

STORAGE NAME: h2219z.cf
DATE: June 23, 2000

****FAILED TO PASS THE LEGISLATURE****

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CHILDREN & FAMILIES
FINAL ANALYSIS**

BILL #: HB 2219 (passed as SB 1264)
RELATING TO: A study on children with developmental delays
SPONSOR(S): Representatives Russell & Fasano
TIED BILL(S): SB 1264 (S)

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

- (1) CHILDREN & FAMILIES YEAS 11 NAYS 0
 - (2) EDUCATION INNOVATION
 - (3) HEALTH & HUMAN SERVICES APPROPRIATIONS
 - (4)
 - (5)
-

I. SUMMARY:

Passed by the Legislature as SB 1264. On June 20, 2000, SB 1264 became ch. 2000-330, Laws of Florida, with the Governor's signature.

This bill creates a commission to carry out a study on children with developmental delays. The 16-member commission will be appointed by the Florida Partnership for School Readiness in consultation with the President of the Senate and the Speaker of the House of Representatives. The commission members will serve without compensation and will be eligible to receive reimbursement for per diem and travel expenses. The bill provides for three staff members to support the work of the study commission--a study coordinator, one professional staff member and one clerical staff member--to be appointed by the executive director of the Partnership for School Readiness.

By January 1, 2001, the commission must report to the President of the Senate and the Speaker of the House of Representatives concerning research findings, screening and evaluation tools, community risk factors, the cost of providing services, a plan for public policy changes to address violence prevention, and proposed legislation. The commission expires on June 30, 2001.

The bill appropriates \$250,000 to support the activities of the study commission.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Florida has numerous programs designed to help families foster the development of their young children. The School Readiness Act of 1999 (s. 411.01, F.S.) created the Florida Partnership for School Readiness to oversee a system for preparing children to enter school. The Partnership has approved 57 local coalitions to plan and oversee the school readiness program. The Partnership will approve each coalition's plan for the use of public funds and other resources to ensure that children are ready for school. Among the most challenging aspects of the coalition's work will be establishing a system to identify and address potential developmental delays in children, to identify and provide for the mental health needs of young children, and to address community factors, such as violence and drug abuse, that interfere with the ability of parents and others in the community to nurture the optimal development of their children.

Young children develop at a very rapid rate as compared to the rate of development of older children. A potential problem in development, if identified and properly addressed at an early age, can be made less severe or overcome altogether, sometimes in a short period of time. Identifying potential delays in development, or other factors that interfere with a child's development, must be done in a way that does not label a child beyond the point at which the problem exists. In contrast, a potential problem that goes undiagnosed can become a real problem, leaving the child and family to cope alone with the child's low performance.

Community environment greatly influences children's development, and individual families in a dangerous community environment can find their best efforts undermined by the social environment. Many government programs, including law enforcement, social services, and the public schools work to protect and foster the development of children who live in dangerous community environments. Some of these services are based on research finding and others are not. School readiness coalitions will need assistance in knowing what research indicates about addressing the needs of children and families in dangerous or non-supportive community environments.

Observational and developmental assessment of young children

In 1999 the Legislature passed HB 869. The bill created s. 402.3027, F.S., which establishes a three-level framework for the observational and developmental assessment of young children that are in the subsidized child care programs and linkage to early intervention services when a developmental delay is identified.

Level I.-

The purpose of Level I assessments is to identify and monitor normal development or possible developmental delay using a behavioral checklist. All 1-,2-,3-, and 4-year-old children in care must be screened every six months using a department approved developmental observation checklist. The results indicated by the checklist must be reviewed by the centers child development associate or community child care coordinating agency.

Level II.-

The purpose of Level II assessments is to determine whether a delay identified in the Level I assessment can be addressed by the child care center or home or whether a special program or further assessment is needed. A Level II assessment must be conducted by trained professional staff. The department is required to establish procedures to develop individualized learning plans, implement intensive language and/or math activities provided by a visiting specialist, and implement parent training and home visits.

Level III.-

The purpose of Level III assessments is to determine eligibility for early intervention programs. It is conducted by providers such as, Medicaid\EPSDT, Children's Medical Services, and other health services and early intervention services.

Early Intervention Services--Early intervention programs serve children with disabilities or developmental delays and children at risk of delays. Services include hearing and vision services, occupational and physical therapies, psychological and social work services, nursing, family training, home visits and counseling, and transportation. Their purpose is to provide therapeutic and support services to children and their families, so children are able to learn and participate to the fullest extent of their abilities. Two programs, the Infants and Toddlers Early Intervention Program and the Prekindergarten Program for Children with Disabilities, serve primarily children with disabilities and developmental delays.

- **The Infants and Toddlers Early Intervention Program**--Public Law 105-17, Part C, of the Individuals with Disabilities Education Act (IDEA), provides federal funds to Florida to provide family-centered early intervention services statewide. It serves over 28,000 children and receives approximately \$34 million in state and federal funds. The program is administered by the Children's Medical Services of the Department of Health. Local Early Intervention Programs provide evaluation and determination of eligibility to children, from birth to thirty-six months of age, who have a developmental delay, and their families. The program provides identification and referral, assessment, family support planning, and services coordination. Community providers and local school districts are contracted to provide services needed.
- **The Prekindergarten Program for Children with Disabilities** is authorized by the Individuals with Disabilities Education Act, Part B, Public Law 105-17 which mandates services to children age three to five with disabilities. It entitles all children with disabilities, ages three through five to a free and appropriate public education. The

program provides special education and related services based on an individual education plan. It is available in all school districts with funding from the federal Department of Education.

- **Florida Diagnostic Learning Resource Centers (FDLRS)** support special education and are funded as part of Exceptional Student Education. They provide technology, training, parental support and child find services.
- **Other programs** for children at risk of developmental delays and problems that cause difficulty in school, include Healthy Start, Healthy Families Florida, First Start, Teen Parent, Migrant Prekindergarten, and the Even Start family literacy programs.

Florida Kidcare Health Coverage--Florida also provides support to children to enable them to be ready for school through Florida KidCare which was created by the Legislature in 1998 to provide medical care coverage for uninsured children. Approximately 36,000 children in subsidized child care in Florida are uninsured. Florida KidCare is an "umbrella" program that combines public and private insurance into a comprehensive health insurance program for children. It combines Medicaid expansions, public/private partnerships, and a wraparound system for children with special health care needs.

C. EFFECT OF PROPOSED CHANGES:

The bill creates a commission to carry out a study on children with developmental delays. The study commission must submit a report that includes proposed legislation to the President of the Senate and the Speaker of the House of Representatives and chairpersons of appropriate substantive committees, by January 1, 2001.

D. SECTION-BY-SECTION ANALYSIS:

Section 1.

Provides that the act be cited as the "Study on Children with Developmental Delays."

Section 2.

The purpose of the study is to focus on developing early intervention strategies and programs that will enable children and their families to avoid unnecessary suffering that occurs when problems and deficits are not identified or are mislabeled. The study will focus on children from birth to five years of age who experience, or who are at risk for developing, emotional, cognitive, social, learning, and other developmental delays. This study must use the work and findings of other groups to the greatest extent possible.

Section 3.

The bill creates a commission to carry out a study on children with developmental delays.

The Florida Partnership for School Readiness will appoint a study commission to carry out the activities required for the study. The 16 members of the commission will serve without compensation but are entitled to receive reimbursement for per diem and travel expenses. Members of the study commission must be appointed within two weeks after the act takes effect, and the appointments must be made in consultation with the President of the Senate and the Speaker of the House of Representatives.

The study commission must establish at least two advisory workgroups--one for scientific advice and another for advice about family and community needs and resources.

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The bill provides for three staff members to support the work of the study commission--a study coordinator, one professional staff member and one clerical staff member--to be appointed by the executive director of the Partnership for School Readiness.

The study commission must submit a report to the President of the Senate and the Speaker of the House of Representatives, and the chairpersons of appropriate substantive committees by January 1, 2001.

Section 4.

The commission expires on June 30, 2001.

Section 5.

This act takes effect upon becoming law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill appropriates \$250,000 to support the activities of the study commission.

2. Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. 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 to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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

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

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

BILL HISTORY:

03/30/00 HOUSE Filed

03/31/00 HOUSE Introduced HJ 00409

04/05/00 HOUSE Referred to Children & Families (HFC); Education Innovation (AEC); Health & Human Services Appropriations (FRC) HJ 00497

04/11/00 HOUSE On Committee agenda Children & Families (HFC), 04/13/00, 1:00 pm, 12H

04/13/00 HOUSE Comm. Action: Favorable by Children & Families (HFC); YEAS 11 NAYS 0 HJ 00553

04/14/00 HOUSE Now in Education Innovation (AEC) HJ 00553

04/25/00 HOUSE Withdrawn from Education Innovation (AEC) HJ 00681; Now in Health & Human Services Appropriations (FRC)

04/26/00 HOUSE Withdrawn from Health & Human Services Appropriations (FRC) HJ 00825; Placed on calendar, available for General Calendar

04/27/00 HOUSE Placed on Special Order Calendar; Senate Bill substituted; Laid on Table, Iden./Sim./Compare Bill(s) passed, **refer to SB 1264** HJ 00868

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON CHILDREN & FAMILIES:

Prepared by:

Staff Director:

Bob Barrios

Bob Barrios

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON CHILDREN & FAMILIES:

Prepared by:

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