

STORAGE NAME: h1131z.lt

DATE: July 26, 1999

****FINAL ACTION****

****SEE FINAL ACTION STATUS SECTION****

**HOUSE OF REPRESENTATIVES
AS FURTHER REVISED BY THE COMMITTEE ON
Elder Affairs & Long Term Care
FINAL ANALYSIS**

BILL #: HB 1131 (similar provisions passed as section 1 in HB 1971, which became law as Chapter 99-394, Laws of Florida))

RELATING TO: Memory Disorders Clinics

SPONSOR(S): Rep. Detert & others

COMPANION BILL(S):

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

- (1) ELDER AFFAIRS & LONG-TERM CARE YEAS 10 NAYS 0
- (2) HEALTH CARE SERVICES YEAS 12 NAYS 0
- (3) HEALTH AND HUMAN SERVICES APPROPRIATIONS YEAS 8 NAYS 0
- (4)
- (5)

I. FINAL ACTION STATUS:

On June 18, 1999, HB 1131 passed as Section 1 of HB 1971, which was approved by the Governor and became law as Chapter 99-394, Laws of Florida.

II. SUMMARY:

HB 1131 amends section 430.502, Florida Statutes, relating to memory disorder clinics, to designate a memory disorder clinic at Sarasota Memorial Hospital in Sarasota County.

The bill provides an effective date of July 1, 1999.

III. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Alzheimer's Disease is a degenerative neurological disorder characterized by progressive dementia, brain atrophy, and cognitive impairment. According to the Department of Elderly Affairs, more than 4 million U.S. citizens suffer from Alzheimer's disease and 1995 estimates surmise that 202,000 Floridians suffer from this disease. DOEA also identifies that the incidence of Alzheimer's disease does not vary according to sex, race, or nationality. It is incurable and irreversible and according to a National Institute on Aging publication, *Alzheimer's Disease: Unraveling the Mystery*, national cost estimates for care and treatment are between \$80-\$90 billion per year. This includes direct financial outlays and indirect costs, such as lost productivity.

Aging experts advise that Alzheimer's disease is not a normal or inevitable part of the aging process. Onset is usually between the ages of 65-85, but there are isolated cases reporting an onset age as early as 40. As the disease progresses, the affected person suffers memory loss, personality changes, and ultimately the loss of ability to perform activities of daily living (ADL's). The disease progresses steadily, but unpredictably. Broadly, the brain deteriorates in three stages and the decline progresses over a period from three to twenty years. The final stage of the disease is characterized by the person's inability to swallow, eat, dress, walk, or recognize danger and react appropriately. At this end stage of the disease, patients are completely dependent upon care givers for meeting all of their needs and ensuring safety.

Originally enacted at section 2, chapter 85-145, Laws of Florida, the Alzheimer's's disease memory disorder clinics and facilities were established at each of the three medical schools in Florida, a major private nonprofit research-oriented teaching hospital, and/or any of the other affiliated teaching hospitals. The purpose of memory disorder clinics is to "conduct research and training in a diagnostic and therapeutic setting for persons suffering from Alzheimer's's disease and related memory disorders".

Currently, section 430.502(1), F.S., 1998 Supplement, continues to provide for the establishment of a memory disorder clinic at each of the three medical schools in Florida, the major nonprofit research-oriented teaching hospital, and any of the other affiliated teaching hospitals. Subsequent amendments to law have resulted in an additional seven memory disorder clinics for a current total of eleven memory disorder clinics. Three memory disorder clinics were added in 1998, including one at St. Mary's Medical Center in Palm Beach County, another at Tallahassee Memorial Regional Medical Center in Leon County, and one at Lee Memorial Hospital in Lee County.

Section 430.502(2), F.S., states that it is the legislative intent that research conducted by a memory disorder clinic be applied research, service-related, and selected in conjunction with the Department of Elderly Affairs. The department interprets these three components to include: research, both basic and applied; service, to include evaluation and diagnosis; and the training of providers, medical students, staff, and family care givers.

DOEA estimates that as of 1998 there are approximately 123,000 persons age 60 and over in Sarasota County. Additionally, there are approximately 14,000 cases of Alzheimer's disease in Sarasota County.

B. EFFECT OF PROPOSED CHANGES:

HB 1131 would establish a memory disorder clinic at Sarasota Memorial Hospital in Sarasota County, amending s. 430.502(1), F.S., 1998 Supplement, to include 12 memory disorder clinics in Florida.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

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

(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?

N/A

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

N/A

(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?

No.

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?

No.

- 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:

This bill does not purport 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?

N/A

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

N/A

- 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:

Amends s. 430.502, F.S.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends s. 430.502(1), F.S., 1998 Supplement, to add a memory disorder clinic at Sarasota Memorial Hospital in Sarasota County.

Section 2. Provides an effective date of July 1, 1999.

IV. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

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.

D. **FISCAL COMMENTS:**

Section 430.502, F.S., 1998 Supplement, provides that memory disorder clinics funded as of June 30, 1995, will not receive decreased funding due to the subsequent additions of memory disorder clinics.

Recent legislatures have funded the memory disorder clinics in the year following the statutory authorization of the clinic(s).

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

A. **APPLICABILITY OF THE MANDATES PROVISION:**

This bill does not require counties or municipalities to spend funds or take action requiring the expenditure of funds.

B. **REDUCTION OF REVENUE RAISING AUTHORITY:**

The bill does not reduce the authority that municipalities or counties have to raise revenues.

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

The bill does not reduce the percentage of a state tax shared with municipalities or counties.

VI. COMMENTS:

None.

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VIII. SIGNATURES:

COMMITTEE ON ELDER AFFAIRS & LONG-TERM CARE :

Prepared by:

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C. Marielle Harvey

Tom Batchelor, Ph.D.

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AS REVISED BY THE COMMITTEE ON HEALTH CARE SERVICES:

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AS FURTHER REVISED BY THE COMMITTEE ON HEALTH AND HUMAN SERVICES

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