services waiver programs to determine their comparative cost effectiveness and ability to delay or prevent institutionalization of Medicaid recipients. The bill requires OPPAGA to coordinate with relevant experts to determine which waiver programs should be included in the evaluation in order to make reasonable comparisons. The evaluation must also include a review of the flexibility provided to states by the federal Deficit Reduction Act (DRA) of 2005, in regard to Medicaid home and community-based services. The findings and recommendations of the evaluation shall be submitted to the President of the Senate and the Speaker of the House of Representatives by February 1, 2010.

*Last Action: 04/18/08 HOUSE Read Third Time; Passed (Vote: 109 Yeas / 0 Nays)*

**CS/CS/H B 1175 Transportation Disadvantaged Services (Policy & Budget Council; Healthcare Council; Robaina)**

CS/HB 1175 amends Part 1 of Chapter 427, F.S., to further the coordinated planning and provision of transportation disadvantaged services to state human service agencies and local transportation agencies. The bill creates a definition of “purchasing agencies” and requires all such agencies to identify dollars spent on non-emergency transportation services to transportation disadvantaged clients and to require all agencies to pay the transportation rates approved by the Commission. This bill also updates terminology, deletes obsolete language, and makes other technical changes.

Additionally, the bill amends provisions allowing for purchase of transportation services outside the coordinated system. This primarily modifies the way that the Medicaid program interacts with the Commission by requiring each purchasing agency pay the rates established in the service plan unless the purchasing agency has completed an alternative provider procedure and demonstrated that an alternative provider can provide a trip of comparable quality and standards at a lower price. The bill includes provisions that allow all purchasing agencies to establish maximum fee schedules, individualized reimbursement policies by provider type, negotiated fees, or any other mechanism, including contracting with another entity that the agency considers to be more cost-effective and of comparable or higher quality and standards than those of the Commission if it meets new requirements for doing so provided for in the bill.

*Last Action: 04/15/08 HOUSE Favorable with CS by Policy & Budget Council; 34 Yeas, 0 Nays; 04/17/08 HOUSE Read Second Time; Amendment Withdrawn (800709)*

**CS/CS/HB 1271 Care of Children (Policy & Budget Council; Healthcare Council; Thompson)**

The bill may be cited as the “Zahid Jones, Jr. Give Grandparents and Other Relatives a Voice Act” and the bill makes a number of changes to chapter 39, Florida Statutes, in order to give grandparents and other relatives a greater chance of voicing concerns, including, but not limited to:

- Adds a component to the Department of Children and Family Services’ (DCF or department) quality assurance program related to unaccepted calls to the Hotline by identified relatives;
- Provides that a relative may request to receive notification of all proceedings and hearings related to a child and provides that the attorney for DCF shall provide such notification to a relative who so requests;
- Provides an addition to the legislative intent relating to the relative caregiver program regarding procedures and protocols to acknowledge the value of care provided by grandparents and other relatives;
- Provides the department with authority to develop liaison functions under the relative caregiver program for relatives who care for children;
- Requires the attorney for DCF to notify a relative who has requested such notification of the next judicial review hearing;
- Adds physicians and mental health professionals engaged in the care or treatment of a child to the list of entities that may have access to reports and records in cases of child abuse or neglect and it

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provides for specified medical records to be preserved in permanent form by the department; and

- Provides for a reporter of abuse, abandonment or neglect to be provided with the name and other contact info of the protective investigator.

*Last Action: 04/15/08 HOUSE Favorable with CS by Policy & Budget Council; 34 Yeas, 0 Nays; 04/17/08 Read second time*

**CS/CS/SB 1712 Ethics in Education Act (Governmental Operations Committee, Education Pre-K-12 Committee, Carlton)**

CS/CS/SB 1712 establishes comprehensive changes at the state and local level regarding the screening, hiring, and termination policies for educators and the reporting procedures related to allegations of educator misconduct.

A list of crimes is established that would serve as an absolute bar against any individual, if convicted, from obtaining or retaining a teaching certificate or instructional employment involving direct contact with students, and requires each school district, charter school, and private schools and providers that accept scholarship students to adhere to the disqualifying offenses when employing instructional personnel.

School districts for educators, and the Department of Children and Family Services for child care personnel, would be required to adopt stringent and effective policies for screening potential instructional employees and terminating these employees for misconduct.

Private schools and private Voluntary Prekindergarten (VPK) providers that accept students under certain educational scholarship programs, the Florida School for the Deaf and Blind, and charter schools would be held to the same standards as those required of local school districts. Private schools or VPK providers that fail to comply would be prohibited from accepting funds under these programs for the period of one calendar year and until they comply.

*Last Action: 04/11/08 HOUSE Favorable with Amendments by Schools & Learning Council; 12 Yeas, 0 Nays; 04/17/08 HOUSE Now in Policy & Budget Council*

**CS/SB 1954 Developmental Disabilities (Children, Families, and Elder Affairs Committee and Rich)**

Committee Substitute for Senate Bill 1954 amends the definition of the term “retardation” to be consistent with the term “developmental disability.” The committee substitute changes the term “developmental disabilities institutions” throughout ch. 393, F. S., to the term “developmental disabilities centers” to accurately reflect the nature of services delivered to the clients of the Agency for Persons with Disabilities (APD or “the agency”).

The committee substitute amends the background screening requirements for direct service providers. The committee substitute also authorizes the APD to suspend, revoke, or fine a residential facility licensee if that facility has been found to be responsible for abuse, neglect, abandonment, or exploitation of a child or vulnerable adult.

*Last Action: 04/15/08 SENATE Favorable by Health and Human Services Appropriations; 3 Yeas, 0 Nays; 04/16/08 SENATE Placed on Calendar, on second reading*

**SB 2790 Cigarette User Fees (Deutch and others)**

Smoking harms nearly every organ of the body, causing many diseases and reducing the health of smokers in general. The adverse health effects from cigarette smoking account for an estimated 438,000 deaths, or nearly 1 of every 5 deaths, each year in the United States. More deaths are caused each year by tobacco use than by all deaths from human immunodeficiency virus (HIV), illegal drug use, alcohol use, motor vehicle injuries, suicides, and murders combined.

This bill increases cigarette user fees, replaces all references to the term tax with user fee, and substantially modifies the allocation of revenues to certain programs including the H. Lee Moffitt

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Cancer Center and Research Institute, the James & Esther King Biomedical Research Program (King Program), and the Bankhead-Coley Cancer Research Program (Bankhead-Coley Program). The bill also specifies the revenue generated from the user fees shall be used to reduce assessments on hospitals related to the public medical assistance trust fund. The bill also requires the Department of Health (DOH) to submit an annual report containing an estimate of the financial impact of tobacco use and the related illnesses on the economy and taxpayers.

*Last Action: 04/15/08 SENATE Favorable with CS by Health Policy; 4 Yeas, 1 Nay  
04/17/08 SENATE Committee Substitute (C1) Filed; Now in Higher Education*

**HB 7047 PCB HCC 08-20 Alzheimer's Medicaid Waiver Program (Healthcare Council/Gibson)**

The bill extends the repeal date for the Medicaid Home and Community-Based Waiver Program for Persons with Alzheimer's Disease so that the program is automatically eliminated at the close of the 2010 Regular Session of the Legislature, rather than following the 2008 Regular Session.

The bill requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an evaluation of comparable Medicaid home and community-based services waiver programs to determine their comparative cost effectiveness and ability to delay or prevent institutionalization of Medicaid recipients. The bill requires OPPAGA to coordinate with relevant experts to determine which waiver programs should be included in the evaluation in order to make reasonable comparisons. The evaluation must also include a review of the flexibility provided to states by operation of the federal Deficit Reduction Act (DRA) of 2005. The bill requires that the findings and recommendations of the evaluation are to be submitted to the Speaker of the House of Representatives and the President of the Senate by February 1, 2010.

*Last Action: 04/16/08 HOUSE Read Second Time; Substituted for SB 1092; Laid on Table, Refer to SB 1092*



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