

By the Committee on Children and Families; and Senator Forman

300-2052-99

1 A bill to be entitled
2 An act relating to provision of social
3 services; creating the Office of Disability
4 Coordination within the Executive Office of the
5 Governor; providing for an advisory board;
6 providing for a working group; establishing
7 terms of office and officers; providing for
8 staff; allowing the executive director to
9 employ consultants and enter into contracts;
10 providing for rules, rights, and benefits
11 applicable to office staff; providing duties of
12 the office; requiring entities serving people
13 who have disabilities to give the office access
14 to certain data; requiring the office to make
15 certain data available to interested parties;
16 requiring the office to produce an annual
17 report and transmit it to the Executive Office
18 of the Governor, to legislative leaders, and to
19 entities that deal with people who have
20 disabilities; requiring a review and a report;
21 providing appropriations; amending s. 393.502,
22 F.S.; amending the membership of the family
23 care councils; amending terms of office;
24 amending s. 216.136, F.S.; requiring the Social
25 Services Estimating Conference to develop
26 forecasts of Medicaid caseloads; requiring the
27 Department of Children and Family Services to
28 provide information on caseloads and waiting
29 lists for certain people who have developmental
30 disabilities; requiring that such information
31 include an annual increase based on certain

1 medical components of the consumer price
2 index-urban; providing an effective date.

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

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6 Section 1. Effective July 1, 1999, section 14.275,
7 Florida Statutes, is created to read:

8 14.275 Office of Disability Coordination.--

9 (1) There is created within the Executive Office of
10 the Governor the Office of Disability Coordination.

11 (a) The office shall have an advisory board that
12 includes the:

13 1. Commissioner of Education;

14 2. Secretary of Children and Family Services;

15 3. Secretary of Juvenile Justice;

16 4. Secretary of Labor and Employment Security;

17 5. Director of Health Care Administration;

18 6. Secretary of Corrections;

19 7. Secretary of Veterans Affairs;

20 8. Secretary of Elderly Affairs; and

21 9. Secretary of Health.

22 (b) Each member of the advisory board shall appoint
23 members of his or her staff to act as a working group for the
24 advisory board. The working group shall meet at least monthly
25 and comply with paragraphs (c) through (g), with the exception
26 of the requirements pertaining to the number of meetings.

27 (c) Each member of the advisory board shall perform
28 the duties of a member of the advisory board as additional
29 duties required of that member in his or her other official
30 capacity.

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1 (d) The term of office of each advisory member
2 corresponds to the respective member's period of service in
3 his or her official capacity.

4 (e) The members of the advisory board shall elect a
5 chairperson and a vice-chairperson from the membership of the
6 advisory board. The chairperson and vice-chairperson shall be
7 elected to serve 1-year term and may be reelected.

8 (f) A majority of the advisory board constitutes a
9 quorum for the conduct of business. The advisory board shall
10 meet at least four times a year, and the chairperson may call
11 meetings as often as necessary to transact business or as
12 directed by the advisory board.

13 (g) If a member of the advisory board ceases to be an
14 officer of the agency that he or she represents, the member
15 must resign immediately from the advisory board, and the
16 resulting vacancy must be filled by the deputy or the newly
17 appointed head of the agency.

18 (h)1. The advisory board shall employ and set the
19 compensation for an executive director. The executive director
20 shall employ and set the compensation for a person who has
21 expertise in information management systems who shall serve at
22 the pleasure of the board. The executive director may employ
23 and set the compensation of additional professional,
24 technical, legal, or clerical staff as needed. With the
25 consent of the advisory board, the executive director may
26 employ consultants and enter into contracts on behalf of the
27 advisory board.

28 2. The Office of the Governor shall provide staff,
29 which may come from the agencies represented on the advisory
30 board, to provide support and services to the Office of
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1 Disability Coordination full-time or part-time, to the extent
2 required by the advisory board.

3 3. The staff employed by the advisory board or the
4 executive director shall be governed by the same rules as are
5 legislative personnel and shall receive the same rights and
6 benefits, including membership in the Florida Retirement
7 System. The office shall make employer contributions for this
8 purpose.

9 4. The Department of Management Services shall assist
10 the office in obtaining office space and equipment for office
11 staff.

12 (2) The Office of Disability Coordination shall work
13 with entities that deal with people who have disabilities, who
14 have physical or mental impairments that substantially limit
15 one or more major life activities, who have a record of such
16 impairments, or who are regarded as having such impairments
17 to:

18 (a) Collect and provide information concerning
19 individuals who are being served and those who are on waiting
20 lists for services and information concerning the demographics
21 of state residents who have disabilities;

22 (b) Streamline intake for clients;

23 (c) Consolidate, coordinate, and reduce regulatory
24 functions;

25 (d) Eliminate duplications in service;

26 (e) Maximize federal funding;

27 (f) Collect and disseminate information relating to
28 budget items that are requested by the entities on behalf of
29 people who have disabilities;

30 (g) Evaluate outcomes and accountability measures and
31 make programmatic recommendations to the member agencies;

1 (h) Coordinate the implementation of state and federal
2 policies;

3 (i) Serve as a clearinghouse for legislative requests
4 for funding and proposed policy changes;

5 (j) Periodically convene the agencies identified in
6 paragraph (a) for the purpose of reviewing the agencies'
7 missions, services, activities, and funding capabilities;

8 (k) Encourage research on the effectiveness of
9 programs and propose pilot projects aimed at improving the
10 services of all member agencies;

11 (l) Identify areas in which needed services are not
12 being provided; and

13 (m) Identify groups of people who have disabilities
14 and are not being served or are not being served adequately.

15 (3)(a) The Office of Disability Coordination shall
16 develop and maintain a continuing program of information
17 management, the purpose of which is to compile, maintain, and
18 disseminate information concerning met and unmet needs of,
19 providers of services to, and costs and availability of
20 services for, people who have disabilities.

21 (b) All the member agencies must give direct access to
22 all of the data they maintain on people who have disabilities
23 to the Office of Disability Coordination by October 1, 1999.
24 The Office of Disability Coordination should not maintain or
25 duplicate data currently maintained by any other entity.

26 (c) The Office of Disability Coordination shall make
27 the information collected under paragraph (b) available to
28 interested parties.

29 (d) The Office of Disability Coordination must not
30 make public any otherwise confidential information that could
31 identify an individual. The office shall assure that the

1 purpose of obtaining information is to evaluate and improve
2 programs in all areas which serve people who have
3 disabilities.

4 (e) The Office of Disability Coordination may notify
5 the Governor and the Legislature of any agency's noncompliance
6 with its duties under this section. The Governor may
7 disqualify or suspend a noncompliant agency's ability to
8 receive grants, awards, or funding.

9 (4)(a) By December 1, 2000, and thereafter by December
10 1 of each year, the Office of Disability Coordination shall
11 produce a report that documents the progress made in the
12 activities described in subsection (2). Each advisory board
13 member shall provide information for the report which relates
14 to his or her agency. The report must also describe the
15 barriers that prevent full collaboration among entities that
16 serve people who have disabilities. Recommendations as to what
17 measures are needed to achieve full coordination of services
18 to people who have disabilities, as well as recommendations
19 concerning how to better serve such people, must be included
20 in the report. Copies of the report must be transmitted
21 electronically or in writing to the Executive Office of the
22 Governor, the President of the Senate, and the Speaker of the
23 House of Representatives, as well as to other interested
24 parties upon request.

25 (b) Before the 2001 Regular Session of the
26 Legislature, the Office of Program Policy Analysis and
27 Governmental Accountability shall conduct a review of, and
28 prepare a report on, the Office of Disability Coordination.
29 The review must be comprehensive and, at a minimum, must
30 specifically determine:

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1 1. The progress made toward achieving the established
2 outcomes;

3 2. The circumstances contributing to the Office of
4 Disability Coordination's ability to achieve, not to achieve,
5 or to exceed its established outcomes; and

6 3. Whether it would be sound public policy to continue
7 or discontinue the Office of Disability Coordination, and the
8 consequences of discontinuation.

9 Section 2. Effective July 1, 1999, there is
10 appropriated from the General Revenue Fund to the Executive
11 Office of the Governor for fiscal year 1999-2000:

12 (1) The sum of \$250,000, to be used for startup
13 expenses of the Office of Disability Coordination, including,
14 but not limited to, the cost of hardware, software, and office
15 equipment.

16 (2) The sum of \$350,000, to be used for the operating
17 costs of the Office of Disability Coordination, including, but
18 not limited to, salaries, benefits, and travel expenses.

19 Section 3. Subsection (1) of section 393.502, Florida
20 Statutes, is amended to read:

21 393.502 Family care councils.--

22 (1) CREATION; APPOINTMENT.--There shall be established
23 and located within each service district of the Department of
24 Children and Family ~~Health and Rehabilitative~~ Services a
25 family care council. The council shall consist of ~~nine~~
26 persons recommended and appointed by the district health and
27 human services board. The councils shall consist of persons
28 who meet the definition of developmental disabled or who
29 receive services in chapter 393 who receive services from the
30 department and family members or legal guardians of those
31 persons. Each council shall have a minimum of 8 members,

1 including at least 3 members who have developmental
2 disabilities. Alternate members may be appointed by the
3 district health and human services board from a list of names
4 submitted by the family care council. Alternate members have
5 full rights of membership except that they may not vote, nor
6 does their presence count towards a quorum. A member who
7 cannot attend a meeting must give his or her written proxy
8 vote to an alternate member.~~One-half of the members of the~~
9 ~~council must be consumers who are family members or legal~~
10 ~~guardians of persons with developmental disabilities. At~~
11 ~~least one-half of the members of the council shall be current~~
12 ~~consumers of developmental services.~~ A chairperson for the
13 council must be chosen by the members to serve for 2 years ±
14 year. Members shall be appointed for a 3-year ~~2-year~~ term and
15 may be reappointed for two additional terms ~~to not more than~~
16 ~~one additional term~~. A person who is currently serving on
17 another board or council of the department may not be
18 appointed to a family care council. Each family care council
19 shall submit an annual report of its activities, expenditures
20 of any state funds, and recommendations to the Health and
21 Human Services Board in the district and to the Assistant
22 Secretary for Developmental Services by September 1. The
23 report for activities in 1999 shall be due December 1, 1999.

24 Section 4. Effective July 1, 1999, paragraph (a) of
25 subsection (6) of section 216.136, Florida Statutes, 1998
26 Supplement, is amended to read:

27 216.136 Consensus estimating conferences; duties and
28 principals.--

29 (6) SOCIAL SERVICES ESTIMATING CONFERENCE.--

30 (a) Duties.--

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1 1. The Social Services Estimating Conference shall
2 develop such official information relating to the social
3 services system of the state, including forecasts of social
4 services and Medicaid caseloads, as the conference determines
5 is needed for the state planning and budgeting system. Such
6 official information shall include, but not be limited to,
7 subsidized child care caseloads mandated by the Family Support
8 Act of 1988.

9 2. In addition, the Social Services Estimating
10 Conference shall develop estimates and forecasts of the
11 unduplicated count of children eligible for subsidized child
12 care as defined in s. 402.3015(1). These estimates and
13 forecasts shall not include children enrolled in the
14 prekindergarten early intervention program established in s.
15 230.2305.

16 3. The Department of Children and Family ~~Health and~~
17 ~~Rehabilitative Services and the Department of Education~~ shall
18 provide information on caseloads and waiting lists for the
19 subsidized child care and prekindergarten early intervention
20 programs requested by the Social Services Estimating
21 Conference or individual conference principals, in a timely
22 manner.

23 4. The Department of Children and Family Services and
24 the Department of Education shall provide information on
25 caseloads and waiting lists for people who have developmental
26 disabilities as they relate to individuals eligible for or
27 receiving services under the developmental services home and
28 community-based waiver program. The Social Services Estimating
29 Conference shall use this and other pertinent data to estimate
30 the annual cost of providing home and community-based
31 services. This estimate shall be included in the official

1 estimate produced by the conference. An annual increase based
2 on the medical component of the consumer price index-urban
3 shall also be included in the conference estimates.

4 Section 5. Except as otherwise provided in this act,
5 this act shall take effect upon becoming a law.

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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 Senate Bill 1900

10 States that the Department of Management Services, rather than
11 the Office of Legislative Services, will assist the Office of
12 Disability Coordination in obtaining office space and
13 equipment for staff.

14 Specifies that the Office of Disability Coordination
15 evaluates, rather than coordinates, outcomes and
16 accountability measures and makes programmatic recommendations
17 to the member agencies.

18 Specifies the composition of each district family care council
19 including alternate members and appointment and reappointment
20 terms.

21 Requires that each family care council submit an annual report
22 to the district health and human services board and the
23 Assistant Secretary for Developmental Services beginning
24 December 1, 1999.

25 Adds a new duty to the Social Services Estimating Conference
26 of estimating the annual cost of providing home and
27 community-based services for persons with developmental
28 disabilities and the estimates must include an annual increase
29 based on the medical component of the consumer price
30 index-urban.

31 Specifies that Medicaid caseloads will be included in the
forecasts made by the Social Services Estimating Conference.