

Bill No. CS for CS for CS for SB 1202, 2nd Eng.

Amendment No.      Barcode 215552

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Horne moved the following amendment to amendment (341895):

**Senate Amendment (with title amendment)**

On page 128, between lines 30 and 31,

insert:

Section 68. Section 413.402, Florida Statutes, is created to read:

413.402 Personal care attendant pilot program.--The Florida Association of Centers for Independent Living shall develop a pilot program to provide personal care attendants to persons who are eligible pursuant to subsection (1). The association shall develop memorandums of understanding with the Department of Revenue, the Brain and Spinal Cord Injury Program in the Department of Health, the Florida Medicaid program in the Agency for Health Care Administration, the Florida Endowment Foundation for Vocational Rehabilitation, and the Division of Vocational Rehabilitation of the Department of Education.

(1) Persons eligible to participate in the pilot

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1 program must:

2 (a) Be at least 18 years of age and be significantly  
3 disabled due to a traumatic spinal cord injury;

4 (b) Have been determined eligible for training  
5 services from the Division of Vocational Rehabilitation of the  
6 Department of Education; and

7 (c) Either:

8 1. Live in a nursing home; or

9 2. Have moved out of a nursing home within the  
10 preceding 180 days due to participation in a Medicaid home and  
11 community-based waiver program targeted to persons with brain  
12 or spinal cord injuries.

13 (2) The association shall develop a training program  
14 for training persons selected to participate in the pilot  
15 program that will prepare each person to manage his or her own  
16 personal care attendant.

17 (3) The association, in cooperation with the Florida  
18 Endowment Foundation for Vocational Rehabilitation, shall  
19 develop a program to recruit, screen, and select candidates to  
20 be trained as personal care attendants.

21 (4) The association, in cooperation with the Florida  
22 Endowment Foundation for Vocational Rehabilitation, shall  
23 develop a training program for personal care attendants.

24 (5) The association, in cooperation with the Florida  
25 Endowment Foundation for Vocational Rehabilitation, shall  
26 establish procedures for selecting persons eligible under  
27 subsection (1) to participate in the pilot program.

28 (6) The association, in cooperation with the Division  
29 of Vocational Rehabilitation of the Department of Education,  
30 shall assess the selected participants and make  
31 recommendations for their placement into appropriate

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1 work-related training programs.

2 (7) The association, in cooperation with the  
3 Department of Revenue, the Brain and Spinal Cord Injury  
4 Program in the Department of Health, the Florida Medicaid  
5 program in the Agency for Health Care Administration, a  
6 representative from the state attorney's office in each of the  
7 counties participating in the pilot program, the Florida  
8 Endowment Foundation for Vocational Rehabilitation, and the  
9 Division of Vocational Rehabilitation of the Department of  
10 Education, shall develop a plan for implementation of the  
11 pilot program.

12 (8) No later than March 1, 2002, the association shall  
13 present to the President of the Senate and to the Speaker of  
14 the House of Representatives the implementation plan for the  
15 pilot program, a timeline for implementation, estimates of the  
16 number of participants to be served, and cost projections for  
17 each component of the pilot program. The pilot program shall  
18 be implemented beginning July 1, 2002, unless there is  
19 specific legislative action to the contrary.

20 Section 69. The Department of Revenue, in coordination  
21 with the the Florida Association of Centers for Independent  
22 Living and the Florida Prosecuting Attorneys Association,  
23 shall select four counties in which to operate the pilot  
24 program. The association and the state attorneys' offices in  
25 Duval County and the other pilot counties shall develop and  
26 implement a tax collection enforcement diversion program which  
27 shall collect revenue due from persons who have not remitted  
28 their collected sales tax. The criteria for referral to the  
29 tax collection enforcement diversion program shall be  
30 determined cooperatively between the state attorneys' offices  
31 in those counties and the Department of Revenue.

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1           (1) Twenty-five percent of the revenues collected from  
2 the tax collection enforcement diversion program shall be  
3 deposited into the operating account of the Florida Endowment  
4 Foundation for Vocational Rehabilitation, to be used to  
5 implement the personal care attendant pilot program.

6           (2) The pilot program shall operate only from funds  
7 deposited into the operating account of the Florida Endowment  
8 Foundation for Vocational Rehabilitation.

9           (3) The Revenue Estimating Conference shall annually  
10 project the amount of funds expected to be generated from the  
11 tax collection enforcement diversion program.

12           Section 70. Section 18 of chapter 99-144, Laws of  
13 Florida, is amended to read:

14           Section 18. From the lump sum appropriated for  
15 developmental services in the 1999-2000 General Appropriations  
16 Act, the Department of Children and Family Services shall  
17 design a system of providing services for persons with  
18 developmental disabilities which provides a consumer-directed,  
19 choice-based system. The department shall institute at least  
20 one, but not more than three, differently structured pilot  
21 programs to test a payment model in which the consumer  
22 controls the money that is available for his or her care. The  
23 department shall report its progress under this section to the  
24 appropriate legislative committees by December 1, 2000, ~~and~~  
25 December 1, 2001, and December 1, 2002. This section is  
26 repealed July 1, 2003 ~~2002~~, and shall be reviewed by the  
27 Legislature prior to that date.

28           Section 71. There is appropriated from the Brain and  
29 Spinal Cord Injury Program Trust Fund to the Florida Endowment  
30 Foundation for Vocational Rehabilitation the sum of \$250,000  
31 in nonrecurring funds for fiscal year 2001-2002 for

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1 development of the personal care attendant pilot program under  
2 s. 413.402, Florida Statutes. The initial \$50,000 from each of  
3 the pilot counties deposited with The Florida Endowment  
4 Foundation for Vocational Rehabilitation shall be used to  
5 repay the \$250,000 to the Brain and Spinal Cord Injury Program  
6 Trust Fund.

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8 (Redesignate subsequent sections.)

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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 139, line 27, after the semicolon,

14

15 insert:

16 creating s. 413.402, F.S.; directing the  
17 Florida Association of Centers for Independent  
18 Living to develop a personal care attendant  
19 pilot program to serve persons with spinal cord  
20 injuries; providing for memorandums of  
21 understanding with specified entities;  
22 providing eligibility for pilot program  
23 participation; providing for selection and  
24 training of participants and personal care  
25 attendants; providing for assessment of  
26 participants for work-related training  
27 programs; providing for development of a plan  
28 for program implementation; requiring a report  
29 to the Legislature; providing for  
30 implementation on a specified date; directing  
31 the Department of Revenue to develop and

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1           implement a tax collection enforcement  
2           diversion program; providing for coordination  
3           with the Florida Association of Centers for  
4           Independent Living, the Florida Prosecuting  
5           Attorneys Association, and the state attorneys'  
6           offices; providing for deposit and use of funds  
7           collected; directing the Revenue Estimating  
8           Conference to make certain annual projections;  
9           amending s. 18 of ch. 99-144, Laws of Florida;  
10          extending repeal date of a developmental  
11          disabilities pilot program; requiring an  
12          additional report; providing an appropriation;

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