

STORAGE NAME: h0803.cf
DATE: February 10, 2000

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
Children & Families
ANALYSIS**

BILL #: HB 803
RELATING TO: Visually impaired or blind children
SPONSOR(S): Representative Russell and others
TIED BILL(S): SB 924 (I)

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

- (1) Children & Families
 - (2) Governmental Rules & Regulations
 - (3) Transportation & Economic Development Appropriations
 - (4)
 - (5)
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I. SUMMARY:

The bill creates the Blind Babies Program within the Division of Blind Services (the division) of the Department of Labor and Employment Security. The program would provide early-intervention education by community-based provider organizations to parents and caregivers of visually impaired or blind babies from birth through five years of age. The bill provides that the program is not an entitlement, but that education given under the program will be available on a means basis only. The bill directs the division to develop a formula for eligibility based upon financial means and allows the division to set a co-payment fee for families who have sufficient financial means to pay for education received under the program.

The bill requires the Office of Program Policy Analysis and Government Accountability to review and report on the program to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2002.

The bill annually appropriates \$1 million from the General Revenue Fund to the division to fund the Blind Babies Program.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|--|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input 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 checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

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

The bill creates a new program to provide early-intervention education by community-based provider organizations to parents and caregivers of visually impaired or blind babies from birth through five years of age.

B. PRESENT SITUATION:

The federal Rehabilitation Act of 1973, as amended, allows states to designate a state agency or unit to provide vocational rehabilitation services for blind individuals apart from services provided to other individuals with disabilities. (29 U.S.C. s. 721.) The state of Florida currently maintains a separate unit, the Division of Blind Services (the division), within the Department of Labor and Employment Security (DLES) to render services to the blind. The division has been part of DLES since July 1, 1995, when it was transferred from the Department of Education. In accordance with ch. 99-240, L.O.F., the division will transfer back to the Department of Education effective January 1, 2001.

The division seeks to work with individuals, whose primary impediment is visual, toward achieving maximum levels of employment, independence, and integration into the community. The division is currently composed of three bureaus:

- Bureau of Braille and Talking Book Library Services;
- Bureau of Business Enterprises; and
- Bureau of Client Services and Program Support.

The Bureau of Client Services and Program Support provides independent living services and vocational rehabilitation services, which include services and training that allow individuals to return to or enter employment. Within the bureau is the Children and Families Program. The program's goal is to facilitate visually impaired and blind children's fullest participation within the family, community, and educational settings. Services rendered under the Children and Families Program include information and referral; parent education and counseling; case management, including services for early intervention of children younger than three years old; and advocacy. Statewide, the division's children's specialists serve children of all ages and their families to assure that an individual has achieved satisfactory development of independent living skills prior to referral to the Vocational Rehabilitation Program.

In 1996, the division identified services to infants, toddlers, and young children with visual impairments and their families as a critical need within the state. Since then, the division has piloted a Blind Babies Program within its Children and Families Program. According to the division, in that year and in 1997, it used approximately \$120,000 of federal Social Service Reimbursement funds to contract with four community rehabilitation program providers in the amount of \$30,000 each. The division continued to fund the pilot through 1998 with federal Social Service Reimbursement funds. The pilot was designed to administer independent living skills to visually impaired and blind infants and toddlers, ages birth through five, and to their families. The four participating providers were:

- Lighthouse for the Blind of Palm Beaches;
- Lighthouse for the Blind of Pasco and Hernando;
- Mana-Sota Lighthouse, serving Manatee and Sarasota counties; and
- Pinellas Center for the Visually Impaired.

Services provided to visually impaired and blind children, birth through five years of age, include vision assessment and training; motor skill development; feeding, dressing, and other independent living skills, including travel and mobility development; socialization skills; and cognitive skill development. To parents and families of these children, the pilot provides individual counseling and coping skills; intake and referral information; parent- to-parent group activities and support; parent advocacy training; and counseling and support for siblings.

In 1999, the pilot program was funded, in part, with specific appropriations from the General Revenue Fund to these same four providers at \$95,000 each. In the FY 1999-2000 General Appropriations Act, the Legislature mandated in proviso language that these funds were to support the Lighthouse for the Blind/Blind Babies program, and the proviso language identified these four communities. (*Conference Report on Senate Bill 2500: 1999-2000 General Appropriations Act*, Florida Legislature, p. 420.) According to the division, it received an additional amount of approximately \$120,000 that was used to expand the program to include services rendered by two more community rehabilitation program providers: CITE of Orlando and the Conklin Center. At present, the division is working with the participating providers to develop a standard assessment instrument to measure the success of the program.

C. EFFECT OF PROPOSED CHANGES:

The bill creates the Blind Babies Program within the Division of Blind Services (the division) of the Department of Labor and Employment Security to provide community-based, early-intervention education by community-based provider organizations to parents and caregivers of visually impaired or blind babies from birth through five years of age.

D. SECTION-BY-SECTION ANALYSIS:

Section 1.

The bill states the findings of the Legislature that all newborns, including visually impaired or blind babies, must have a healthy start and that early-intervention services at the youngest age greatly improve a child's chances for lifetime success and reduce the severity of long-term disabilities resulting from abnormal development of babies. The bill further states the finding of the Legislature that it is critical to teach parents and caregivers of newborns who are born blind or with visual impairment the skills to assist such children so that they do not miss critical developmental stages that are normally dependent on vision.

Section 2.

The bill creates the Blind Babies Program within the Division of Blind Services (the division) of the Department of Labor and Employment Security to provide community-based early-intervention education by community-based provider organizations to parents and caregivers of visually impaired or blind babies from birth through five years of age. The bill does not prescribe the specific early-intervention education to be provided. The bill provides that the program is not an entitlement but that education given under the program will be available on a means basis only. The bill directs the division to develop a formula for eligibility based upon financial means and allows the division to create a means-based matrix to set a co-payment fee for families who have sufficient financial means to pay for education received under the program.

Section 3.

The bill requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review and report on the Blind Babies Program to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2002. The bill mandates minimum criteria for OPPAGA to use in conducting its review and preparing its report. Specifically, OPPAGA must determine:

- the program's progress toward achieving its established outcomes;
- the circumstances contributing to the program's capacity to achieve, not achieve, or exceed its established outcomes; and
- whether it will be sound public policy to continue funding the program and the consequences of discontinuing the program.

Section 4.

The bill annually appropriates \$1 million from the General Revenue Fund to the division to fund the Blind Babies Program.

Section 5.

The bill takes effect July 1, 2000.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill provides that the program will be available on a means basis only and directs the division to develop a formula for eligibility based upon financial means. The bill further authorizes the division to create a means-based matrix to set a co-payment fee for families having sufficient financial means. Families having sufficient financial means, as determined by the division, may be required to pay a co-payment fee for education under the program.

2. Expenditures:

The bill annually appropriates \$1 million from the General Revenue Fund to the Division of Blind Services (the division) of the Department of Labor and Employment Security to fund the Blind Babies Program.

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 expend funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce revenue raising authority.

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:

N/A

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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