

STORAGE NAME: h4121.ltc

DATE: March 10, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
Elder Affairs & Long Term Care
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4121 (Formerly PCB LT 98-02a)

RELATING TO: Services for Disabled Adults

SPONSOR(S): Committee on Elder Affairs & Long Term Care, Representative Brooks & others

COMPANION BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

(1) Elder Affairs & Long Term Care YEAS 6 NAYS 0

(2)

(3)

(4)

(5)

I. SUMMARY:

This bill would repeal from chapter 410, F.S., the following sections:

- ▶ 410.0245 relating to a study of service needs and development of a multiyear plan,
- ▶ 410.502 relating to housing and living arrangements which meet the special needs of the elderly,
- ▶ 410.504 relating to multidisciplinary center on elderly living environments.

These are obsolete sections. No fiscal impact is anticipated.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Chapter 410, F.S., has been the chapter that had contained most of the provisions related to services to elders and disabled adults. In 1995 programs related to elders were transferred from the Department of Children & Family Services (DCFS, then HRS) to the Department of Elder Affairs.

Section 410.0245 directs DCFS to conduct a study of service needs and develop a multiyear plan to meet the service needs of those disabled persons between the ages of 18-59. The plan was to be initially submitted in 1991 and every three years after that. This plan has been subsumed into the department's comprehensive strategic plan.

Section 410.502 relates to housing and living arrangements which meet the special needs of the elderly. This section directs DCFS to provide services to help seniors find appropriate and affordable housing. This includes maintaining data, coordinating with other departments, and promoting various kinds of living arrangements which would be an alternative to living alone.

Over the last few years, the Legislature has assigned responsibility for elder services to the Department of Elder Affairs. Other responsibilities related to specialized housing has also been assigned to other entities of state government. For example, responsibility for licensing assisted living facilities, adult family care homes, and homes for special services falls to the Agency for Health Care Administration. The DCFS does not conduct any of the activities described in this section.

Section 410.504 relates to multidisciplinary center on elderly living environments. This section directs the Board of Regents (BOR) to establish a multidisciplinary center at least one of the state universities. The center is to provide information and conduct other activities related to the housing needs of seniors. A report to the Legislature is required annually. Representatives from the BOR were unaware of this statutory mandate. Reports are not available. However, this work is part of the mission of the Florida Policy Exchange Center on Aging at the University of South Florida.

B. EFFECT OF PROPOSED CHANGES:

The bill would remove from the statutes obsolete language and projects which are no longer required.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

- a. Does the bill create, increase or reduce, either directly or indirectly:

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(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

None.

(2) what is the cost of such responsibility at the new level/agency?

None.

(3) how is the new agency accountable to the people governed?

N/A.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

- e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

No.

(5) Are families penalized for not participating in a program?

No.

b. Does the bill directly affect the legal rights and obligations between family members?

No.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Chapter 410, F.S.

E. SECTION-BY-SECTION RESEARCH:

This section need be completed only in the discretion of the Committee.

See Section II. Substantive Research: "Present Situation" and "Effect of Proposed Changes".

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

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A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

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D. FISCAL COMMENTS:

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

The Department of Children & Family Services concurs in the removal of these sections from the statutes.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

VII. SIGNATURES:

COMMITTEE ON Elder Affairs & Long Term Care:

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