

By the Committee on Children and Families; and Senators  
Dawson-White and Forman

300-2107A-99

1                                   A bill to be entitled  
2           An act relating to infant and early childhood  
3           development; amending s. 230.2305, F.S.;  
4           providing for program curriculum under the  
5           prekindergarten early intervention program to  
6           include music therapy services; amending s.  
7           391.305, F.S.; including music therapy services  
8           in the developmental evaluation and  
9           intervention program for high-risk and disabled  
10          infants and toddlers; amending s. 393.064,  
11          F.S.; including music therapy services in early  
12          intervention services for high-risk and  
13          developmentally disabled children under the  
14          developmental services program; amending s.  
15          393.066, F.S.; requiring community-based  
16          services for the developmentally disabled to  
17          include music therapy services for infants and  
18          toddlers; amending s. 402.25, F.S.; providing  
19          for music therapy in the brain development  
20          activities for infants and toddlers in  
21          state-funded education and care programs;  
22          amending s. 411.203, F.S.; requiring the  
23          interagency continuum of comprehensive services  
24          coordinated by Departments of Education,  
25          Health, and Children and Family Services to  
26          include music therapy services for high-risk  
27          and handicapped infants and children; amending  
28          s. 411.232, F.S.; providing that additional  
29          services under the Children's Early Investment  
30          Program may include music therapy services;  
31          providing an effective date.

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

2

3 Section 1. Present paragraphs (d) through (k) of  
4 subsection (3) of section 230.2305, Florida Statutes, are  
5 redesignated as paragraphs (e) through (l), respectively, and  
6 a new paragraph (d) is added to that section, to read:

7 230.2305 Prekindergarten early intervention program.--

8 (3) STANDARDS.--

9 (d) The program curriculum may include music therapy  
10 services for the purpose of maximizing individual potential  
11 and preventing developmental delays.

12 Section 2. Subsection (4) of section 391.305, Florida  
13 Statutes, 1998 Supplement, is amended to read:

14 391.305 Program standards; rules.--The Department of  
15 Health shall adopt rules for the administration of the  
16 developmental evaluation and intervention program. The rules  
17 shall specify standards for the development and operation of  
18 the program, including, but not limited to:

19 (4) Minimum developmental evaluation and intervention  
20 and support services, which may include music therapy services  
21 for the purpose of maximizing individual potential and  
22 preventing further developmental delays.

23 Section 3. Paragraph (a) of subsection (2) of section  
24 393.064, Florida Statutes, is amended to read:

25 393.064 Prevention.--

26 (2) Prevention services provided by the developmental  
27 services program include services to high-risk and  
28 developmentally disabled children from birth to 5 years of  
29 age, and their families, to meet the intent of chapter 411.  
30 Such services shall include individual evaluations or  
31 assessments necessary to diagnose a developmental disability

1 or high-risk condition and to determine appropriate individual  
2 family and support services, unless evaluations or assessments  
3 are the responsibility of the children's medical services  
4 program for children ages birth to 3 years eligible for  
5 services under this chapter or part H of the Individuals with  
6 Disabilities Education Act, and may include:

7 (a) Early intervention services, including  
8 developmental training, and specialized therapies, and music  
9 therapy services for the purpose of maximizing individual  
10 potential and preventing further developmental delays. Early  
11 intervention services, which are the responsibility of the  
12 children's medical services program for children ages birth to  
13 3 years who are eligible for services under this chapter or  
14 under part H of the Individuals with Disabilities Education  
15 Act, shall not be provided through the developmental services  
16 program unless funding is specifically appropriated to the  
17 developmental services program for this purpose.

18 Section 4. Subsection (1) of section 393.066, Florida  
19 Statutes, 1998 Supplement, is amended, and paragraph (p) is  
20 added to subsection (4) of that section, to read:

21 393.066 Community services and treatment for persons  
22 who are developmentally disabled.--

23 (1) The Department of Children and Family Health and  
24 ~~Rehabilitative~~ Services shall plan, develop, organize, and  
25 implement its programs of services and treatment for persons  
26 who are developmentally disabled along district lines. The  
27 goal of such programs shall be to allow clients to live as  
28 independently as possible in their own homes or communities  
29 and to achieve productive lives as close to normal as  
30 possible.

31

1           (4) Community-based services shall, to the extent of  
2 available resources, include:

3           (p) Music therapy services for infants and toddlers,  
4 for the purpose of maximizing individual potential and  
5 preventing further developmental delays.

6  
7 Services to clients with spina bifida shall not include  
8 medical services except as appropriated by the Legislature.

9           Section 5. Section 402.25, Florida Statutes, 1998  
10 Supplement, is amended to read:

11           402.25 Infants and toddlers in state-funded education  
12 and care programs; brain development activities.--Each  
13 state-funded education and care program for children from  
14 birth to 5 years of age must provide activities to foster  
15 brain development in infants and toddlers. A program must  
16 provide an environment rich in language and music and filled  
17 with objects of various colors, shapes, textures, and sizes to  
18 stimulate visual, tactile, auditory, and linguistic senses in  
19 the children and must include classical music and may include  
20 music therapy for the purpose of maximizing individual  
21 potential and preventing developmental delays, and at least 30  
22 minutes of reading to the children each day. A program may be  
23 offered through an existing early childhood program such as  
24 Healthy Start, the Title I program, contracted or directly  
25 operated subsidized child care, the prekindergarten early  
26 intervention program, Florida First Start, the Head Start  
27 program, or a private child care program. A program must  
28 provide training for the infants' and toddlers' parents  
29 including direct dialogue and interaction between teachers and  
30 parents demonstrating the urgency of brain development in the  
31

1 first year of a child's life. Family day care centers are  
2 encouraged, but not required, to comply with this section.

3 Section 6. Section 411.203, Florida Statutes, is  
4 amended to read:

5 411.203 Continuum of comprehensive services.--The  
6 Department of Education, the Department of Health, and the  
7 Department of Children and Family ~~Health and Rehabilitative~~  
8 Services shall utilize the continuum of prevention and early  
9 assistance services for high-risk pregnant women and for  
10 high-risk and handicapped children and their families, as  
11 outlined in this section, as a basis for the intraagency and  
12 interagency program coordination, monitoring, and analysis  
13 required in this chapter. The continuum shall be the guide  
14 for the comprehensive statewide approach for services for  
15 high-risk pregnant women and for high-risk and handicapped  
16 children and their families, and may be expanded or reduced as  
17 necessary for the enhancement of those services. Expansion or  
18 reduction of the continuum shall be determined by intraagency  
19 or interagency findings and agreement, whichever is  
20 applicable. Implementation of the continuum shall be based  
21 upon applicable eligibility criteria, availability of  
22 resources, and interagency prioritization when programs impact  
23 both agencies, or upon single agency prioritization when  
24 programs impact only one agency. The continuum shall include,  
25 but not be limited to:

26 (1) EDUCATION AND AWARENESS.--

27 (a) Education of the public concerning, but not  
28 limited to, the causes of handicapping conditions, normal and  
29 abnormal child development, the benefits of abstinence from  
30 sexual activity, and the consequences of teenage pregnancy.

31

1           (b) Education of professionals and paraprofessionals  
2 concerning, but not limited to, the causes of handicapping  
3 conditions, normal and abnormal child development, parenting  
4 skills, the benefits of abstinence from sexual activity, and  
5 the consequences of teenage pregnancy, through preservice and  
6 inservice training, continuing education, and required  
7 postsecondary coursework.

8           (2) INFORMATION AND REFERRAL.--

9           (a) Providing information about available services and  
10 programs to families of high-risk and handicapped children.

11           (b) Providing information about service options and  
12 providing technical assistance to aid families in the  
13 decisionmaking process.

14           (c) Directing the family to appropriate services and  
15 programs to meet identified needs.

16           (3) CASE MANAGEMENT.--

17           (a) Arranging and coordinating services and activities  
18 for high-risk pregnant women, and for high-risk children and  
19 their families, with identified service providers.

20           (b) Providing appropriate casework services to  
21 pregnant women and to high-risk children and their families.

22           (c) Advocating for pregnant women and for children and  
23 their families.

24           (4) SUPPORT SERVICES PRIOR TO PREGNANCY.--

25           (a) Basic needs, such as food, clothing, and shelter.

26           (b) Health education.

27           (c) Family planning services, on a voluntary basis.

28           (d) Counseling to promote a healthy, stable, and  
29 supportive family unit, to include, but not be limited to,  
30 financial planning, stress management, and educational  
31 planning.

- 1           (5) MATERNITY AND NEWBORN SERVICES.--  
2           (a) Comprehensive prenatal care, accessible to all  
3 pregnant women and provided for high-risk pregnant women.  
4           (b) Adoption counseling for unmarried pregnant  
5 teenagers.  
6           (c) Nutrition services for high-risk pregnant women.  
7           (d) Perinatal intensive care.  
8           (e) Delivery services for high-risk pregnant women.  
9           (f) Postpartum care.  
10          (g) Nutrition services for lactating mothers of  
11 high-risk children.  
12          (h) A new mother information program at the birth  
13 site, to provide an informational brochure about  
14 immunizations, normal child development, abuse avoidance and  
15 appropriate parenting strategies, family planning, and  
16 community resources and support services for all parents of  
17 newborns and to schedule Medicaid-eligible infants for a  
18 health checkup.  
19          (i) Appropriate screenings, to include, but not be  
20 limited to, metabolic screening, sickle-cell screening,  
21 hearing screening, developmental screening, and categorical  
22 screening.  
23          (j) Followup family planning services for high-risk  
24 mothers and mothers of high-risk infants.  
25          (6) HEALTH AND NUTRITION SERVICES FOR PRESCHOOL  
26 CHILDREN.--  
27          (a) Preventive health services for all preschool  
28 children.  
29          (b) Nutrition services for all preschool children,  
30 including, but not limited to, the Child Care Food Program and  
31

1 the Special Supplemental Food Program for Women, Infants, and  
2 Children.

3 (c) Medical care for seriously medically impaired  
4 preschool children.

5 (d) Cost-effective quality health care alternatives  
6 for medically involved preschool children, in or near their  
7 homes.

8 (7) EDUCATION, EARLY ASSISTANCE, AND RELATED SERVICES  
9 FOR HIGH-RISK CHILDREN AND THEIR FAMILIES.--

10 (a) Early assistance, including, but not limited to,  
11 developmental assistance programs, parent support and training  
12 programs, and appropriate followup assistance services, for  
13 handicapped and high-risk infants and their families.

14 (b) Special education and related services for  
15 handicapped children.

16 (c) Education, early assistance, and related services  
17 for high-risk children.

18 (d) Music therapy services for the purpose of  
19 maximizing individual potential and preventing further  
20 developmental delays for handicapped and high-risk infants and  
21 children.

22 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND  
23 PARENTS OF HIGH-RISK CHILDREN.--

24 (a) Nonmedical prenatal and support services for  
25 pregnant teenagers and other high-risk pregnant women.

26 (b) Child care and early childhood programs,  
27 including, but not limited to, subsidized child care, licensed  
28 nonsubsidized child care, family day care homes, therapeutic  
29 child care, Head Start, and preschool programs in public and  
30 private schools.

31 (c) Parent education and counseling.



1 (d) Transportation.

2 (e) Respite care, homemaker care, crisis management,  
3 and other services that allow families of high-risk children  
4 to maintain and provide quality care to their children at  
5 home.

6 (f) Parent support groups, such as the community  
7 resource mother or father program as established in s. 402.45,  
8 the Florida First Start Program as established in s. 230.2303,  
9 or parents as first teachers, to strengthen families and to  
10 enable families of high-risk children to better meet their  
11 needs.

12 (g) Utilization of the elderly, either as volunteers  
13 or paid employees, to work with high-risk children.

14 (h) Utilization of high school and postsecondary  
15 students as volunteers to work with high-risk children.

16 (9) MANAGEMENT SYSTEMS AND PROCEDURES.--

17 (a) Resource information systems on services and  
18 programs available for families.

19 (b) Registry of high-risk newborns and newborns with  
20 birth defects, which utilizes privacy safeguards for children  
21 and parents who are subjects of the registry.

22 (c) Local registry of preschoolers with high-risk or  
23 handicapping conditions, which utilizes privacy safeguards for  
24 children and parents who are subjects of the registry.

25 (d) Information sharing system among the Department of  
26 Children and Family ~~Health and Rehabilitative~~ Services, the  
27 Department of Education, local education agencies, and other  
28 appropriate entities, on children eligible for services.  
29 Information may be shared when parental or guardian permission  
30 has been given for release.

31

1 (e) Well-baby insurance for preschoolers included in  
2 the family policy coverage.

3 (f) Evaluation, to include:

4 1. Establishing child-centered and family-focused  
5 goals and objectives for each element of the continuum.

6 2. Developing a system to report child and family  
7 outcomes and program effectiveness for each element of the  
8 continuum.

9 (g) Planning for continuation of services, to include:

10 1. Individual and family service plan by an  
11 interdisciplinary team, for the transition from birth or the  
12 earliest point of identification of a high-risk infant or  
13 toddler into an early assistance, preschool program for  
14 3-year-olds or 4-year-olds, or other appropriate programs.

15 2. Individual and family service plan by an  
16 interdisciplinary team, for the transition of a high-risk  
17 preschool child into a public or private school system.

18 Section 7. Paragraph (b) of subsection (3), paragraph  
19 (a) of subsection (4), and subsection (6) of section 411.232,  
20 Florida Statutes, are amended to read:

21 411.232 Children's Early Investment Program.--

22 (3) ESSENTIAL ELEMENTS.--

23 (b) While a flexible range of services is essential in  
24 the implementation of this act, the following services shall  
25 be considered the core group of services:

26 1. Adequate prenatal care;

27 2. Health services to the at-risk young children and  
28 their families;

29 3. Infant and child care services;

30 4. Parenting skills training;

31

1           5. Education or training opportunities appropriate for  
2 the family; and

3           6. Economic support.

4  
5 Additional services may include, without limitation, alcohol  
6 and drug abuse treatment, mental health services, music  
7 therapy services for the purpose of maximizing individual  
8 potential and preventing developmental delays, housing  
9 assistance, transportation, and nutrition services.

10           (4) IMPLEMENTATION.--

11           (a) The Department of Children and Family Health and  
12 ~~Rehabilitative~~ Services or its designee shall implement the  
13 Children's Early Investment Program using the criteria  
14 provided in this section. The department or its designee  
15 shall evaluate and select the programs and sites to be funded  
16 initially. The initial contract awards must be made no later  
17 than January 15, 1990. No more than one of each of the  
18 following prototypes may be selected among the first sites to  
19 be funded:

20           1. A program based in a county health department;

21           2. A program based in an office of the Department of  
22 Health and Rehabilitative Services;

23           3. A program based in a local school district;

24           4. A program based in a local board or council that is  
25 responsible for coordinating and managing community resources  
26 from revenue sources earmarked for helping children and  
27 meeting their needs;

28           5. A program based in a local, public or private,  
29 not-for-profit provider of services to children and their  
30 families; and

31           6. A program based in a local government.

1           (6) RULES FOR IMPLEMENTATION.--The Department of  
2 Children and Family ~~Health and Rehabilitative~~ Services shall  
3 adopt rules necessary to implement this section.

4           Section 8. This act shall take effect October 1, 1999.

5  
6                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
7   COMMITTEE SUBSTITUTE FOR  
8   Senate Bill 2120

9           Allowing, rather than requiring, music therapy in the  
10 prekindergarten early intervention program and in the brain  
development activities for infants and toddlers.

11 Requires the interagency continuum of comprehensive services  
12 be coordinated by the Departments of Education, Health, and  
Children and Family Services.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31