

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 924

SPONSOR: Committee on Children & Families and Senator Webster

SUBJECT: Children; Blind Babies Program

DATE: April 21, 2000 REVISED: 04/26/00 \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Robinson Pierce</u>	<u>Maclure</u>	<u>CM</u>	<u>Favorable</u>
2.	<u>Dowds</u>	<u>Whiddon</u>	<u>CF</u>	<u>Favorable/CS</u>
3.	<u>Hayes</u>	<u>Hadi</u>	<u>FP</u>	<u>Fav/1 amendment</u>
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

CS/SB 924 creates the Blind Babies Program within the Division of Blind Services (division) of the Department of Labor and Employment Security. The Blind Babies program would provide early-intervention education, through community-based provider organizations, to children birth through 5 years of age who are blind or visually impaired, and their parents and care givers. The bill stipulates that the program is not an entitlement. A formula for eligibility based upon financial means is to be developed and the division is permitted to set a co-payment fee for families who have sufficient financial means to pay for education received under the program.

The division is directed to establish outcomes for the program, as well as criteria for identifying and contracting with the community-based provider organizations. Community based provider organizations are required to develop performance measures and report their progress.

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. 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 (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 3 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.

Part B of the Individuals with Disabilities Education Act (IDEA) assures children with disabilities and their families of a public education and sets forth the special education and related services necessary to meet their needs. Part B services are the responsibility of the school system and are available to children with disabilities and delays, including children who are blind or have a visual impairment, starting at age 3 years and in some counties at birth. Services available for children who are blind or visually impaired can include developmental skill building, daily living skills, independent living skills, special instruction, orientation and mobility, special instruction and education to the parents. For children ages 0-2 years, the Infants and Toddlers Early Intervention Program, operated through the Department of Health Children's Medical Services, provides a statewide early intervention system for infants and toddlers who have an established medical condition or developmental delay, and includes children who are blind or visually impaired. The Infant and Toddlers Early Intervention Program also receives funding from IDEA, Part C, and its services closely mirror those provided by Part B through the school system. Located in St. Augustine, the Florida School for the Deaf and the Blind is a school that specifically serves individuals who have a hearing or visual impairment. The School also offers a Parent Infant Program, where trained individuals provide training and assistance to families through home visits, relative to intervening and furthering the development of their child with a visual or hearing impairment. These training individuals are available in 14 counties.

While the Part B school system program and the Infants and Toddlers Early Intervention Program offer a statewide system of early intervention services for children with disabilities and delays, both programs report that the expertise available for children with visual impairments is limited. These children require specialists who are not available in many communities. With the other demands for the funding available for these systems, securing the special expertise necessary in the communities around the state has not been possible.

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 5 years, 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 5 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.

### **III. Effect of Proposed Changes:**

CS/SB 924 creates the Blind Babies Program within the Division of Blind Services (division) of the Department of Labor and Employment Security to provide community-based early-intervention education, through community-based provider organizations, to children birth through 5 years of age who are blind or visually impaired, and their parents and care givers. The bill states the findings of the Legislature that all children, 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. The bill further states the finding of the Legislature that it is critical to teach infants and toddlers who are visually impaired, as well as their parents and care givers, the skills to assist such children so that they do not miss critical developmental stages that are normally dependent on vision.

The bill stipulates that the Blind Babies program is not an entitlement. The program is intended to promote early development with a special emphasis on skills to minimize developmental delays. Children will be taught to utilize their skills to the fullest extent possible for future success in school. The program is encouraged to link the children and their families with other available and needed services in the community. Such linkage is to include referrals to the school districts and the Infants and Toddlers Early Intervention Program. Eligibility for the program will be based on financial means. 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.

The division is directed to establish outcomes for the program, some of which are identified and relate to the progress of the children's development. The division is also directed to develop criteria for identifying and contracting with community-based provider organizations, and to require such provider organizations to develop performance measures and report their progress in achieving those measures. The bill stipulates that all services offered through the Blind Babies Program are to be provided by community-based organizations.

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.

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

CS/SB 924 provides a statutory base and establishes the framework for expanding the availability of the pilot programs funded since 1997 to more communities as a part of a state program. Authority is provided to the Division of Blind Services to develop and apply program outcomes and measures, and require reporting and contracting requirements that will provide accountability to the programs. The requirement that the Office of Program, Policy Analysis, and Government Accountability conduct a review of the programs for legislative consideration will provide the Legislature with the opportunity to examine the achievements of the programs and determine the appropriateness of continued funding.

The bill takes effect July 1, 2000.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The bill annually appropriates \$1 million from the General Revenue Fund to the Division of Blind Services (division) of the Department of Labor and Employment Security to fund the Blind Babies Program. The increased funds will enable the division to contract with more private providers of such services to provide early-intervention education to children birth through age 5 years who are blind or visually impaired, and their parents or caregivers.

Children who are visually impaired and blind, ages birth through 5 years, and their parents or caregivers throughout the state may experience increased access to early-intervention education to assist the children in critical developmental stages that are normally dependent upon vision. The precise number of children, parents and caregivers who will be served is not known at this time.

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.

**C. Government Sector Impact:**

The bill annually appropriates \$1 million from the General Revenue Fund to the division to fund the Blind Babies Program. The division may experience increased costs associated with administering the program. Additionally, children's specialists employed by the division may experience a decreased workload since private providers will be rendering services to babies

from birth through 5 years of age. However, the precise fiscal impact to the division on this issue is not known at this time.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

#1 by Fiscal Policy:

This amendment provides that in addition to the sum of \$530,000 appropriated in the FY 2000-01 GAA, \$470,000 is appropriated in this act to fund the Blind Babies Program. Stipulates that of the total appropriated, 90 percent of the funds must be provided for direct consumer services; and that funds shall be distributed based on enrollment, which is contingent upon the Division of Blind Services determining eligibility.

---

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

---