HB 255 2023

A bill to be entitled

1 2 An act relating to fetal alcohol spectrum disorders; 3 amending s. 393.063, F.S.; revising the definition of the term "developmental disability" to include fetal 4 5 alcohol spectrum disorders; defining the term "fetal 6 alcohol spectrum disorders"; reenacting s.

383.141(1)(b), F.S., relating to prenatally diagnosed conditions, to incorporate the amendment made to s.

9 393.063, F.S., in a reference thereto; amending s. 1002.394, F.S.; conforming provisions to changes made 10 11 by the act; making technical changes; providing an effective date. 12

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Be It Enacted by the Legislature of the State of Florida:

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Section 1. Subsections (18) through (46) of section 393.063, Florida Statutes, are renumbered as subsections (19) through (47), respectively, subsection (12) is amended, and a new subsection (18) is added to that section, to read:

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393.063 Definitions.—For the purposes of this chapter, the term:

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"Developmental disability" means a disorder or (12)syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Down syndrome, Phelan-McDermid syndrome, or Prader-Willi syndrome, or a fetal alcohol

Page 1 of 4

HB 255 2023

<u>spectrum disorder</u>; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.

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- (18) "Fetal alcohol spectrum disorders" means the range of adverse effects that can occur in an individual who is prenatally exposed to alcohol and that may include physical, mental, behavioral, and learning disabilities associated with possible lifelong implications.
- Section 2. For the purpose of incorporating the amendment made by this act to section 393.063(12), Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 383.141, Florida Statutes, is reenacted to read:
- 383.141 Prenatally diagnosed conditions; patient to be provided information; definitions; information clearinghouse; advisory council.—
 - (1) As used in this section, the term:
- (b) "Developmental disability" includes Down syndrome and other developmental disabilities defined by s. 393.063(12).
- Section 3. Paragraph (d) of subsection (2) of section 1002.394, Florida Statutes, is amended to read:
 - 1002.394 The Family Empowerment Scholarship Program.—
 - (2) DEFINITIONS.—As used in this section, the term:
- (d) "Disability" means, for a 3- or 4-year-old child or for a student in kindergarten through to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical

Page 2 of 4

HB 255 2023

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Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063; Down syndrome, as defined in s. 393.063; an intellectual disability, as defined in s. 393.063; a speech impairment; a language impairment; an orthopedic impairment; any an other health impairment; an emotional or a behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; Phelan-McDermid syndrome, as defined in s. 393.063; Prader-Willi syndrome, as defined in s. 393.063; spina bifida, as defined in s. 393.063; a fetal alcohol spectrum disorder, as defined in s. 393.063; being a high-risk child, as defined in s. 393.063(24)(a) s. 393.063(23)(a); muscular dystrophy; Williams syndrome; rare diseases which affect patient populations of fewer than 200,000 individuals in the United States, as defined by the National Organization for Rare Disorders; anaphylaxis; a hearing impairment, including deafness; a visual impairment, including blindness; traumatic brain injury; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The term "hospital or homebound" includes a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the state board in rule, and who is confined to the home or hospital for more than 6 months.

Page 3 of 4

HB 255 2023

Section 4. This act shall take effect July 1, 2024.

Page 4 of 4