

Committee on Children, Families, and Elder Affairs

CS/CS/SB 1758 — Individuals with Disabilities

by Fiscal Policy Committee; Children, Families, and Elder Affairs Committee; and Senators Brodeur, Passidomo, Albritton, Avila, Baxley, Boyd, Bradley, Broxson, Burgess, Burton, Calatayud, Collins, Davis, DiCeglie, Garcia, Grall, Gruters, Harrell, Hooper, Hutson, Ingoglia, Jones, Martin, Mayfield, Osgood, Perry, Pizzo, Polsky, Powell, Rodriguez, Rouson, Simon, Stewart, Thompson, Torres, Trumbull, Wright, Yarborough, and Book

The Agency for Persons with Disabilities (APD) provides services to eligible individuals with developmental disabilities under the Medicaid Home and Community-Based Services (HCBS) waiver. The HCBS waiver allows individuals to continue to live in their own homes or in another homelike setting to avoid institutionalization. Applications submitted to the APD using a paper application are reviewed under statutory deadlines.

The bill amends multiple sections of law related to the APD to modernize the application process and enhance an individual's eligibility determination and enrollment experience. Specifically, the bill:

- Requires the APD to offer care navigation services to clients and their caregivers, including, but not limited to, creating care plans that address immediate, intermediate, and long term needs and goals of the client.
- Modifies the application process for APD services, requiring the creation of an online application process and streamlines the timeframes the APD has to determine eligibility.
- Reduces the age requirement of a client's caregiver in pre-enrollment category 4 from 70 years of age to 60 years of age or older. This will allow a higher number of individuals to be included in category 4 of the pre-enrollment prioritization list.
- Requires iBudget waiver support coordinators to inform iBudget clients of the option to apply for the Consumer-Directed Care Plus (CDC+) program when creating family or individual support plans.

The bill also makes changes to programming offered by the APD:

- Transfers the Florida Unique Abilities Partner Program from the Department of Commerce to the Agency for Persons with Disabilities.
- Requires the Agency for Health Care Administration, the APD, and other stakeholders to develop a plan for a new home and community-based services Medicaid waiver program for clients transitioning to adulthood and requires a report to the Governor, President of the Senate, and Speaker of the House of Representatives by December 1, 2024, on the progress of this plan.

The bill appropriates \$16,562,703 in recurring funds from the General Revenue fund and \$22,289,520 in recurring funds from the Operations and Maintenance Trust Fund to the APD to fund the expansion of services to additional clients.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

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Vote: Senate 38-0; House 114-0