

# Legislative Link

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

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## 2000 LEGISLATIVE INDEX

Every session has its own personality; a character shaped by the issues addressed, politics played, and outcomes achieved. The 2000 session of the Florida Legislature was no different.

Fortunately, the outcomes achieved during the 2000 session vis-à-vis health and human services were extraordinary. Thanks to the leadership and vision of Governor Bush and House and Senate leaders, among others:

- \$14.9 billion for social services was appropriated – a \$1.4 billion increase over current spending;
- \$71 million in increased funding was provided to assist local School Readiness Coalitions enhance their efforts;
- \$128 million more was targeted to improve Florida's child welfare/foster care system;
- \$131 million in new funds was appropriated to assist people with developmental disabilities;
- \$98 million was added to Florida's Kidcare Program to provide healthcare coverage to more than 100,000 children;
- \$53 million for mental health services; and
- \$22 million was again invested in Healthy Families Florida to prevent abuse and neglect before it occurs.

As reported in your last *Legislative Link*, the political gamesmanship that took place during the 2000 session was intense. Election year positioning, term limits, and the importance of impending reapportionment contributed to heightened activity on the political front by both parties.

In the end, however, Senate President Toni Jennings, House Speaker John Thrasher, and other legislators committed to improving the quality of life in Florida, came through with a banner year for health and human services.

This *Legislative Link* will serve as your resource to easily identify many of the health and human services-friendly bills that passed this year. Unlike the compendium of bills contained in your last edition, this one references only those that passed, for your quick reference. We encourage you to keep it as a resource, and to contact us if you have any questions or comments.

## 2000 LEGISLATIVE INDEX - BILLS THAT PASSED

The Bill Briefs below summarize a sampling of bills that were passed by the 2000 Florida Legislature and monitored by the United Way of Florida.

**KEY:** *PASSED* – The bill passed both chambers of the legislature and was sent to the governor.  
*DIED* – The bill did not pass the legislature.      *LOF* – Laws of Florida

TO OBTAIN A COPY OF A BILL, STAFF ANALYSIS, LEGISLATIVE CALENDARS  
OR OTHER LEGISLATIVE INFORMATION:

**House Bills:** House Documents, Rm. 325, Capitol, Tallahassee, FL 32399 ♦ 850/488-7475

**Senate Bills:** Senate Bill Rm. 303, Capitol, Tallahassee, FL 32399 ♦ 850/487-5285

**Website Address:**      <http://www.leg.state.fl.us/>

**HB 253 LAWTON CHILES ENDOWMENT FUND** (Fasano) – HB 253 provides that appropriations to the Lawton Chiles Endowment Fund shall be used 50 percent by the Department of Children and Family Services for children’s services, 33.5 percent by the Department of Health for biomedical research, and the remainder by the Department of Elder Affairs for elder services. The bill provides that by October 1 of each year, the Secretary of Health, the Director of Health Care Administration, and the Secretary of Children and Family Services (for children’s services) or the Secretary of Elder Affairs (for elder services), must develop a list of the top five funding priorities for their particular services. By November 15 of each year, the lists must be submitted to either the Lawton Chiles Endowment Fund Advisory Council for Children or the Lawton Chiles Endowment Fund Advisory Council for Elders, as appropriate. The advisory councils are each comprised of 13 members with experience on children’s or elder issues, including the “executive director of the United Way of Florida”. Both councils have basically the same responsibilities, including: 1) developing criteria and guiding principles for ranking/prioritizing program recommendations made by each department; 2) evaluating the value of programs or services as they relate to overall enhancement for children or elders; 3) providing recommendations on the funding levels to be allocated for each ranked program; 4) participating in periodic program evaluations; and 5) soliciting appropriate input from advocates and community stakeholders. Lastly, the bill appropriates \$2 million in non-recurring funds for biomedical research. (*PASSED; LOF 2000-255*)

**HB 301 FLORIDA TITLE LOAN ACT** (Sublette, et al) – HB 301 creates the Florida Title Loan Act. Among other things, the bill provides a 30 percent annual limit on loans guaranteed by consumer car titles. This limit conforms with the rate for high risk, consumer finance companies in Florida, and reduces predatory charges of up to 390 percent – and higher – currently charged by title lenders. (*PASSED; LOF 2000-138*)

**HB 399 NEWBORN HEARING SCREENING** (Prieguez and Wassermann Schultz) – HB 399 requires each licensed hospital or other state licensed birthing facility that provides maternity and newborn care services in Florida to ensure that all newborns are, prior to discharge, screened for detection of hearing loss. Each licensed birth center providing maternity or newborn care services is also required to ensure that all newborns prior to discharge are referred to a licensed audiologist, or to a hospital or other newborn hearing screening provider for screening to detect hearing loss. The referral for appointment must be made within 30 days after discharge. If the parents or guardians of the newborn object to the screening, the screening must not be completed. The bill requires that by October 1, 2000, newborn hearing screening must be conducted on all newborns at hospitals in the state upon birth admission. (*PASSED; LOF 2000-177*)

**HB 679 FOSTER CARE SERVICES** (Turnbull) – SB 1098 authorizes the Department of Children and Families to continue to provide foster care services to individuals who are 18-23 years old and who are enrolled full time in degree granting programs in post secondary educational institutions. (*PASSED; LOF 2000-180*)

**HB 701 CHILDREN WITH DISABILITIES/SCHOOL VOUCHERS** (Education Committee) – CS/HB 701 creates a citizen’s commission on funding K-12 education. Among other things, the bill converts a Sarasota school district pilot program that provides school vouchers for children with disabilities to a statewide program. *(PASSED; LOF 2000-171)*

**HB 855 CHILD ABUSE & NEGLECT** (Murman) – CS/CS/HB 855 removes the name of Kayla McKean from the legislature’s 1999 Child Protection Act, and attempts to revise the act to remove its more onerous provisions. Among other things, the bill provides that recordings from the child abuse hotline shall be released in full only to law enforcement agencies and state attorneys for the purpose of investigating and prosecuting criminal charges, or to employees of the Department of Children and Families for the purpose of investigating and seeking administrative penalties. The bill specifies that officers or employees of the judicial branch are not required to again provide notice of reasonable cause to suspect child abuse, abandonment, or neglect if there is reasonable cause to believe the information is already known to the department and the child is currently being investigated by the department, there is an existing dependency case, or the matter has previously been reported to the department. The department is required to immediately forward allegations of criminal conduct to the appropriate municipal or county law enforcement agency if a child is known or suspected of being a victim of child abuse or neglect, is known or suspected of dying as a result of abuse or neglect, is known or suspected of being the victim of aggravated child abuse, is known or suspected of being the victim of sexual battery or sexual abuse, or is known or suspected of being the victim of institutional child abuse or neglect. Upon receiving a written report of an allegation of criminal conduct from the department, the law enforcement agency must review the information and determine whether a criminal investigation is warranted. The law enforcement agency must notify the department as to whether or not it will proceed with an investigation. The bill provides that all medical personnel participating on a child protection team must successfully complete the required child protection team training curriculum. Injuries that must be referred by the department to child protection teams for assessment and other appropriate available support services are expanded to include bruises to the neck of a child of any age, and bruises anywhere on a child five years of age or under. The bill expands the type of personnel who are authorized to determine whether face-to-face medical evaluations by a child protection team are necessary. The bill also provides that the department may, based upon the availability of funds, provide assistance to individuals who leave foster care when they are 18 years of age until they turn 21 years old, if they request the assistance in order to maintain enrollment in high school, a program leading to a high school equivalency diploma, or in a full time career education program. *(PASSED; LOF 2000-217)*

**HB 1039 DOMESTIC VIOLENCE** (Pruitt) – HB 1039 establishes Domestic Violence Fatality Review Teams that will review fatal and near fatal incidents of domestic violence, related to domestic violence, and suicides. Domestic Violence Fatality Review Teams may be established at the state, regional, or local levels, and the Department of Law Enforcement is charged with using the data provided by the teams to prepare an annual report on domestic violence fatalities. The teams are administratively placed in the Department of Children and Families. The bill also creates a certified Domestic Violence Capital Improvement Program. Under the program, a certified domestic violence center may apply to the Department of Children and Families for a capital improvement grant used for projects to construct, acquire, repair, improve, or upgrade systems, facilities, or equipment. An award of funds will be based on a needs assessment developed by the Florida Coalition Against Domestic Violence and the Department of Children and Families. *(PASSED; LOF 2000-220)*

**HB 1563 CHILDREN’S SERVICES COUNCIL/PALM BEACH** (Jacobs) – HB 1563 authorizes the Children’s Services Council of Palm Beach County to increase its ad valorem tax levy from 0.5 mills to an amount up to 1.0 mills. The increase may take effect only upon approval of a majority vote of the qualified electors of Palm Beach County voting in a referendum. *(PASSED; LOF 2000-433)*

**HB 1701 CHILDREN'S SERVICES COUNCIL/BROWARD** – HB 1701 creates the "Children's Services Act of Broward County". The bill creates, effective January 2, 2001, an independent special district to provide children's services throughout Broward County. The Children's Services Council so created is authorized to levy ad valorem taxes annually on all taxable property in Broward County in an amount not to exceed 0.5 mills. This taxing authority will only be granted if approved by a special referendum that will take place on September 5, 2000. (*PASSED; LOF 2000-461*)

**HB 1721 TOBACCO SETTLEMENT PROCEEDS** (Lacasa) – CS/HB 1721 creates the Tobacco Settlement Financing Corporation. The corporation is a special purpose, not-for-profit, public benefits corporation, created for the purpose of purchasing any or all of the state's right, title, and interest in and to the tobacco settlement agreement and issuing bonds to pay the purchase price therefore which shall be used to provide funding for the Lawton Chiles Endowment Fund. The corporation is authorized to purchase any or all of the state's right, title, and interest in and to the tobacco settlement agreement and to issue bonds to pay the purchase price therefore. The board of directors of the corporation is the Governor, Treasurer, Comptroller, Attorney General, and two directors each from the Florida Senate and the Florida House of Representatives, appointed by the Senate President and the House Speaker, respectively. The bill provides that the corporation cannot issue bonds unless approved by the legislature, and that the total principal amount of bonds issued by the corporation shall not exceed \$3 billion, with a single fiscal year limit not to exceed \$1.5 billion. The bill creates the Task Force on Tobacco Settlement Revenue Protection to determine the need – and evaluate methods – for protecting the state's tobacco settlement revenue from significant loss. The task force is required, at a minimum, to study and make a determination of the degree of risk posed to the amount of tobacco settlement revenue as a consequence in a decline in domestic tobacco sales, the degree of risk posed to the tobacco settlement revenue by potential disillusion or restructure of tobacco companies, and the necessity and advisability of taking action to protect the asset value of the tobacco settlement, among others. The task force is composed of the Governor, Comptroller, Insurance Commissioner, and three members each of the Senate and House, appointed by the President and Speaker, respectively. The task force goes out of existence on July 1, 2001. Lastly, the bill provides for an appropriation of \$2.5 million to assist Florida tobacco farmers in reducing encumbered debt on stranded investments in equipment. The Department of Agriculture and Consumer Services is authorized to purchase, at fair market value, equipment associated with the agricultural production of tobacco from persons or entities that were using such equipment for production of tobacco between April 1 and October 1, 2000, on land within the state of Florida, if the owners sign an letter of intent to cease tobacco production upon the development and implementation of an alternative crop that would provide the same net revenue and proportional costs as tobacco. (*PASSED; LOF 2000-128*)

**HB 1993 LONG TERM CARE** (Russell) – HB 1993 creates a 19-member Task Force on the Availability and Affordability of Long Term Care. The task force is charged with studying and developing recommendations that must be submitted to the Legislature by January 1, 2001 on the following topics: 1) the availability of alternative housing and care settings for the elderly, including the use of rent-subsidized facilities, ALFs, and adult family care homes; 2) the availability of community-based care arrangements that allow elderly individuals to age in place in their own homes and in alternative housing and care settings; 3) the role of family members in caring for elderly relatives and ways in which quality family care can be encouraged; 4) the adequacy of reimbursements for the cost of providing care to the elderly in nursing homes and in alternative housing and care settings; 5) the availability and affordability of long-term care insurance coverage; 6) the effect of lawsuits against nursing homes and long-term care facilities on the cost of nursing home care and on the financial stability of the nursing home industry in the state; 7) the kinds of incidents that lead to the filing of lawsuits and the extent to which frivolous lawsuits are filed; 8) the cost of liability insurance coverage for long-term care providers and the extent to which such costs affect the affordability of care; 9) the availability of liability insurance coverage; 10) the primary causes for recent bankruptcies

facing the nursing home industry; and 11) the difference between the quality of care provided by for-profit and not-for-profit skilled nursing facilities. (**PASSED; LOF 2000-190**)

**HB 2037 HEALTH CARE/AHCA REORGANIZATION** (Farkas) – CS/CS/HB 2037 establishes the Agency for Health Care Administration and allows the new department to retain the name “Agency for Health Care Administration”. (**PASSED; LOF 200-305**)

**HB 2125 DCF REORGANIZATION** (Murman) – HB 2125 is a comprehensive, 153-page rewrite of the statutes governing the Department of Children and Families and Florida Statutes relating to child dependency and permanency. Among other things, the bill: 1) requires the department, to the greatest extent possible, to provide services by contract through private providers; 2) maintains current service districts and creates a new “prototype region” comprised of Pasco, Pinellas, Hillsborough, DeSoto, Manatee, and Sarasota Counties; 3) authorizes the department to contract with a lead agency for administration of all aspects of program operations in a service area, including financial management, and support services in a service area or service network; 4) requires the department to establish community alliances to serve as the focus of community based service delivery (United Ways are required, initial representatives); 5) requires the department, to the greatest extent practicable, to execute multi-year contracts with service providers; 6) authorizes the department to contract with more than one eligible lead community based provider within a single county when to do so would result in more effective delivery of foster care and related services; 7) authorizes the department to administer a risk pool to reduce the financial risks to eligible lead community based providers resulting from unanticipated case load growth; 8) requires the Broward County Sheriff to provide all child protective investigations in Broward County (currently the sheriffs in Pasco, Manatee, and Pinellas Counties have this responsibility); 9) revises the composition and method of appointment of district family care councils; 10) requires the department to establish performance standards for all contracted client services and specifies when the department must competitively procure any contract for such services; 11) authorizes the department to limit the number of firms invited to submit service proposals to only those firms that have demonstrated the highest level of professional capability to provide the services under consideration, but not fewer than three firms; 12) authorizes the department to competitively procure and contract for “systems of treatment” or services that involve multiple providers, rather than procuring and contracting for services separately from each participating provider; 13) authorizes penalties to be imposed by contract managers on service providers due to failure to comply with the requirements for corrective action; 14) authorizes the department to create certification programs for its employees and service providers to ensure that only qualified employees and service providers provide client services; 15) authorizes the department to develop and implement employee programs to attract and retain competent staff to support and facilitate the transition to privatize community based care, including lump sum bonuses, salary incentives, relocation allowances, and severance pay; 16) authorizes the secretary of the department to contract with more than one eligible lead community based provider within their single county when doing so would result in more effective delivery of foster care and related services; 17) authorizes the department to petition the court for appointment of a receiver for a lead community based provider, and establishes guidelines for doing so; 18) significantly revises Chapter 39, Florida’s chapter relating to dependency and permanency; 19) authorizes the department to establish in Palm Beach County a pilot project to serve in a managed care arrangement non-Medicaid eligible persons who qualify to receive substance abuse or mental health services from the department; 20) authorizes the department to establish incentive grants which will encourage children’s services councils or juvenile welfare boards to provide support to local child welfare programs related to implementation of community based care; 21) allows the department to continue to provide services to individuals 18-23 years of age who have been in foster care and who are enrolled full time in a post-secondary educational institution granting a degree, a certificate, or an applied technology diploma; 22) requires the department to study the feasibility of establishing a certification or licensure program for non-clinical master level and bachelor level social work for protecting consumers of social work

services and creates a pilot program of attorneys ad litem for dependent children in the ninth judicial circuit. **(PASSED – LOF 2000-139)**

**HB 2263 EDUCATION GOVERNANCE REORGANIZATION/PARTNERSHIP FOR SCHOOL READINESS** (Posey) – HB 2263 creates the Florida Education Governance Reorganization Act of 2000, intended to achieve within existing resources true systemic change in education governance by establishing a seamless academic educational system that fosters an integrated continuum of kindergarten through graduate school education for Florida citizens. The bill provides that, effective January 7, 2003, a newly created Florida Board of Education consisting of seven members appointed by the Governor shall become responsible for overseeing kindergarten through graduate school education. On January 7, 2001, the Florida Board of Education is required to appoint the Commissioner of Education, who in turn will appoint a Chancellor of K-12 education, a Chancellor of State Universities, a Chancellor of Community Colleges and Career Preparation, and an Executive Director of Non-Public and Non-Traditional Education. The primary duties of the newly formed Florida Board of Education will be to establish education goals and objectives consistent with the intent identified above. In order to accomplish a smooth transition on January 7, 2003 from the currently elected State Board of Education to the appointed Florida Board of Education, an Education Governance Reorganization Transition Task Force is required to be appointed no later than October 1, 2000. The task force will be comprised of five members appointed by the Governor and three members each appointed by the Senate President and House Speaker. The task force is required to make recommendations to the legislature for an orderly three-year phase-in of a seamless education continuum and a single or coordinated kindergarten through graduate school budget. The task force will be housed in the Governor's Office of Planning and Budgeting and is given a three-year timetable for addressing certain issues. Among others, by March 1, 2001 the task force is required to recommend to the legislature "the optimum location and structure of the Florida Partnership for School Readiness". **(PASSED; LOF 2000-321)**

### **2000 SENATE BILLS**

**SB 86 RESIDENTIAL SWIMMING POOL SAFETY ACT** (Sullivan) - SB 86 provides that all new residential swimming pools, spas, and hot tubs be equipped with at least one pool safety feature. In order to pass final inspection and receive a certificate of completion, a residential swimming pool will have to meet at least one of the following requirements: 1) the pool must be isolated from access to a home by a barrier at least four feet high, without any gaps, placed around the perimeter of the pool, sufficiently away from the waters edge to prevent a young person or medically frail elderly person who may have managed to penetrate the barrier from immediately falling into the water, and with gates that provide access to the pool which open outwards away from the pool, or are self-closing, and equipped with a self-latching locking device; 2) an approved safety pool cover; 3) doors and windows of the residence which provide direct access to the pool equipped with an exit alarm; or 4) all doors providing direct access from the home to the pool equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor. Failure to comply with any one of the above could result in a misdemeanor of the second degree, except no penalty would be imposed if the person within 45 days of arrest or issuance of a summons equips the pool with at least one of the safety features. The bill also requires the Department of Health to develop drowning prevention education programs and publications. The bill would not apply to public swimming pools, portable spas with safety covers that comply with established standards, and kiddy pools, among others. **(PASSED; LOF 2000-143)**

**SB 212 CHILDREN'S HEALTH INSURANCE** (Dawson) – CS/SB 212 was the major "glitch" bill passed by the 2000 Legislature to address shortcomings in Florida's Kidcare health care coverage program. Among other things, CS/SB 212: 1) directs the Social Services Estimating Conference to develop information relating to the Florida Kidcare Program; 2) changes the eligibility to enroll in the Medikids program from any child under the age of five to children who are one year old but are not yet five; 3) provides for

presumptive eligibility for children under 19 years of age who, based on a complete application, appear to be eligible for Medicaid, Medikids, Florida Healthy Kids, or the Children's Medical Services Network; 4) expands Kidcare to include dental services, subject to specific appropriations; 5) requires development of procedures for re-determining eligibility which enables a family to easily update any change in circumstances that could affect eligibility; 6) requires the Department of Management Services and the Healthy Kids Corporation to study the feasibility of providing a subsidy for health insurance coverage through the state employees health insurance program for children of state employees who meet eligibility requirements for the Florida Healthy Kids Program; 7) requires the statewide Child Care Resource and Referral Network to provide information that will assist families in identifying and evaluating summer recreation camp and summer day camp programs; 8) authorizes the Department of Children and Families to extend eligibility to children of working families who are currently in subsidized child care and whose family incomes do not exceed 200 percent of the federal poverty level; 9) provides that a family eligible to participate in the subsidized child care program shall be considered a needy family for purposes of TANF funds; 10) authorizes the department to contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program; 11) raises the age of children that can be included in the definition of "large family childcare home" from age 12 to age 13 who are related to the caregiver; 12) identifies procedures that must be implemented for making referrals for Level III developmental assessment and referrals to the Early Intervention for Infants and Toddlers with Disabilities Program; 13) requires that a child's parent provide written consent before a child may participate in activities conducted by a child enrichment service provider that are not part of the regular program of a childcare facility; 14) applies the minimum transportation safety standards currently applicable to childcare facilities also to large family childcare homes. **(PASSED; LOF 2000-253)**

**CS/SB 388 TAX EXEMPTIONS/501(c)(3) ORGANIZATIONS** (Fiscal Resource Committee) – Among other things, CS/SB 388 exempts from Florida's sales and use tax, sales or leases to organizations exempt from federal income tax pursuant to section 501(c)(3) of the Internal Revenue Code of 1986, as amended, when such leases or purchases are used for carrying on their customary non-profit activities. The bill also provides additional tax exemptions and clarifications of Florida's sales and use tax statute. **(PASSED; LOF 2000-228)**

**SB 430 DISASTER/SPECIAL NEEDS/HEALTH CARE** (Carlton) – CS/SB 430 provides for continuation of health care services for persons requiring special needs assistance during an emergency or disaster. Under the bill, the Department of Health is required to establish a system to recruit and coordinate, through county health departments, health care practitioners for staffing of special needs shelters in times of emergency. The bill creates a Special Needs Shelter Interagency Committee to resolve problems relating to special needs shelters not addressed in the State Comprehensive Medical Plan, and to serve as an oversight committee to monitor planning and operation of special needs shelters. Home health agencies, nurse registries, and hospices will be required to prepare and maintain a comprehensive emergency plan, and state agencies that contract with providers for care for disabled persons will have to include emergency and disaster planning provisions in those contracts. **(PASSED; LOF 2000-140)**

**SB 682 MENTAL HEALTH SERVICES/CHILDREN AND ADOLESCENTS** (Forman) – CS/SB 682 is intended to ameliorate the horribly long lengths of stay of some children and adolescents in mental health facilities when unnecessary. Among other things, the bill: 1) requires that children in the custody of the Department of Children and Families (DCF) be placed in a residential treatment center or in a hospital for residential mental health treatment only after verification from a qualified evaluator (psychologist or psychiatrist) that residential mental health treatment is clinically appropriate for treating the child's emotional disturbance, and that available less restrictive treatment modalities have been considered; 2) requires a court hearing no later than three months after a child is placed in residential treatment at which a clinical review by a qualified evaluator must address the need for continued residential treatment; and 3) authorizes the department to license residential treatment centers that provide mental health treatment to children and adolescents with emotional disturbances. **(PASSED; LOF 2000-265)**

**SB 924 VISUALLY IMPAIRED OR BLIND CHILDREN** (Russell, et al) – CS/SB 924 creates the “Blind Babies Program” within the Division of Blind Services of the Department of Labor and Employment Security to provide community based early intervention education to children from birth to five years of age who are blind or visually impaired, and to their parents, families, and caregivers, through community based provider organizations. The bill specifies that the bill is not an entitlement, but shall promote early development with a special emphasis on vision skills to minimize developmental delays. It is intended to ensure that visually impaired and blind children enter school as ready to learn as their sighted classmates. The program shall seek to link these children, their parents, families, and caregivers to other available services, training, education, and employment programs that could assist them in the future. The bill appropriates \$1 million to support the program, at least 90 percent of which must be used for direct consumer services. **(PASSED; LOF 2000-359)**

**SB 940 SENIORS/PRESCRIPTION AFFORDABILITY** (Lee) – SB 940, also known as the “Prescription Affordability Act for Seniors”, establishes a program to provide pharmaceutical expense assistance to certain low-income elderly individuals. To qualify for assistance, an individual must be age 65 or over, have an income between 90 and 120 percent of the federal poverty level, be eligible for both Medicare and Medicaid, and may not be enrolled in a Medicare HMO that provides a pharmacy benefit. The medications covered under the program are those covered under the Medicaid program. Monthly benefit payments are limited to \$80 per participant and participants must make a 10 percent co-insurance payment for each prescription purchased through the program. In order for a drug to be covered under the program, the drug’s manufacturer must provide a rebate to the state equal to the rebate required by the Medicaid program and make the drug available to the program at the best price the manufacturer makes the drug available through the Medicaid program. The program is funded by a \$15 million appropriation from the General Revenue Fund. **(PASSED; LOF 2000-254)**

**SB 1196 JUVENILE JUSTICE** (Brown-Waite) – CS/SB 1196 is a comprehensive rewrite of numerous statutes relating to the Department of Juvenile Justice. Among other things: the bill reorganizes the administrative structure of the Department of Juvenile Justice; provides a new definition for classification and residential placement of juvenile offenders; provides for more comprehensive screening of any youth for whom a residential commitment disposition is anticipated or recommended; continues the Classification and Placement Workgroup to study and make recommendations concerning development of a system for classifying and placing juvenile offenders who are committed to residential programs; creates the position of youth custody officers within the department to take youths into custody if there is probable cause to believe they have violated the conditions of probation, home detention, conditional release, or have failed to appear in court; requires parents to pay a portion of fees for the cost of care for juvenile detention and residential commitment, with the fee set at \$20 per day with a \$2 minimum, and requires the department to report to the Governor and Legislature on statewide prevention services coordination efforts by January, 2001. **(PASSED; LOF 2000-135)**

**SB 1220 COMMISSION ON HOMELESS** (McKay) – SB 1220 creates a 23 member Commission on the Homeless whose purpose is to review the problems of the homeless and propose solutions for reducing homelessness to the Governor and Legislature. **(PASSED; LOF 2000-238)**

**SB 1264 CHILDREN/DEVELOPMENTAL DELAYS** (McKay) – SB 1264 creates the “Study of Children with Developmental Delays Act”. The purpose of the Act is to study how Florida can better identify and effectively serve young children with, or at high risk of, mental disorders or developmental delays and disabilities, with a goal of ultimately minimizing the adverse effect of those delays and disabilities on Florida’s children. “Children with developmental delays” is defined as those infants and young children from birth to five years of age who are experiencing or are at high risk of developing emotional, cognitive, social, learning, and other developmental delays or long term mental or developmental disabilities or conditions.

The study is to focus on early intervention strategies and programs that provide individualized treatment and other services to infants and young children and to their families so the children will not suffer unnecessarily because of their problems and deficits or because their problems and deficits were never identified or were mislabeled. The Florida Partnership for School Readiness is required to conduct the study by appointing a study commission consisting of 15 members, including the Secretaries of the Departments of Juvenile Justice, Children and Families, and Health, plus the Commissioner of Education, the Department of Psychiatry Chair of the University of Florida Brain Institute, the Department of Pediatrics Chair of the University of Miami Medical School, the Chair of the Florida School Readiness Partnership Board, the Chair of the Florida Interagency Coordinating Council for Infants and Toddlers, and professionals who have expertise in the needs of children with learning disabilities, emotional or mental disorders, developmental disabilities, speech or language disorders, and early intervention and prevention services, plus a parent of a child with a learning disability or mental disorder. The study has a quick startup time frame. Appointments to the study commission must be completed within two weeks after the Act takes effect, and the study commission must conduct its initial meeting within one month after the Act takes effect. Study components include: 1) examination of research and best practices; 2) determination of the best existing age appropriate screening and evaluation tools; 3) identification of community risk factors; 4) identification of existing services and programs which are effective and which need to be expanded in scope, availability, or geographic access; 5) identification of new services; 6) determination of the configuration and organizational arrangement of the delivery systems for early intervention services and programs; 7) determination of the cost of providing services and recommendations for funding options; 8) preparation of a plan for building a comprehensive early intervention system in the state for young children with or at risk of developmental delays or problems and recommendations of public policy changes that will address the issues that are the focus of the study. The study commission is required to establish at least two advisory workgroups: a scientific advisory workgroup and a community advisory workgroup. The Partnership for School Readiness Programs is required to submit its report by January 1, 2001 to the legislature, and the act expires on June 30, 2001. **(PASSED; LOF 200-330)**

**SB 1604 COMMUNITY-BASED DEVELOPMENT ORGS.** (Sullivan) – SB 1604 creates the “Community Development Cooperation Assistance Act”, providing for the award of grants by the Department of Community Affairs for housing and economic development projects in low-income areas. **(PASSED)**

**SB 2034 HEALTH** (Clary) – CS/SB 2034 is as comprehensive bill dealing with the Department of Health and health care for Florida citizens. Among other things, it: 1) requires the Department of Health to develop an automatic, electronic, centralized database or immunization registry which includes all children born in the state of Florida; 2) authorizes the department to obtain and inspect copies of medical records, records of laboratory tests, and other medical related information for reported cases of diseases of public health significance; 3) makes several changes to the brain and spinal cord injury program; 4) designates February 6 of each year as Florida Alzheimer’s Disease Day; 5) creates the Florida Commission on Excellence in Health Care to facilitate development of a comprehensive statewide strategy for improving healthcare delivery systems through meaningful reporting standards, data collection and review, and quality measurement; 6) requires the department to develop a Hepatitis A awareness program; 7) specifies that the Department of Elderly Affairs, Agency for Health Care Administration, and Department of Children and Families shall not interfere in the performance of official duties of any ombudsman staff or volunteers; 8) reconstitutes the membership of the State Long Term Care Ombudsman Council; and 9) requires the Agency for Health Care Administration to implement a Medicaid prescribed drug spending control program that, among other things, limits coverage for brand name drugs for adult Medicaid recipients not residing in nursing homes or other institutions to four brand name drugs per month per recipient (children and institutionalized adults are exempt from this restriction, as are antiretroviral agents and certain medications for people with mental illness), requires implementation of a program requiring Medicaid practitioners who prescribe drugs to use a counterfeit proof prescription pad for Medicaid prescriptions, requires

manufacturers of generic drugs prescribed to Medicaid recipients to provide rebates of at least 15.1 percent of the average manufacturer price to the state, and creates a Medicaid Pharmaceutical and Therapeutics Committee charged with developing and implementing a voluntary Medicaid preferred prescribed drug designation program. (*PASSED; LOF 2000-349*)

**SB 2050 WORKFORCE INNOVATION ACT OF 2000** (Fiscal Policy; King) – At a total cost of about \$31 million, the Workforce Innovation Act of 2000 will: 1) consolidate administration of workforce programs by creating a single point of state level accountability in a new not-for-profit "Workforce Florida, Inc." corporation, creating a new Agency for Workforce innovation within the Department of Management Services, and consolidating local and regional workforce development boards and local WAGES coalitions into regional workforce boards; 2) realign workforce functions by transferring workforce functions and staff from the Department of Labor and Employment Security to the Department of Management Services; 3) separate workforce functions associated with welfare reform (WAGES) from the Temporary Cash Assistance Program; 4) integrate funding streams to reduce from seven funded workforce entities at the state level to one core workforce administrative entity (DMS); 5) improve connections between the workforce system and the business community; 6) enhance the integration and effectiveness of the One Stop delivery system; and 7) strengthen Florida's working poor families.

In particular, with relationship to individuals who are working to achieve self-sufficiency, the bill: 1) creates a new TANF funded diversion program for needy families; 2) creates a \$1,000 cash assistance "severance benefit"; 3) requires cash assistance recipients who do not have high school diplomas to pursue a GED as part of their work requirement; 4) allows adult basic education and GED studies to count toward work activities requirements under WAGES; and 5) extends cash assistance time limits for certain recipients.

The focus on welfare transition clients and other working poor was included in the bill because, although WAGES has reduced the public assistance caseload by 75 percent since October 1996, the average earnings of former welfare recipients is less than \$10,000 per year.

In addition to the above, there are several other provisions that affect low-income individuals:

- The bill creates a challenge grant supporting welfare-to-work initiatives under which non-profit organizations, for-profit organizations, educational institutions, and units of government are encouraged to sponsor eligible individuals in post-employment education and training by providing the non-federal matching funds required under the federal welfare to work grant program. In exchange, the state pledges to earmark welfare to work funds for the sponsored individual;
- Procedures to ensure that families leaving temporary cash assistance receive transitional benefits and services are required to be developed;
- Availability of transitional transportation services for former WAGES recipients is extended from one year to two years;
- Child care to sustain employment or educational opportunities is authorized for two years for former WAGES recipients with family incomes up to 200 percent of poverty;
- Creates an up-front diversion program providing \$1,000 to families whose income does not exceed 200 percent of the federal poverty level, if the family includes a pregnant woman/parent or caretaker relatives and there are one or more minor children who are at risk for welfare dependency due to the low family income. Each family that receives upfront diversion services must sign an agreement not to apply for temporary cash assistance for six months following receipt of the services, unless an unanticipated emergency situation arises. If a family applies for temporary cash assistance without the documented emergency, the family must repay the value of the diversion services provided;
- Extends transitional benefits for transportation from one year to two years;
- Provides that an individual who cannot participate in the required hours of work activity due to a need to become or remain involved in outpatient mental health or substance abuse counseling or

treatment may be exempted from work activity for up to 5 hours per week, not to exceed 100 hours per year;

- Redefines “non-citizen” for purposes of eligibility;
- Provides that a WAGES participant who is not exempt from work activity requirements and who participates in a recommended mental health or substance abuse treatment program may earn one month of eligibility for extended temporary cash assistance, up to a maximum of 12 additional months, for each month in which the individual fully complies with the requirements of the treatment program;
- Caps the emergency benefit available to victims of domestic violence at \$1,000 (currently each WAGES coalition may set its own rate);
- Provides that a family eligible to participate in the subsidized childcare program shall be considered a “needy family” for the purposes of receiving TANF grant funding;
- Creates a “Careers for Florida’s Future Incentive Grant Program” to encourage students to obtain degrees or certificates in post-secondary programs with job skills in advanced technology which are critical to the economic future of the state. **(PASSED; LOF 2000-165)**

**SB 2088 SCHOOL READINESS** (Cowin) – SB 2088: 1) revises composition of the Florida Partnership for School Readiness by replacing the chairperson of the WAGES Program State Board of Directors with the chair of the Board of Directors of Workforce Florida, Inc.; 2) authorizes the Commissioner of Education, Secretary of Children and Families, and Secretary of Health to appoint designees to attend meetings of the Partnership for School Readiness; 3) authorizes Department of Children and Families district administrators and district school superintendents who sit on local school readiness coalitions to appoint designees who are authorized to make decisions on their behalf; 4) limits service by appointed members of school readiness coalitions to a maximum of two years, and provides that when a vacancy occurs in an appointed position the coalition must advertise the vacancy; 5) extends sovereign immunity to local school readiness coalition members; 6) replaces the term “reimbursement rate” with the term “payment” in order to accommodate both the pre-k and subsidized child care systems; 7) authorizes pre-k early intervention funds to be allocated to school readiness coalitions rather than school districts, or to school districts if authorized by the coalitions; 8) charges the Florida Partnership for School Readiness with responsibility to annually designate the maximum amount to be spent per child in the pre-k program and the minimum grant that each coalition will receive; 9) deletes the requirement that each Department of Children and Families district must select a community child care coordinating agency through a competitive bid process at least every three years; 10) provides that school readiness coalitions may not receive increases in funding unless their plans have been conditionally approved by the Partnership; 11) provides that coalitions whose plans have been conditionally approved must use any increase in funds only to increase the number of children served; 12) provides that coalitions whose plans have been fully approved by the Partnership may use up to 5 percent of their total allocation for other purposes, as authorized by the Partnership; 13) provides that by no later than July 1, 2000, positions currently assigned to the subsidized child care program in DCF and to the Pre-Kindergarten Early Intervention Program in DOE that are recommended by the Partnership and approved by the Governor must be physically located within the office of the Partnership; and 14) provides that no state funding may be provided to support activities of the State Coordinating Council for School Readiness after July 1, 2000. **(PASSED; LOF 2000-149)**

**SB 2154 MANDATED HEALTH INSURANCE** (Latvala) – CS/CS/CS/SB 2154 is a comprehensive bill creating the Health Care Protection Act. Among other things, it creates the Mandated Health Insurance Benefits and Providers Estimating Conference comprised of the Executive Office of the Governor, the Insurance Commissioner, the Director of the Division of Economic and Demographic Research of the Joint Legislative Management Committee, and professional staff of the Senate and House of Representatives who have health insurance expertise. The conference is: 1) required to develop and maintain data to assess

the impact of mandated benefits, including costs to employers and insurers, impact of treatment, cost savings in the health care system, number of providers, and other appropriate data; and 2) to provide assessments of proposed and existing mandated benefits and other studies of mandated benefits and provider issues as requested by the legislature or governor. When a legislative measure containing a mandated health insurance benefit or provider is proposed, the legislative committee with jurisdiction over the proposal must request that the Conference prepare a study that provides, for each measure, a cost benefit analysis that assesses the social and financial impact, and the medical efficacy, according to prevailing medical standards of the proposed mandate. The Conference has 12 months after the committee makes its request in which to complete and submit its report. Likewise, the bill prohibits the committee from considering a proposed legislative measure until 12 months after it has requested the report and has received the Conference's report on the measure. Legislative committees with jurisdiction over health insurance matters must submit to the Conference by January 1, 2001, a schedule of evaluations that sets forth a respective date by which the Conference must have completed its evaluations of particular existing mandates. (*PASSED*)

**SB 2250 PUBLIC RECORDS/SCHOOL READINESS** (Cowin) – SB 2250 provides an exemption from public records requirements for personally identifiable records for children in school readiness programs, including subsidized child care programs. Records of individual children in school readiness and subsidized child care programs would not be public records, but those records would be available to school readiness coalitions and the Florida Partnership for School Readiness in order to carry out their assigned duties. The records include assessment data, health data, records of teacher observations, and identifying data including the child's social security number. (*PASSED; LOF 2000-299*)

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