



Andy Gardiner
President of the Senate

THE FLORIDA LEGISLATURE



Steve Crisafulli
*Speaker of the House of
Representatives*

March 10, 2016

The Honorable Steve Crisafulli
Speaker, House of Representatives

The Honorable Andy Gardiner
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5001, same being:

An act making appropriations.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 953700.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

Representative Richard Corcoran, Chair

Representative Janet H. Adkins, At Large

Representative Ben Albritton, At Large

Representative Frank Artiles

Representative Jason T. Brodeur

Representative Colleen Burton

Representative Daphne D. Campbell

Representative Neil Combee

Representative Robert Cortes

Representative Janet Cruz, At Large

Representative Jose Felix Diaz, At Large

Representative Dwight Dudley

Representative Erik Fresen

Representative Matt Gaetz, At Large

Representative Tom Goodson

Representative Gayle B. Harrell

Representative Matt Hudson

Representative Kristin Diane Jacobs

Representative Shevrin D. Jones

Representative Jim Boyd, Vice Chair

Representative Larry Ahern

Representative Bruce Antone

Representative Dennis K. Baxley, At Large

Representative Doug Broxson

Representative Matt Caldwell

Representative Gwyndolen Clarke-Reed

Representative John Cortes

Representative Fred Costello

Representative W. Travis Cummings

Representative Brad Drake

Representative Heather Fitzenhagen

Representative Reggie Fullwood

Representative Julio Gonzalez

Representative James W. Grant

Representative Walter Bryan Hill

Representative Clay Ingram

Representative Mia L. Jones, At Large

Representative Dave Kerner

Representative Mike La Rosa

Representative Larry Lee, Jr.

Representative Debbie Mayfield

Representative Mike Miller

Representative Amanda Murphy

Representative Jeanette M. Nuñez

Representative H. Marlene O'Toole, At Large

Representative Kathleen C. Passidomo

Representative Kathleen M. Peters

Representative Ray Pilon

Representative Jake Raburn

Representative Daniel D. Raulerson

Representative Paul Renner

Representative Ray Wesley Rodrigues

Representative Darryl Ervin Rouson

Representative Jimmie T. Smith

Representative Cynthia A. Stafford, At Large

Representative Cyndi Stevenson

Representative Dwayne L. Taylor

Representative Carlos Trujillo, At Large

Representative Chris Latvala

Representative MaryLynn Magar

Representative Larry Metz

Representative George R. Moraitis, Jr., At Large

Representative Edwin Narain

Representative Jose R. Oliva, At Large

Representative Mark S. Pafford, At Large

Representative W. Keith Perry

Representative Cary Pigman

Representative Bobby Powell

Representative Holly Raschein, At Large

Representative Lake Ray

Representative David Richardson, At Large

Representative Hazelle P. Rogers

Representative Irving Slosberg

Representative Ross Spano

Representative Richard Stark

Representative Charlie Stone

Representative Victor Manuel Torres, Jr.

Representative Barbara Watson

The Honorable Steve Crisafulli
The Honorable Andy Gardiner
March 10, 2016
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Representative Alan B. Williams, At Large

Representative John Wood, At Large

Representative Ritch Workman, At Large

Representative Dana D. Young, At Large

Managers on the part of the House of Representatives

Senator Tom Lee, Chair

Senator Thad Altman

Senator Rob Bradley

Senator Oscar Braynon II

Senator Jeff Clemens

Senator Nancy C. Detert

Senator Greg Evers

Senator Don Gaetz

Senator Rene Garcia

Senator Denise Grimsley, At Large

Senator Dorothy L. Hukill

Senator Arthenia L. Joyner, At Large

Senator John Legg

Senator Bill Montford

Senator Garrett Richter, At Large

Senator David Simmons, At Large

Senator Christopher L. Smith, At Large

Senator Darren Soto

Senator Geraldine F. Thompson

Senator Lizbeth Benacquisto, Vice Chair

Senator Aaron Bean

Senator Jeff Brandes

Senator Dwight Bullard

Senator Charles S. Dean

Senator Miguel Diaz de la Portilla

Senator Anitere Flores, At Large

Senator Bill Galvano, At Large

Senator Audrey Gibson

Senator Alan Hays

Senator Travis Hutson

Senator Jack Latvala

Senator Gwen Margolis, At Large

Senator Joe Negron

Senator Maria Lorts Sachs

Senator Wilton Simpson

Senator Eleanor Sobel

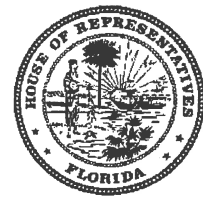
Senator Kelli Stargel

Conferees on the part of the Senate



Andy Gardiner
President of the Senate

THE FLORIDA LEGISLATURE



Steve Crisafulli
*Speaker of the House of
Representatives*

March 10, 2016

The Honorable Steve Crisafulli
Speaker, House of Representatives

The Honorable Andy Gardiner
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5003, same being:

An act relating to implementing the 2016-2017 General Appropriations Act.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 951174.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

Representative Richard Corcoran, Chair

Representative Janet H. Adkins, At Large

Representative Ben Albritton, At Large

Representative Frank Artiles

Representative Jason T. Brodeur

Representative Colleen Burton

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<i>Senator Tom Lee, Chair</i>	<i>Senator Lizbeth Benacquisto, Vice Chair</i>
<i>Senator Thad Altman</i>	<i>Senator Aaron Bean</i>
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<i>Senator Rene Garcia</i>	<i>Senator Audrey Gibson</i>
<i>Senator Denise Grimsley, At Large</i>	<i>Senator Alan Hays</i>
<i>Senator Dorothy L. Hukill</i>	<i>Senator Travis Hutson</i>
<i>Senator Arthenia L. Joyner, At Large</i>	<i>Senator Jack Latvala</i>
<i>Senator John Legg</i>	<i>Senator Gwen Margolis, At Large</i>
<i>Senator Bill Montford</i>	<i>Senator Joe Negron</i>
<i>Senator Garrett Richter, At Large</i>	<i>Senator Maria Lorts Sachs</i>
<i>Senator David Simmons, At Large</i>	<i>Senator Wilton Simpson</i>
<i>Senator Christopher L. Smith, At Large</i>	<i>Senator Eleanor Sobel</i>
<i>Senator Darren Soto</i>	<i>Senator Kelli Stargel</i>
<i>Senator Geraldine F. Thompson</i>	

Conferees on the part of the Senate

The Conference Committee Amendment for HB 5003, relating to implementing appropriations, provides the following substantive modifications for the 2016-2017 fiscal year:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act for Fiscal Year 2016-2017.

Section 2 incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3 provides that funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 94.

Section 4 provides that any district school board that generates less than \$2 million dollars in revenue from one mill of ad valorem tax shall contribute 0.75 mill, rather than 1.5 mills, for Fiscal Year 2016-2017, to the cost of funded special facilities projects.

Sections 5 and 36 require the auditor general to conduct annual financial audits of the Florida School for the Deaf and the Blind.

Section 6 reauthorizes the Florida College System (FCS) Performance Based Incentive funding model, for Fiscal Year 2016-2017, to evaluate the FCS institutions' performance on specified metrics. Funding for the FCS Performance Based Incentive consists of a state investment, plus an institutional investment consisting of funds redistributed from the Florida College System Program Fund.

Section 7 establishes the Distinguished Florida College System program which recognizes the highest performing Florida Colleges.

Sections 8 and 36 amend the preeminent state research universities program by modifying the academic and research excellence standards and requiring the Board of Governors (BOG) to designate each state university that meets at least six of the 12 academic and research excellence standards as an "emerging preeminent state research university."

Section 9 reauthorizes the State University System (SUS) Performance-Based Incentive funding model, for Fiscal Year 2016-2017, to evaluate the state universities' performance on specified metrics. Funding for the SUS Performance Based Incentive consists of a state investment, plus an institutional investment consisting of funds redistributed from SUS base funding.

Sections 10 and 11 amends s. 1008.46, F.S., to change the date for the Board of Governors annual accountability report from December 31 to March 15.

Sections 12 and 36 amend s. 1009.23, F.S., to cap the distance learning fee that Florida colleges can charge students taking distance learning courses to \$15 per credit hour.

Sections 13 and 36 amend s. 1009.24, F.S., to cap the average distance learning fee that state universities can charge students taking distance learning courses to \$30 per credit hour.

Sections 14, 15, 16, 17, and 36 amend ss. 1009.50. 1009.505. 1009.51 and 1009.52, Florida Statutes, to maximize the current allocation of state need-based financial aid by adding a

prioritization of award to eligible students. Postsecondary financial aid offices are required to complete an analysis of need for each eligible student to include all sources of funds available to the student (Pell Grant, scholarships, and all other aid).

Sections 18, 19, 20, 21, 22, 23, and 36 provide changes, for the 2016-2017 fiscal year, to the calculation of multiple components of the Florida Education Finance Program (FEFP), including:

- Authorizing a recalculation of the ESE Guaranteed Allocation based on actual FTE as reported on the October FTE survey.
- Providing funding for the 300 lowest performing elementary schools through funds allocated in the Supplemental Academic Instruction (SAI) and the Research-Based Reading Instruction Allocation categoricals and amends the SAI calculation.
- Modifying the sparsity supplement calculation to compute the sparsity supplement for larger eligible districts with a full-time equivalent (FTE) student membership of between 20,000 and 24,000, by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.
- Amending the Florida Digital Classrooms Allocation to provide each district with a \$500,000 minimum and requiring school districts to use the digital classroom allocation to purchase enough devices to achieve a 1:1 device ratio in the largest grade group for each school in grades 3-10.
- Reauthorizing the federally connected student supplement to provide funding to school districts to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must also be eligible for federal impact aid funds, pursuant to Title VIII of the Elementary and Secondary Education Act of 1965.
- Removing the requirement for an adjustment to be made to a district's funding in the FEFP based on an FTE reporting error that is not corrected by the district within the FTE reporting amendment periods.
- Conforming a cross-reference in s.1011.71, F.S., changed as a result of the addition of the federally connected student supplement as a new subsection of law in s.1011.62, F.S.

Sections 24 and 36 amend s. 1012.39, F.S., to require district school boards to notify a student performing a clinical field experience of the availability of educator liability insurance under s. 1012.75, Florida Statutes, and prohibits a postsecondary educational institution or district school board from requiring a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience

Section 25 creates s. 1012.731, F.S. to codify the Florida Best and Brightest Teacher Scholarship Program which awards highly effective teachers who have demonstrated a high level of academic achievement based on their SAT or ACT score being at or above the 80th percentile.

Section 26 requires the Department of Education to administer an educator liability insurance program, which provides a minimum of \$2 million in liability coverage for all full-time public school instructional personnel.

Sections 27 and 36 amend s. 1013.64, F.S., to adjust the capital outlay full-time equivalent (COFTE) calculations to be consistent with Florida Education Finance Program (FEFP) FTE calculations relative to facilities space needs and COFTE determination procedures.

Sections 28 and 29 extend the Adults with Disabilities Pilot Program through July 1, 2017.

Sections 30 and 36 extend the date by which Florida Polytechnic University must meet statutory deadlines by one year.

Section 31 establishes the Florida Center for the Partnerships for Arts Integrated Teaching (PAInT) within the University of South Florida Sarasota-Manatee and specifies goals such as research on policies and practices related to arts integrated teaching, partnerships, and dissemination of information.

Section 32 authorizes the Florida Fund for Minority Teachers, Inc., to expend up to \$250,000 from available funds for administration, including administration of the required training program and purchase of an online management and administration system.

Section 33 and 36 authorizes Florida ABLE, Inc., to:

- Postpone the implementation date of the Florida ABLE program until December 31, 2016, if necessary, due to:
 - Final regulations being issued by the United States Secretary of the Treasury, or
 - Determination that an equivalent alternative to implementation of a qualified ABLE program in Florida becomes available through contracting with another state at a significant savings to the State.
- Determine whether or not to require residency as a condition of participation based on market research and estimated operating revenues and costs.

Section 34 directs the Office of Early Learning not to adopt a kindergarten readiness rate for the 2014-2015 or 2015-2016 academic year and specifies that any Voluntary Prekindergarten (VPK) Education provider on probation in 2013-2014 will remain on probation.

Sections 35, 36, and 23 extend for an additional year the authority for school districts to levy the Prior Period Funding Adjustment Millage (PPFAM) before the final taxable value is certified with technical clarifications to ensure that the PPFAM is not levied multiple times for the same year.

Section 36 provides for the expiration of changes to statutes in the Implementing Bill.

Section 37 provides that the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year contained in the document titled "Medicaid Hospital Funding Programs," dated March 8, 2016, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs.

Sections 38 and 39 amend s. 393.063, F.S., to add Down syndrome and Phelan-McDermid syndrome to the definition of "Developmental disability" and provides a definition of Phelan-McDermid syndrome.

Sections 40 and 41 amend s. 393.065, F.S., to provide parameters to the Agency for Persons with Disabilities for removing clients from the wait list for home and community-based waiver services and provides client prioritization for that process.

Section 42 provides requirements to the Agency for Persons with Disabilities for setting iBudget amounts for clients receiving home and community-based waiver services. Provides parameters under which a client's iBudget amount may be increased.

Sections 43 and 44 provide that, in the event HB 1083 or similar legislation fails to become law during the 2016 Legislative Session, and notwithstanding the expiration date in s. 24 of ch. 2015-222, L.O.F., subsection (15) of s. 393.067, F.S., is reenacted.

Sections 45 and 46 provide that, in the event HB 1083 or similar legislation fails to become law during the 2016 Legislative Session, and notwithstanding the expiration date in s. 26 of ch. 2015-222, L.O.F., subsection (4) of s. 393.18, F.S., is reenacted, and subsections (5) and (6) of that section are amended.

Section 47 amends s. 296.37(3), F.S., for the 2016-2017 fiscal year, to maintain the personal needs allowance for residents of state veterans' nursing homes at \$105 per month. Otherwise, the amount would fall to \$35 per month on July 1, 2016.

Section 48 authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between AHCA and DOH for the CMS Network for the implementation of Statewide Medicaid Managed Care, to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS Network.

Section 49 provides that, notwithstanding s. 409.991, F.S., for the 2016-2017 fiscal year, funds provided for training purposes shall be allocated to community-based care lead agencies based on a training needs assessment conducted by the Department of Children and Families.

Section 50 provides that, in the event HB 1335 or similar legislation does not become law during the 2016 legislative session, the AHCA must ensure that nursing facility residents eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days.

Section 51 provides that, in the event HB 1335 or similar legislation does not become law during the 2016 legislative session, the AHCA and the Department of Elder Affairs (DOEA) must prioritize individuals for enrollment in the Long Term Care waiver using a frailty based screening instrument resulting in a prioritization score and shall enroll individuals in the Long Term Care waiver in accordance with the assigned priority score as funds are available. The AHCA may adopt rules, pursuant to s. 409.919, F.S., and enter into interagency agreements necessary to administer s. 409.979(3), F.S. Any rules or interagency agreements adopted by the AHCA relating to the scoring process may delegate to the DOEA, pursuant to 409.978, F.S., responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and responsibility for defending, as needed, the scores assigned to persons on the Long Term Care waiver waitlist in any resulting Medicaid fair hearings. The DOEA may delegate the provision of notice of Medicaid fair hearing rights to its contractors.

Section 52 amends s. 409.911, F.S., to provide that, notwithstanding the provisions of s. 409.911, F.S., for the 2016-2017 state fiscal year, the AHCA must distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2016-2017 GAA.

Section 53 amends s. 409.9113, F.S., to provide that, notwithstanding the provisions of s. 409.9113, F.S., for the 2016-2017 state fiscal year, the AHCA must make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2016-2017 GAA.

Section 54 amends s. 409.9119, F.S., to provide that, notwithstanding the provisions of s. 409.9119, F.S., for the 2016-2017 state fiscal year, for hospitals achieving full compliance under 409.9119(3), the AHCA must make disproportionate share payments to specialty hospitals for children as provided in the 2016-2017 GAA.

Section 55 amends s. 893.055(17), F.S., to provide that, for the 2016-2017 fiscal year only, the Department of Health may use state funds appropriated in the 2016-2017 General Appropriations Act to administer the prescription drug monitoring program. Also provides that neither the state attorney general nor the department may use funds received as part of a settlement agreement to administer the program.

Section 56 amends s. 216.262, F.S., to allow the Executive Office of the Governor (EOG) to request additional positions and appropriations from unallocated general revenue funds during the 2016-2017 fiscal year for the Department of Corrections (DOC) if the actual inmate population of the DOC exceeds certain Criminal Justice Estimating Conference forecasts. The additional positions and appropriations may be used for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population, and are subject to Legislative Budget Commission review and approval.

Section 57 authorizes the Department of Legal Affairs to expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.

Section 58 amends s. 932.7055, F.S., relating to the disbursement of proceeds from the sale of forfeited property, to extend for another year the authorization for a municipality to expend funds in a special law enforcement trust fund to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001.

Section 59 amends s. 215.18, F.S., to provide the Chief Justice the authority to request a trust fund loan.

Section 60 prohibits the DOC from transferring funds from salaries and benefits to any other appropriations category without the approval of the Legislative Budget Commission.

Section 61 authorizes the DOC to transfer funds from categories other than fixed capital outlay into the Inmate Health Services category subject to the notice, review and objection procedures of s. 216.177, F.S.

Section 62 requires the Department of Juvenile Justice to ensure that counties are fulfilling their financial responsibilities and to report any deficiencies to the Department of Revenue. If the Department of Juvenile Justice determines that a county has not met its obligations, it must direct

the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from shared revenue funds provided to the county under s. 218.23, F.S. The section also includes procedures to provide assurance to holders of bonds for which shared revenue fund distributions are pledged.

Sections 63 and 64 amend s. 27.5304, F.S., to permit the Legislature to increase the statutory compensation limits for fees paid to court-appointed attorneys in two case categories: noncapital, nonlife felonies and life felonies. These changes allow the Legislature to increase flat fees paid to attorneys in these categories in the General Appropriations Act.

Section 65 requires the Department of Management Services (DMS) to organize a work group to develop a sworn law enforcement career development plan for certain bargaining units represented by the Florida Police Benevolent Association (PBA).

Section 66 permits the Justice Administrative Commission to provide funds to compensate the clerks of court for juror compensation, juror lodging and meals, and jury-related personnel costs.

Section 67 prohibits the payment of reimbursement or application of credits to a nonfiscally constrained county for any previous overpayment of juvenile detention costs to offset detention share costs owed pursuant to s. 985.686, F.S., or any other law in Fiscal Year 2016-2017. The section is contingent upon CS/SB 1322 becoming law.

Section 68 requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring before June 30, 2019.

Sections 69 and 70 reenact s. 624.502, F.S., to require that fees for service of process against the Department of Financial Services or Office of Insurance Regulation be deposited to the Administrative Trust Fund rather than the Insurance Regulatory Trust Fund.

Sections 71 and 72 reenact s. 282.709, F.S., relating to the Joint Task Force on State Agency Law Enforcement Communications, by removing a representative from the Department of Transportation from the task force.

Section 73 provides that the online procurement system transaction fee authorized in ss. 287.042(1)(h)1 and 287.057(22)(c), F.S., will remain at 0.7 percent for the 2016-2017 fiscal year only.

Section 74 provides that the EOG is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the General Appropriations Act between agencies, in order to align the budget authority granted with the utilization rate of each department.

Section 75 notwithstanding s. 216.292(2)(a), F.S., which authorizes agency budget transfers of up to 5 percent of approved budget between categories. Except for transfers approved pursuant to sections 74 of the Implementing Bill, agencies are prohibited from transferring funds from a data center appropriation category to a category other than a data center appropriation category.

Section 76 provides that the EOG is authorized to transfer funds appropriated in the appropriations category “expenses” between agencies in order to allocate a reduction relating to SUNCOM Services.

Section 77 authorizes the EOG to transfer funds in the appropriation category “Special Categories-Risk Management Insurance” between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

Section 78 authorizes the EOG to transfer funds in the appropriation category “Special Categories-Transfer to DMS-Human Resources Services Purchased Per Statewide Contract” of the 2016-2017 General Appropriations Act between departments, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

Section 79 defines the components of the Florida Accounting Information Resource subsystem (FLAIR) and Cash Management System (CMS) included in the Department of Financial Services Planning Accounting and Ledger Management (PALM) system. This section also provides the executive steering committee (ESC) membership and the process for ESC meetings and decisions.

Section 80 authorizes the EOG to transfer funds between appropriation categories, with 14 days’ notice, for the relocation of state agencies located in the Northwood Centre by July 1, 2016, notwithstanding s. 216.292(2), (3), and (4), F.S.

Section 81 notwithstands s. 161.143, F.S., relating to beach inlet projects. This provision requires the Department of Environmental Protection (DEP) to make available at least 10 percent of the total amount appropriated for each fiscal year for statewide beach management for the three highest-ranked projects on the current year’s inlet management project list. For the 2016-2017 fiscal year, the amount allocated for inlet management funding is provided in the GAA.

Section 82 amends s. 259.105, F.S., related to the distribution of proceeds in the Florida Forever Trust Fund, to provide: \$15,156,206 to only the Division of State Lands within the DEP for the Board of Trustees Florida Forever Priority List land acquisition projects; \$35 million to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71, F.S.; and \$10 million to the Florida Communities Trust for projects acquiring conservation or recreation lands benefiting individuals with unique abilities. This section authorizes the DEP to waive the local government match requirements for projects acquiring conservation and recreational lands for individuals with unique abilities. If funds provided to acquire conservation and recreational lands to enhance recreation opportunities for individual with unique abilities have not been awarded by May 1, 2017, funds may be awarded to redevelop or renew outdoor recreational facilities on public land.

Section 83 requires that a minimum of \$3 million of the Fiscal Year 2016-2017 funding for the Florida Development Assistance Program (FRDAP) be used exclusively for projects that provide recreational enhancements and opportunities for individuals with unique abilities and that the DEP establish a separate application process for such projects. A definition for these projects is provided.

Section 84 expands the powers of the Florida Communities Trust to include the authority necessary to undertake, coordinate, and fund projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities and provides a definition for these projects.

Section 85 amends s. 216.181(11)(d), F.S., to authorize the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the DEP for fixed capital outlay projects. The increase in fixed capital outlay budget authority is authorized for funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation, the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act), or from British Petroleum Corporation (BP) for natural resources damage assessment early restoration projects. Any continuing commitment for future appropriations by the Legislature must be specifically identified.

Sections 86 and 87 eliminate certain revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund within the DEP which are used to determine the excise tax rates that supports the expenditures within the trust fund.

Section 88 establishes a solid waste management closure account within the Solid Waste Management Trust Fund within the DEP, to provide funding for the closing and long-term care of solid waste management facilities. This section allows the DEP to use funds from the Solid Waste Management Trust Fund to pay for these activities, if other funding is insufficient or otherwise unavailable.

Section 89 amends s. 403.7095, F.S., to require the DEP to award \$3 million in grant funds, in Fiscal Year 2015-2016, equally to counties having populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs under the solid waste management grant program. Also, requires the DEP to award \$3 million in grant funds, in Fiscal Year 2016-2017, equally to counties having populations of fewer than 110,000 for waste tire, litter prevention, recycling and education, and general solid waste programs under the solid waste management grant program.

Section 90 amends s. 215.18(3), F.S., to authorize the Governor to temporarily transfer moneys, from one or more of the trust funds in the State Treasury, to a land acquisition trust fund (LATF) within the Department of Agriculture and Consumer Services, the DEP, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency that would render the LATF temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund. These funds must be expended solely and exclusively in accordance with Art. X, s. 28 of the Florida Constitution. This transfer is a temporary loan and the funds must be repaid to the trust funds from which the moneys were loaned by the end of the 2016-2017 fiscal year. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, F.S., and the Governor shall provide notice of such action at least seven days before the effective date of the transfer of trust funds.

Section 91 provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the DEP, the Fish and Wildlife Conservation Commission, and the Department of State, the DEP will transfer a

proportionate share of revenues in the Land Acquisition Trust Fund within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year.

Sections 92 and 93 authorizes the transfer of interest earnings from the Inland Protection Trust Fund to the Water Quality Assurance Trust Fund within the DEP as authorized in the General Appropriations Act.

Sections 94 excludes copayment requirements, reporting requirements, and funding cap limits for petroleum contamination sites cleaned up with non-traditional or innovative technologies that are approved by the DEP.

Sections 95 reenacts s. 376.3071(4)(q), F.S., related to the Inland Protection Trust Fund, stating that the DEP may not seek recovery or reimbursement of funds from another agency for state-funded petroleum contamination site rehabilitation.

Section 96 requires the Department of Highway Safety and Motor Vehicles to continue to contract with Prison Rehabilitation Industries and Diversified Enterprises, Inc., (PRIDE) for manufacturing license plates, provided that the cost is the same as that paid by the department during fiscal year 2013-2014. This section requires PRIDE to seek bids for the reflectorized sheeting used on the license plates and return 70 percent of savings to the department.

Section 97 provides that, notwithstanding s. 339.2818(2)(b), F.S., the DOT may use appropriated funds to serve any county with a population of 170,000 or less through the Small County Outreach Program (SCOP) in the 5-year work program for the 2016-2017 fiscal year.

Section 98 amends s. 339.135(4)(i) and (5)(b), F.S., to require the Department of Transportation (DOT) to fund a statewide system of multi-use trails and related facilities. The section also provides that the funding appropriated may not impact any existing projects for multi-use trails and related facilities that are in the work program as of July 1, 2016.

This section also amends s. 339.135(4)(j) and (5)(c), F.S., to authorize the DOT to use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of projects costs for production-ready eligible projects. Preference must be given to projects that support the state's economic regions or have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), F.S., and that have an increased level of non-state match.

Sections 99 and 100 reenact s. 341.302(10), F.S., to authorize the DOT to approve and provide matching grant funding for railroad quiet zones for the 2016-2017 fiscal year.

Section 101 and 102 amend s. 339.2816(3) and (4), F.S., to allow the DOT to use up to \$50 million from the State Transportation Trust Fund for the purposes of funding the Small County Road Assistance Program (SCRAP) in the 5-year work program and allows the use of SCRAP funds for the widening of existing lanes to address critical safety concerns as part of a resurfacing or reconstruction project for the 2016-2017 fiscal year.

Section 103 amends s. 420.9072, F.S., relating to the State Housing Initiatives Partnership (SHIP) Program, to provide exceptions to the limitations on using SHIP funds for rent subsidies and to allow counties and eligible municipalities to use up to 25 percent of available SHIP funds for rental housing.

Section 104 amends s. 420.5087, F.S., relating to the State Apartment Incentive Loan (SAIL) Program, to change requirements for reserving percentages of available SAIL funding for specified tenant groups to reflect the projected housing needs for those groups. Additionally, notwithstanding requirements that SAIL funds be used for housing for very-low income persons and specified percentages of the units in SAIL projects be reserved for persons or families of specified income levels, the Florida Housing Finance Corporation is directed to issue, during Fiscal Year 2016-2017, a notice of fund availability for \$20 million for loans to construct workforce housing to serve primarily low-income persons.

Section 105 amends s. 427.013, F.S., to authorize the Commission for the Transportation Disadvantaged to make distributions during Fiscal Year 2016-2017 to community transportation coordinators:

- That do not receive federal Urbanized Area Formula Funds to provide transportation disadvantaged services; and
- As competitive grants to support transportation projects to enhance access to specified activities, to assist in development of transportation systems in nonurbanized areas, to promote efficient coordination of services, to support inner-city bus transportation, and to encourage private transportation providers to participate.

Section 106 provides that, notwithstanding s. 216.292(2), (3), and (4), F.S., the Department of Highway Safety and Motor Vehicles may transfer up to \$6,563,775 between appropriation categories, to realign funds based on the completion of a cost benefit analysis evaluating different options for hardware and software needed for the department,

Section 107 and 108 amend s. 339.135(7)(g) and (h), F.S., by requiring Legislative Budget Commission (LBC) approval of any work program amendment that adds a project, construction phase, right-of-way phase, or public transportation phase over \$5 million. The DOT must provide a narrative description, a written justification and an explanation for such project or phase addition. The LBC chair and vice chair, the Senate President, and the House Speaker may jointly authorize approval of the amendment if an LBC meeting cannot be held within 30 days of amendment submission.

Sections 109 and 110 provide that for the 2015-2016 and 2016-2017 fiscal years, the Department of Highway Safety and Motor Vehicles may assign a patrol officer to the Lieutenant Governor, at his or her discretion, and to a Cabinet member if the department deems such assignment appropriate or in response to a threat, if requested by such Cabinet member.

Sections 111 and 112 reenact amendments to s. 216.292(2)(a), F.S., that remove language limiting scope of legislative review of “five percent” budget transfers. The Legislature would continue to be able to object that a proposed action exceeds delegated authority or is contrary to legislative policy and intent.

Section 113 provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or

require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law or in the General Appropriations Act or by the Legislative Budget Commission.

Section 114 amends s. 112.24, F.S., to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action, pursuant to s. 216.177, F.S. This requirement applies to state employee reassignments regardless of which agency (sending or receiving) is responsible for pay and benefits of assigned employee.

Section 115 maintains legislative salaries at the July 1, 2010, level.

Sections 116 and 117 amend s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2016-2017 General Appropriations Act.

Section 118 provides that, in order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to the requirements of s. 215.98, F.S., the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state.

Section 119 provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training, or other administrative functions unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of activity before approving travel.

Section 120 provides that, notwithstanding s. 112.061, F.S., costs for lodging associated with a meeting, conference or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed 150 dollars per day. An employee may expend his or her own funds for any lodging expenses in excess of 150 dollars.

Section 121 directs the executive branch agencies and judicial branch agencies to collaborate with the EOG to implement a statewide travel management system and utilize the system.

Sections 122 and 123 reenact amendments to s. 110.12315, F.S., that: modify copayments associated with the state employees' group health insurance program consistent with decisions that have been made in the General Appropriations Act; authorize the Department of Management Services, for the state employees' prescription drug program, to negotiate the pharmacy dispensing fee, to implement a 90-day supply limit program for certain maintenance drugs at retail pharmacies for state employees under certain circumstances, and to maintain a list of maintenance drugs and preferred brand name drugs; and provide that copayments for state employees for a 90-day supply of prescription drugs at a retail pharmacy will be the same as a 90-day supply through mail order.

Section 124 provides that a state agency may not enter into a contract containing a nondisclosure clause that prohibits a contractor from disclosing to members or staff of the Legislature information relevant to the performance of the contract.

Section 125 specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 126 provides that a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

Section 127 provides a severability clause.

Section 128 provides an effective date.

THE FLORIDA LEGISLATURE



Andy Gardiner
President of the Senate



Steve Crisafulli
*Speaker of the House of
Representatives*

March 10, 2016

The Honorable Steve Crisafulli
Speaker, House of Representatives

The Honorable Andy Gardiner
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5005, same being:

An act relating to state-administered retirement systems.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 709216.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

Representative Richard Corcoran, Chair

Representative Janet H. Adkins, At Large

Representative Dennis K. Baxley, At Large

Representative Jose Felix Diaz, At Large

Representative Mia L. Jones, At Large

Representative Jose R. Oliva, At Large

Representative Mark S. Pafford, At Large

Representative David Richardson, At Large

Representative Carlos Trujillo, At Large

Representative John Wood, At Large

Representative Dana D. Young, At Large

Representative Jim Boyd, Vice Chair

Representative Ben Albritton, At Large

Representative Janet Cruz, At Large

Representative Matt Gaetz, At Large

Representative George R. Moraitis, Jr., At Large

Representative H. Marlene O'Toole, At Large

Representative Holly Raschein, At Large

Representative Cynthia A. Stafford, At Large

Representative Alan B. Williams, At Large

Representative Ritch Workman, At Large

Managers on the part of the House of Representatives

Senator Tom Lee, Chair

Senator Thad Altman

Senator Rob Bradley

Senator Oscar Braynon II

Senator Jeff Clemens

Senator Nancy C. Detert

Senator Greg Evers

Senator Don Gaetz

Senator Rene Garcia

Senator Denise Grimsley, At Large

Senator Dorothy L. Hukill

Senator Arthenia L. Joyner, At Large

Senator John Legg

Senator Bill Montford

Senator Garrett Richter, At Large

Senator David Simmons, At Large

Senator Christopher L. Smith, At Large

Senator Darren Soto

Senator Geraldine F. Thompson

Senator Lizbeth Benacquisto, Vice Chair

Senator Aaron Bean

Senator Jeff Brandes

Senator Dwight Bullard

Senator Charles S. Dean

Senator Miguel Diaz de la Portilla

Senator Anitere Flores, At Large

Senator Bill Galvano, At Large

Senator Audrey Gibson

Senator Alan Hays

Senator Travis Hutson

Senator Jack Latvala

Senator Gwen Margolis, At Large

Senator Joe Negron

Senator Maria Lorts Sachs

Senator Wilton Simpson

Senator Eleanor Sobel

Senator Kelli Stargel

Conferees on the part of the Senate

The Conference Committee Amendment for HB 5005, relating to the Florida Retirement System (FRS), provides for the following:

Section 1 corrects the name of the trust fund which receives the employer-paid assessments for administrative and educational costs associated with the Florida Retirement System (FRS). The correct name is the Administrative Trust Fund rather than the FRS Investment Plan Trust Fund.

Section 2 sets the employer-paid contributions to the Florida Retirement System Trust Fund for each membership class of the FRS.

Section 3 increases the employer contribution to the State Board of Administration's Administrative Trust Fund from 0.04 percent of payroll to 0.06 percent of payroll. These revenues are used to offset the costs of administering the investment plan as well as providing educational services to all FRS members.

Section 4 provides findings that the bill fulfills important state interests.



Andy Gardiner
President of the Senate

THE FLORIDA LEGISLATURE



Steve Crisafulli
*Speaker of the House of
Representatives*

March 10, 2016

The Honorable Steve Crisafulli
Speaker, House of Representatives

The Honorable Andy Gardiner
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5007, same being:

An act relating to collective bargaining.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 592002.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

Representative Richard Corcoran, Chair

Representative Janet H. Adkins, At Large

Representative Dennis K. Baxley, At Large

Representative Jose Felix Diaz, At Large

Representative Mia L. Jones, At Large

Representative Jose R. Oliva, At Large

Representative Mark S. Pafford, At Large

Representative David Richardson, At Large

Representative Carlos Trujillo, At Large

Representative John Wood, At Large

Representative Dana D. Young, At Large

Representative Jim Boyd, Vice Chair

Representative Ben Albritton, At Large

Representative Janet Cruz, At Large

Representative Matt Gaetz, At Large

Representative George R. Moraitis, Jr., At Large

Representative H. Marlene O'Toole, At Large

Representative Holly Raschein, At Large

Representative Cynthia A. Stafford, At Large

Representative Alan B. Williams, At Large

Representative Ritch Workman, At Large

Managers on the part of the House of Representatives

Senator Tom Lee, Chair

Senator Thad Altman

Senator Rob Bradley

Senator Oscar Braynon II

Senator Jeff Clemens

Senator Nancy C. Detert

Senator Greg Evers

Senator Don Gaetz

Senator Rene Garcia

Senator Denise Grimsley, At Large

Senator Dorothy L. Hukill

Senator Arthenia L. Joyner, At Large

Senator John Legg

Senator Bill Montford

Senator Garrett Richter, At Large

Senator David Simmons, At Large

Senator Christopher L. Smith, At Large

Senator Darren Soto

Senator Geraldine F. Thompson

Senator Lizbeth Benacquisto, Vice Chair

Senator Aaron Bean

Senator Jeff Brandes

Senator Dwight Bullard

Senator Charles S. Dean

Senator Miguel Diaz de la Portilla

Senator Anitere Flores, At Large

Senator Bill Galvano, At Large

Senator Audrey Gibson

Senator Alan Hays

Senator Travis Hutson

Senator Jack Latvala

Senator Gwen Margolis, At Large

Senator Joe Negron

Senator Maria Lorts Sachs

Senator Wilton Simpson

Senator Eleanor Sobel

Senator Kelli Stargel

Conferees on the part of the Senate

The Conference Committee Amendment for HB 5007, relating to Collective Bargaining, resolves the collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the 2016-2017 fiscal year that have not been resolved in the General Appropriations Act or other legislation.

The amendment does not change substantive law.

THE FLORIDA LEGISLATURE



Andy Gardiner
President of the Senate



Steve Crisafulli
*Speaker of the House of
Representatives*

March 10, 2016

The Honorable Steve Crisafulli
Speaker, House of Representatives

The Honorable Andy Gardiner
President of the Senate

Dear Mr. Speaker and Mr. President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5101, same being:

An act relating to Medicaid.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 390464.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

Representative Richard Corcoran, Chair

Representative Matt Hudson, Chair

Representative Ben Albritton, At Large

Representative Jason T. Brodeur

Representative W. Travis Cummings

Representative Matt Gaetz, At Large

Representative Mia L. Jones, At Large

Representative George R. Moraitis, Jr., At Large

Representative Jose R. Oliva, At Large

Representative Mark S. Pafford, At Large

Representative Holly Raschein, At Large

Representative Cynthia A. Stafford, At Large

Representative Carlos Trujillo, At Large

Representative John Wood, At Large

Representative Dana D. Young, At Large

Representative Jim Boyd, Vice Chair

Representative Janet H. Adkins, At Large

Representative Dennis K. Baxley, At Large

Representative Janet Cruz, At Large

Representative Jose Felix Diaz, At Large

Representative Gayle B. Harrell

Representative MaryLynn Magar

Representative Amanda Murphy

Representative H. Marlene O'Toole, At Large

Representative Cary Pigman

Representative David Richardson, At Large

Representative Cyndi Stevenson

Representative Alan B. Williams, At Large

Representative Ritch Workman, At Large

Managers on the part of the House of Representatives

Senator Tom Lee, Chair

Senator Thad Altman

Senator Rob Bradley

Senator Oscar Braynon II

Senator Jeff Clemens

Senator Nancy C. Detert

Senator Greg Evers

Senator Don Gaetz

Senator Rene Garcia

Senator Denise Grimsley, At Large

Senator Dorothy L. Hukill

Senator Arthenia L. Joyner, At Large

Senator John Legg

Senator Bill Montford

Senator Garrett Richter, At Large

Senator David Simmons, At Large

Senator Christopher L. Smith, At Large

Senator Darren Soto

Senator Geraldine F. Thompson

Senator Lizbeth Benacquisto, Vice Chair

Senator Aaron Bean

Senator Jeff Brandes

Senator Dwight Bullard

Senator Charles S. Dean

Senator Miguel Diaz de la Portilla

Senator Anitere Flores, At Large

Senator Bill Galvano, At Large

Senator Audrey Gibson

Senator Alan Hays

Senator Travis Hutson

Senator Jack Latvala

Senator Gwen Margolis, At Large

Senator Joe Negron

Senator Maria Lorts Sachs

Senator Wilton Simpson

Senator Eleanor Sobel

Senator Kelli Stargel

Conferees on the part of the Senate

The Conference Committee Amendment for HB 5101, relating to health care services, provides for the following:

Section 1 amends s. 322.142, F.S., to authorize, effective upon the bill becoming law, the Dept. of Highway Safety and Motor Vehicles to allow the Agency for Health Care Administration (AHCA), via interagency agreement, to access photographic images of driver licenses for the purpose of preventing health care fraud. The bill authorizes AHCA to contract with a private entity to carry out duties relating to health care fraud prevention under specified safeguards and parameters.

Section 2 amends s. 409.9128, F.S., to provide that reimbursement for emergency services provided to an enrollee of a Medicaid managed care plan by a provider that is not under contract with the managed care plan must be the lesser of specified amounts, including the Medicaid rate as provided in s. 409.967(2)(b), F.S.

Section 3 amends s. 395.602, F.S., to provide that a hospital classified as a sole community hospital which has up to 175 licensed beds is included in the definition of “rural hospital.”

Section 4 amends s. 409.285, F.S., to transfer from the Dept. of Children and Families (DCF) to AHCA the responsibility for conducting Medicaid fair hearings related to Medicaid programs administered by AHCA, by March 1, 2017. Provides for rulemaking by AHCA. Provides that AHCA will use DCF’s existing fair hearing rules if AHCA’s rulemaking is not completed by March 1, 2017.

Section 5 amends definitions under s. 409.811, F.S., to permit certain non-citizen children to receive federal financial premium assistance under Medicaid or the Children’s Health Insurance Program (CHIP).

Section 6 amends s. 409.814, F.S., to replace a reference to “qualified alien” with a reference to “lawfully residing child” when referring to children who are not eligible for Title XXI funded premium assistance. The bill also clarifies that Kidcare program eligibility is not being extended to undocumented immigrants.

Section 7 amends s. 409.904, F.S., to provide that a child younger than 19 years of age who is a lawfully residing child, as defined in s. 409.811, F.S., is eligible for Medicaid under s. 409.903, F.S. The bill also clarifies that Medicaid eligibility is not being extended to undocumented immigrants.

Section 8 amends s. 409.905(5), F.S., to delete the requirement for the AHCA to limit payment for hospital emergency department visits for non-pregnant Medicaid recipients 21 years of age or older to six visits per fiscal year.

Section 9 amends s. 409.905(6), F.S., effective July 1, 2017, to require AHCA to implement a prospective payment methodology for hospital outpatient reimbursement, thereby replacing the current cost-based reimbursement methodology on that date. Provides that adjustments to outpatient reimbursements may not be made later than July 31 of the year in which they take effect.

Section 10 amends s. 409.906, F.S., to require AHCA to seek federal approval to pay for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance. Payment for such services may be made as enhanced rates or incentive payments to managed care plans within Statewide Medicaid Managed Care.

Section 11 amends s. 393.063, F.S., to add Down syndrome and Phelan-McDermid syndrome to the list of disorders that define “developmental disability.”

Section 12 amends s. 393.063, F.S., to provide a definition of Phelan-McDermid syndrome.

Section 13 amends s. 393.065, F.S., to revise the parameters used by the Agency for Persons with Disabilities (APD) to assign priority to clients waiting for services from the developmental disability waiver.

Section 14 provides that, in the event HB 1083 or similar legislation does not become law during the 2016 legislative session or an extension thereof, s. 393.0662, F.S., is amended to add a significant need for transportation services relating to adult day training or employment services to the list of needs in current law for which the APD may authorize an increase in iBudget funding if the need that cannot be accommodated within previously approved funding, under specified parameters.

Section 15 provides that, in the event HB 1083 or similar legislation does not become law during the 2016 legislative session or an extension thereof, notwithstanding the expiration date in section 24 of ch. 2015-222, Laws of Florida, s. 393.067(15), F.S., is reenacted.

Section 16 provides that, in the event HB 1083 or similar legislation does not become law during the 2016 legislative session or an extension thereof, notwithstanding the expiration date in section 26 of ch. 2015-222, Laws of Florida, s. 393.18, F.S., is reenacted.

Section 17 amends s. 409.907, F.S., to authorize AHCA to certify that a Medicaid provider is out of business and that any overpayments made to the provider cannot be collected under state law.

Section 18 creates s. 409.9072, F.S., to authorize AHCA to reimburse private schools and charter schools for providing Medicaid school-based services identical to those offered under the Medicaid certified school match program and under the same eligibility criteria as children eligible for services under that program.

Section 19 amends s. 409.908, F.S., to add class III psychiatric hospitals to the current list of facilities for which AHCA is authorized to establish an alternative reimbursement methodology to the DRG-based prospective payment system otherwise required under state law. The bill also provides that, effective July 1, 2017, AHCA is required to reimburse ambulatory surgical centers with a prospective payment system, thereby replacing the current cost-based reimbursement methodology on that date.

Section 20 amends s. 409.909, F.S., relating to the Statewide Medicaid Residency Program (SMRP), to:

- Add psychiatry to the current list of primary care specialties;
- Provide that federally qualified health centers are qualifying institutions for the purpose of receiving funds for residency slots through the SMRP;

- Require that hospitals applying for the start-up bonus component of the SMRP must submit to AHCA certain validations of new resident positions approved on or after March 2 of the prior fiscal year through March 1 of the current fiscal year for physician specialties identified to be in statewide supply/demand deficit in the General Appropriations Act; and
- Revise the definition of “Medicaid payments,” effective July 1, 2017, in order to conform to the transition to a prospective payment system for hospital outpatient reimbursement on that date.

Section 21 amends s. 409.967(2), F.S., regarding payments required of a managed care plan within the Statewide Medicaid Managed Care program to a non-contracted provider that has rendered emergency services to a member of the managed care plan. The bill conforms this statute to federal law by specifying that such payments may be no more than the Medicaid fee-for-service rate, less any amounts for indirect costs of medical education and direct costs of graduate medical education that are otherwise included in the fee-for-service payment. The bill also requires AHCA to post on its website annually, or more frequently as needed, the applicable fee-for-service fee schedules and their effective dates, less any amounts for indirect costs of medical education and direct costs of graduate medical education that would otherwise be included in the fee-for-service payments.

Section 22 amends s. 409.968, F.S., to require AHCA to establish a payment methodology to fund managed care plans within Statewide Medicaid Managed Care for flexible services for persons with severe mental illness and substance abuse disorders, including, but not limited to, temporary housing assistance. After receiving such payments for at least one year, a managed care plan must document the results of its efforts to maintain the target population in stable housing up to the maximum duration allowed under federal approval.

Section 23 amends s. 409.975, F.S., to

- Clarify that the term “essential provider” includes providers determined to be essential Medicaid providers under s. 409.975(1)(a), F.S., and providers specified as statewide essential providers under s. 409.975(1)(b), F.S., for the purpose of applying the criteria for excluding an essential provider from a managed care plan network for failure to meet quality or performance standards under s. 409.975(1)(c), F.S.;
- Provide a cross-reference to changes made in Section 21 of the bill regarding payments required of a managed care plan within the Statewide Medicaid Managed Care program to a non-contracted provider that has rendered emergency services to a member of the managed care plan; and
- Delete the provision in s. 409.975(6), F.S., requiring that for rates, methods, and terms of payment negotiated after a Statewide Medicaid Managed Care contract between AHCA and a managed care plan has been executed, the managed care plan must pay hospitals within its provider networks, at a minimum, the rate that AHCA would have paid on the first day of the contract between the provider and the plan.

Section 24 amends s. 624.91, F.S., the Florida Healthy Kids Corporation Act, to conform to changes made under the bill and update references to modified or deleted terms.

Section 25 amends s. 641.513, F.S., to provide that, as part of the Florida Insurance Code, the amount of reimbursement paid by a health maintenance organization (HMO) to a non-contracted provider for emergency services provided to a member of the HMO who is a Medicaid recipient, will be determined under ch. 409. The bill also provides that the amount of reimbursement for

emergency services provided to subscribers who are enrolled in an HMO pursuant to the Florida Healthy Kids program by a provider for whom no contract exists between the provider and the HMO, will be the lesser of specified amounts, including the Medicaid rate.

Section 26 amends s. 18 of ch. 2012-33, Laws of Florida, to require AHCA to contract with a current Program of All-inclusive Care for the Elderly (PACE) organization in Southeast Florida to develop and operate a PACE program in Broward County to serve frail elders who reside in Broward County or Miami-Dade County with up to 150 initial enrollee slots. Under the current language in ch. 2012-33, Laws of Florida, the provision of services is limited to frail elders residing in Broward County.

Section 27 authorizes a new PACE site to serve frail elders residing in hospice service area 1 (Escambia, Okaloosa, Santa Rosa, and Walton counties), hospice service area 2A (Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties), and hospice service area 2B (Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla counties) with up to 100 initial enrollee slots.

Section 28 authorizes a new PACE site to serve frail elders residing in Clay, Duval, St. Johns, Baker, and Nassau counties with up to 300 initial enrollee slots.

Section 29 authorizes a new PACE site to serve frail elders residing in hospice service area 7B (Orange and Osceola counties) and hospice service area 3E (Lake and Sumter counties) with up to 150 initial enrollee slots.

Section 30 authorizes a new PACE site to serve frail elders residing in Hillsborough County with up to 150 initial enrollee slots.

Section 31 amends s. 391.055, F.S., to update a cross-reference to changes made in the bill.

Section 32 amends 427.0135, F.S., to update a cross-reference to changes made in the bill.

Section 33 amends s. 1002.385, F.S., to provide cross-references to changes made in the bill.

Section 34 amends s. 1011.70, F.S., to correct cross-references to changes made in the bill.

Section 35 provides that, except as otherwise provided, the bill takes effect July 1, 2016.