

By Representative McGriff

1                                   A bill to be entitled  
 2           An act relating to vocational rehabilitation;  
 3           amending s. 413.20, F.S.; defining terms;  
 4           creating s. 413.206, F.S.; requiring the  
 5           Division of Vocational Rehabilitation to  
 6           develop a 5-year plan relating to general  
 7           vocational rehabilitation programs; providing  
 8           requirements for the contents of the plan;  
 9           creating s. 413.208, F.S.; providing for  
 10          service providers' quality-assurance and  
 11          fitness for their responsibilities; amending s.  
 12          413.405, F.S.; redesignating the Rehabilitation  
 13          Advisory Council as the Rehabilitation Council;  
 14          revising council membership and duties;  
 15          requiring the council to submit reports to the  
 16          Governor and to legislative leaders; amending  
 17          ss. 413.445, 413.615, F.S.; revising  
 18          cross-references to conform to the division's  
 19          transfer from the Department of Labor and  
 20          Employment Security to the Department of  
 21          Education; requiring the Office of Program  
 22          Policy Analysis and Government Accountability  
 23          to conduct a review of the progress made by the  
 24          division and to prepare a report by a specified  
 25          time; providing an effective date.

26  
 27 Be It Enacted by the Legislature of the State of Florida:

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 29           Section 1.   Section 413.20, Florida Statutes, is  
 30 amended to read:

31           413.20 Definitions.--As used in this part, the term:

- 1           (1) "Act" means the Rehabilitation Act of 1973, as  
2 amended.
- 3           (2) "Activity of daily living" means an activity  
4 required on a frequent basis that permits an individual to  
5 secure or maintain independence. Such activities include, but  
6 are not limited to, personal home care, transportation,  
7 personal assistance services, housekeeping, shopping,  
8 attending school, communication, and employment.
- 9           (3) "Assessment for determining eligibility and  
10 vocational rehabilitation needs" means a review of existing  
11 data to determine whether an individual is eligible for  
12 vocational rehabilitation services and to assign the priority,  
13 and, to the extent additional data is necessary to make such  
14 determination and assignment, a preliminary assessment of such  
15 data, including the provision of goods and services during  
16 such assessment. If additional data is necessary, the division  
17 must make a comprehensive assessment of the unique strengths,  
18 resources, priorities, concerns, abilities, capabilities,  
19 interests, and informed choice needs, including the need for  
20 supported employment, of an eligible individual to make a  
21 determination of the goals, objectives, nature, and scope of  
22 vocational rehabilitation services to be included in the  
23 individualized plan for employment ~~written rehabilitation~~  
24 ~~program of the individual.~~
- 25           (4) "Center for independent living" means a  
26 consumer-controlled, community-based, cross-disability,  
27 nonresidential, private, nonprofit organization designed and  
28 operated within a local community by persons who have  
29 disabilities to provide an array of independent living  
30 services.  
31

1           (5) "Community rehabilitation program" means a program  
2 that provides directly or facilitates the provision of one or  
3 more services to individuals who have a disability to enable  
4 them to maximize their opportunities for employment, including  
5 career advancement.

6           ~~(6)(5)~~ "Department" means the Department of Education  
7 ~~Labor and Employment Security.~~

8           ~~(7)(6)~~ "Disability" means a physical or mental  
9 impairment that constitutes or results in a substantial  
10 impediment to employment.

11           ~~(8)(7)~~ "Division" means the Division of Vocational  
12 Rehabilitation of the Department of Education ~~Labor and~~  
13 ~~Employment Security.~~

14           ~~(8) "Emergency medical evacuation system" means a~~  
15 ~~division approved transportation system that provides timely~~  
16 ~~skilled emergency care and movement of persons believed to~~  
17 ~~have suffered brain or spinal cord injuries.~~

18           (9) "Employment outcome" means, with respect to an  
19 individual, entering or retaining full-time or, if  
20 appropriate, part-time competitive employment in the  
21 integrated labor market to the greatest extent practicable;  
22 supported employment; or any other type of employment  
23 including self-employment, telecommuting, or business  
24 ownership, which is consistent with an individual's strengths,  
25 resources, priorities, concerns, abilities, capabilities,  
26 interests, and informed choice ~~or satisfying any other~~  
27 ~~vocational outcome the secretary may determine to be~~  
28 ~~consistent with the act.~~

29           (10) "Extended services" means one or more ongoing  
30 support services and other appropriate services needed to  
31 support and maintain a person who has a most significant

1 ~~severe~~ disability in supported employment and to assist an  
2 eligible person in maintaining integrated and competitive  
3 employment. Extended services are based upon a determination  
4 of the needs of the eligible person as specified in the  
5 person's individualized written rehabilitation program and are  
6 provided by a state agency, a nonprofit private organization,  
7 an employer, or any other appropriate resource after the  
8 person has made the transition from support provided by the  
9 department.

10 (11) "Independent living core services" means  
11 informational and referral services; independent living skills  
12 training; peer counseling, including cross-disability peer  
13 counseling; and individual and systems advocacy.

14 (12) "Independent living services" means any  
15 appropriate rehabilitation service that will enhance the  
16 ability of a person who has a severe disability to live  
17 independently, to function within her or his family and  
18 community and, if appropriate, to secure and maintain  
19 employment. Services may include, but are not limited to,  
20 psychological counseling and psychotherapeutic counseling;  
21 independent living care services; community education and  
22 related services; housing assistance; physical and mental  
23 restoration; personal attendant care; transportation; personal  
24 assistance services; interpretive services for persons who are  
25 deaf; recreational activities; services to family members of  
26 persons who have severe disabilities; vocational and other  
27 training services; telecommunications services; sensory and  
28 other technological aids and devices; appropriate preventive  
29 services to decrease the needs of persons assisted under the  
30 program; and other rehabilitation services appropriate for the  
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1 independent living needs of a person who has a severe  
2 disability.

3 (13) "Limiting disability" means a physical condition  
4 that constitutes, contributes to, or, if not corrected, will  
5 result in an impairment of one or more activities of daily  
6 living but does not result in an individual qualifying as a  
7 person who has a disability.

8 (14) "Occupational license" means any license, permit,  
9 or other written authority required by any governmental unit  
10 to be obtained in order to engage in an occupation.

11 (15) "Ongoing support services" means services  
12 provided at a twice-monthly minimum to persons who have a most  
13 significant disability ~~severe disabilities~~, to:

14 (a) Make an assessment regarding the employment  
15 situation at the worksite of each individual in supported  
16 employment or, under special circumstances at the request of  
17 the individual, offsite.

18 (b) Based upon the assessment, provide for the  
19 coordination or provision of specific intensive services, at  
20 or away from the worksite, that are needed to maintain the  
21 individual's employment stability.

22  
23 The ongoing support services may consist of, but are not  
24 limited to, the provision of skilled job trainers who  
25 accompany the individual for intensive job-skill training at  
26 the worksite, job development and placement, social skills  
27 training, followup services, and facilitation of natural  
28 supports at the worksite.

29 (16) "Person who has a disability" means an individual  
30 who has a physical or mental impairment that, for the  
31 individual, constitutes or results in a substantial impediment

1 to employment and who can therefore benefit in terms of an  
2 employment outcome from vocational rehabilitation services.  
3 The term encompasses the terms "person who has a significant  
4 disability" and term "person who has a most significant ~~severe~~  
5 disability."

6 (17) "Person who has a significant ~~severe~~ disability"  
7 means an individual who has a disability that is a severe  
8 physical or mental impairment that seriously limits one or  
9 more functional capacities, such as mobility, communication,  
10 self-care, self-direction, interpersonal skills, work  
11 tolerance, or work skills, in terms of an employment outcome;  
12 whose vocational rehabilitation may be expected to require  
13 multiple vocational rehabilitation services over an extended  
14 period of time; and who has one or more physical or mental  
15 disabilities resulting from amputation, arthritis, autism,  
16 blindness, burn injury, cancer, cerebral palsy, cystic  
17 fibrosis, deafness, head injury, heart disease, hemiplegia,  
18 hemophilia, respiratory or pulmonary dysfunction, mental  
19 retardation, mental illness, multiple sclerosis, muscular  
20 dystrophy, musculoskeletal disorder, neurological disorder,  
21 including stroke and epilepsy, paraplegia, quadriplegia, or  
22 other spinal cord condition, sickle-cell anemia, specific  
23 learning disability, end-stage renal disease, or another  
24 disability or a combination of disabilities that is  
25 determined, after an assessment for determining eligibility  
26 and vocational rehabilitation needs, to cause comparable  
27 substantial functional limitation.

28 (18) "Person who has a most significant disability"  
29 means an individual who has a significant disability who meets  
30 the designated state unit's criteria for an individual who has  
31 a most significant disability.

1           (19)~~(18)~~ "Personal assistance services" means a range  
2 of services, provided by one or more persons, designed to  
3 assist a person who has a disability to perform daily living  
4 activities on or off the job that the individual would  
5 typically perform if the individual did not have a disability.  
6 Such services shall be designed to increase the individual's  
7 control in life and ability to perform everyday activities on  
8 or off the job.

9           (20)~~(19)~~ "Physical and mental restoration" means any  
10 medical, surgical, or therapeutic treatment necessary to  
11 correct or substantially modify a physical or mental condition  
12 that is stable or slowly progressive and constitutes an  
13 impediment to employment, but is of such nature that it can  
14 ~~such correction or modification may~~ reasonably be expected to  
15 correct or modify ~~eliminate or reduce~~ such impediment to  
16 employment within a reasonable length of time, including, but  
17 not limited to, medical, psychiatric, dental, and surgical  
18 treatment, nursing services, hospital care in connection with  
19 surgery or treatment, convalescent home care, drugs, medical  
20 and surgical supplies, and prosthetic and orthotic devices.

21           (21)~~(20)~~ "Rehabilitation" means those events and  
22 processes occurring after injury and progressing to ultimate  
23 stabilization and maximum possible recovery.

24           ~~(21) "Rehabilitation center" means a division-approved~~  
25 ~~facility providing intermediate care that stresses~~  
26 ~~rehabilitation for persons who have brain or spinal cord~~  
27 ~~injuries.~~

28           (22) "Rehabilitation service" means any service,  
29 provided directly or indirectly through public or private  
30 agencies, found by the division to be necessary to enable a  
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1 person who has a limiting disability to engage in competitive  
2 employment.

3 (23) "Rules" means rules adopted ~~made~~ by the  
4 department ~~and promulgated~~ in the manner prescribed by law.

5 ~~(24) "Secretary" means the secretary of the Department~~  
6 ~~of Labor and Employment Security.~~

7 (24)~~(25)~~ "State plan" means the state plan approved by  
8 the Federal Government as qualifying for federal funds under  
9 the Rehabilitation Act of 1973, as amended. However, the term  
10 "state plan," as used in ss. 413.39-413.401, means the State  
11 Plan for Independent Living Rehabilitative Services under  
12 Title VII(A) of the Rehabilitation Act of 1973, as amended.

13 (25)~~(26)~~ "Supported employment" means competitive work  
14 in integrated working settings for persons who have severe  
15 disabilities and for whom competitive employment has not  
16 traditionally occurred or for whom competitive employment has  
17 been interrupted or is intermittent as a result of a severe  
18 disability. Persons who have severe disabilities requiring  
19 supported employment need intensive supported employment  
20 services or extended services in order to perform such work.

21 (26)~~(27)~~ "Supported employment services" means ongoing  
22 support services and other appropriate services needed to  
23 support and maintain a person who has a severe disability in  
24 supported employment. Supported employment services are based  
25 upon a determination of the needs of the eligible individual  
26 as specified in the person's individualized written  
27 rehabilitation program. The services are provided singly or in  
28 combination and are organized and made available in such a way  
29 as to assist eligible individuals in entering or maintaining  
30 integrated, competitive employment. The services are provided  
31 for a period of time not to extend beyond 18 months, but can



1 be extended under special circumstances with the consent of  
2 the individual to achieve the objectives of the rehabilitation  
3 plan.

4 (27)~~(28)~~ "Third-party coverage" means any claim for,  
5 right to receive payment for or any coverage for, the payment  
6 of any vocational rehabilitation and related services.

7 (28)~~(29)~~ "Third-party payment" means any and all  
8 payments received or due as a result of any third-party  
9 coverage.

10 (29)~~(30)~~ "Transition services" means a coordinated set  
11 of activities for a student, designed within an  
12 outcome-oriented process, that promote movement from school to  
13 postschool activities, including postsecondary education;  
14 vocational training; integrated employment; including  
15 supported employment; continuing and adult education; adult  
16 services; independent living; or community participation. The  
17 coordinated set of activities must be based upon the  
18 individual student's needs, taking into account the student's  
19 preferences and interests, and must include instruction,  
20 community experiences, the development of employment and other  
21 postschool adult living objectives, and, when appropriate,  
22 acquisition of daily living skills and functional vocational  
23 evaluation.

24 (30)~~(31)~~ "Transitional living facility" means a  
25 state-approved facility as defined and licensed pursuant to  
26 chapter 400 and division-approved in accord with this part.

27 ~~(32) "Trauma center" means a state-approved acute care~~  
28 ~~facility that provides diagnosis and treatment of persons who~~  
29 ~~have brain or spinal cord injuries.~~

30 ~~(33) "Traumatic injury" means:~~

31

1           ~~(a) A lesion to the spinal cord or cauda equina with~~  
2 ~~evidence of significant involvement of two of the following~~  
3 ~~deficits or dysfunctions:~~  
4           ~~1. Motor deficit.~~  
5           ~~2. Sensory deficit.~~  
6           ~~3. Bowel and bladder dysfunction; or~~  
7           ~~(b) An insult to the skull, brain, or its covering,~~  
8 ~~resulting from external trauma which produces an altered state~~  
9 ~~of consciousness or anatomic motor, sensory, cognitive, or~~  
10 ~~behavioral deficits.~~  
11           (31)~~(34)~~ "Vocational rehabilitation" and "vocational  
12 rehabilitation services" mean any service, provided directly  
13 or through public or private instrumentalities, to enable an  
14 individual or group of individuals to achieve an employment  
15 outcome, including, but not limited to, medical and vocational  
16 diagnosis, an assessment for determining eligibility and  
17 vocational rehabilitation needs by qualified personnel;  
18 counseling, guidance, and work-related placement services;  
19 vocational and other training services; physical and mental  
20 restoration services; maintenance for additional costs  
21 incurred while participating in rehabilitation; interpreter  
22 services for individuals who are deaf; recruitment and  
23 training services to provide new employment opportunities in  
24 the fields of rehabilitation, health, welfare, public safety,  
25 law enforcement, and other appropriate service employment;  
26 occupational licenses; tools, equipment, and initial stocks  
27 and supplies; transportation; telecommunications, sensory, and  
28 other technological aids and devices; rehabilitation  
29 technology services; referral services designed to secure  
30 needed services from other agencies; transition services;  
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1 on-the-job or other related personal assistance services; and  
2 supported employment services.

3 ~~(32)(35)~~ "Vocational rehabilitation and related  
4 services" means any services that are provided or paid for by  
5 the division.

6 Section 2. Section 413.206, Florida Statutes, is  
7 created to read:

8 413.206 Five-year plan.--The division shall, by  
9 October 1, 2002, after identifying specific weaknesses in  
10 service capacity and program performance and after consulting  
11 with stakeholders, develop a 5-year plan that prioritizes any  
12 additional initiatives, including privatization, according to  
13 identified needs, and details the steps needed to effectively  
14 implement those initiatives, consistent with federal  
15 requirements. The plan should provide that the division enter  
16 into local public-private partnerships to the extent that  
17 doing so is beneficial to increasing employment outcomes for  
18 persons who have a disability and ensuring their full  
19 involvement in the comprehensive workforce investment system.  
20 The plan must be submitted to the Governor, the President of  
21 the Senate, and the Speaker of the House of Representatives.

22 (1) The plan must:

23 (a) Promote innovative contracts that upgrade or  
24 enhance direct services to Floridians who have a disability.  
25 Contracts must be evaluated on need and cost and must be  
26 performance-based.

27 (b) Include recommendations regarding specific  
28 performance standards and measurable outcomes and must outline  
29 procedures for monitoring the implementation of the plan. The  
30 division shall annually report to the Governor, the President  
31 of the Senate, and the Speaker of the House of Representatives

1 the progress that has been made toward achieving the  
2 objectives set forth in the plan.

3 (2) The division shall work with the employer  
4 community to assist that community to better define, address,  
5 and meet its business needs by employing qualified Floridians  
6 who have a disability.

7 Section 3. Section 413.208, Florida Statutes, is  
8 created to read:

9 413.208 Service providers; quality-assurance and  
10 fitness for responsibilities.--The Division of Vocational  
11 Rehabilitation shall assure that providers of direct service  
12 maintain an internal system of quality-assurance, have proven  
13 functional systems, and are subject to a due-diligence inquiry  
14 as to their fitness to undertake service responsibilities,  
15 regardless of whether a contract for services is procured  
16 competitively or noncompetitively.

17 Section 4. Section 413.405, Florida Statutes, is  
18 amended to read:

19 413.405 Rehabilitation ~~Advisory~~ Council.--There is  
20 created the Rehabilitation ~~Advisory~~ Council to assist the  
21 division in the planning and development of statewide  
22 rehabilitation programs and services, to recommend  
23 improvements to such programs and services, and to perform the  
24 functions listed in this section.

25 (1) The council shall be composed of:

26 (a) At least one representative of the Independent  
27 Living Council, which representative may be the chairperson or  
28 other designee of the council.

29 (b) At least one representative of a parent training  
30 and information center established pursuant to s. 631(c)(9) of  
31

1 the Individuals with Disabilities Act, 20 U.S.C. s.  
2 1431(c)(9).

3 (c) At least one representative of the client  
4 assistance program established under s. 112 of the act.

5 (d) At least one vocational rehabilitation counselor  
6 who has knowledge of and experience in vocational  
7 rehabilitation services, who shall serve as an ex officio,  
8 nonvoting member of the council if the counselor is an  
9 employee of the department.

10 (e) At least one representative of community  
11 rehabilitation program service providers.

12 (f) At least four representatives of business,  
13 industry, and labor.

14 (g) Representatives of disability advocacy groups  
15 representing a cross-section of:

16 1. Persons who have physical, cognitive, sensory, or  
17 mental disabilities.

18 2. Parents, family members, guardians, advocates, or  
19 authorized representatives of persons who have disabilities  
20 and who find it difficult to or are unable due to their  
21 disabilities to represent themselves.

22 (h) Current or former applicants for, or recipients  
23 of, vocational rehabilitation services.

24 (i) The director of the division, who shall be an ex  
25 officio member of the council.

26 (j) At least one representative of the state  
27 educational agency responsible for the public education of  
28 students who have a disability and who are eligible to receive  
29 vocational rehabilitation services and services under the  
30 Individuals with Disabilities Education Act.

31

1           (k) At least one representative of the state workforce  
2 investment board.

3           (2) Other individuals who have a disability,  
4 representatives of state government, local government,  
5 employers, community organizations, and members of the former  
6 Occupational Access and Opportunity Commission may be  
7 considered for council membership.

8           (3)~~(2)~~ Total membership on the council, excluding  
9 including ex officio members, shall be no fewer than 15 ~~not~~  
10 ~~exceed 19~~ at any one time.

11           (4)~~(3)~~ Members of the council shall be appointed by  
12 the Governor, who shall select members after soliciting  
13 recommendations from representatives of organizations  
14 representing a broad range of individuals who have  
15 disabilities and organizations interested in those  
16 individuals. In selecting members, the extent to which  
17 minority populations are represented must be considered to the  
18 greatest extent practicable.

19           (5)~~(4)~~ A majority of council members shall be persons  
20 who are:

21           (a) Individuals who have a physical or mental  
22 impairment that substantially limits one or more of the  
23 person's major life activities; have a record of such an  
24 impairment; or are regarded as having such an impairment  
25 ~~disabilities described in s. 7(8)(B) of the act.~~

26           (b) Not employed by the division.

27           (6)~~(5)~~ The council shall select a chairperson from  
28 among the membership of the council.

29           (7)~~(6)~~ Each member of the council shall serve for a  
30 term of not more than 3 years, except that:

31

1 (a) A member appointed to fill a vacancy occurring  
2 prior to the expiration of the term for which a predecessor  
3 was appointed shall be appointed for the remainder of such  
4 term.

5 (b) The terms of service of the members initially  
6 appointed shall be, as specified by the Governor, for such  
7 fewer number of years as will provide for the expiration of  
8 terms on a staggered basis.

9  
10 No member of the council may serve more than two consecutive  
11 full terms.

12 ~~(8)(7)~~ Any vacancy occurring in the membership of the  
13 council shall be filled in the same manner as the original  
14 appointment. A vacancy does not affect the power of the  
15 remaining members to execute the duties of the council.

16 ~~(9)(8)~~ In addition to the other functions specified in  
17 this section, the council shall, after consulting with the  
18 state workforce investment board:

19 (a) Review, analyze, and advise the division regarding  
20 the performance of the responsibilities of the division under  
21 Title I of the act, particularly responsibilities relating to:

- 22 1. Eligibility, including order of selection.  
23 2. The extent, scope, and effectiveness of services  
24 provided.  
25 3. Functions performed by state agencies that affect  
26 or potentially affect the ability of individuals who have  
27 disabilities to achieve rehabilitation goals and objectives  
28 under Title I.

29 (b) In partnership with the division:

- 30 1. Develop, agree to, and review state goals and  
31 priorities in accordance with 34 C.F.R. 361.29(c); and

1           2. Evaluate the effectiveness of the vocational  
2 rehabilitation program and submit reports of progress to the  
3 Governor, the President of the Senate, the Speaker of the  
4 House of Representatives, and the Secretary of the United  
5 States Department of Education in accordance with 34 C.F.R.  
6 361.29(e).

7           ~~(c)(b)~~ Advise the department and the division and, ~~at~~  
8 ~~the discretion of the department or division,~~ assist in the  
9 preparation of ~~applications,~~ the state plan ~~the strategic~~  
10 ~~plan,~~ and amendments to the plan plans, applications, reports,  
11 needs assessments, and evaluations required by Title I.

12           (c) To the extent feasible, conduct a review and  
13 analysis of the effectiveness of, and consumer satisfaction  
14 with:

15           1. The functions performed by state agencies and other  
16 public and private entities responsible for performing  
17 functions for individuals who have disabilities.

18           2. Vocational rehabilitation services:

19           a. Provided or paid for from funds made available  
20 under the act or through other public or private sources.

21           b. Provided by state agencies and other public and  
22 private entities responsible for providing vocational  
23 rehabilitation services to individuals who have disabilities.

24           (d) Prepare and submit an annual report on the status  
25 of vocational rehabilitation services in the state to the  
26 Governor, the President of the Senate, the Speaker of the  
27 House of Representatives, and the Secretary of the United  
28 States Department of Education ~~and the Commissioner of the~~  
29 ~~Rehabilitative Services Administration, established under s.~~  
30 ~~702 of the act,~~ and make the report available to the public.  
31



1           (e) Coordinate with other councils within Florida,  
2 including the Independent Living Council, the advisory panel  
3 established under s. 613(a)(12) of the Individuals with  
4 Disabilities Education Act, 20 U.S.C. s. 1413(a)(12), the  
5 State Planning Council described in s. 124 of the  
6 Developmental Disabilities Assistance and Bill of Rights Act,  
7 42 U.S.C. s. 6024, ~~and~~ the state mental health planning  
8 council established under s. 1916(e) of the Public Health  
9 Service Act, 42 U.S.C. s. 300x-4(e), and the state workforce  
10 investment board.

11           (f) Advise the department and division and provide for  
12 coordination and the establishment of working relationships  
13 among the department, the division, the Independent Living  
14 Council, and centers for independent living in the state.

15           (g) Perform such other functions as the council  
16 determines to be appropriate that are comparable to functions  
17 performed by the council.

18           ~~(10)(9)~~(a) The council shall prepare, in conjunction  
19 with the division, a plan for the provision of such resources,  
20 including at least four staff persons, as may be necessary to  
21 carry out the functions of the council. The resource plan  
22 shall, to the maximum extent possible, rely on the use of  
23 resources in existence during the period of implementation of  
24 the plan.

25           (b) If there is a disagreement between the council and  
26 the division in regard to the resources necessary to carry out  
27 the functions of the council as set forth in this section, the  
28 disagreement shall be resolved by the Governor.

29           (c) The council shall, consistent with law, supervise  
30 and evaluate such staff and other personnel as may be  
31 necessary to carry out its functions.

1 (d) While assisting the council in carrying out its  
2 duties, staff and other personnel shall not be assigned duties  
3 by the division or any other state agency or office that would  
4 create a conflict of interest.

5 (11)~~(10)~~ The council shall convene at least four  
6 meetings each year. These meetings shall occur in such places  
7 as the council deems necessary to conduct council business.  
8 The council may conduct such forums or hearings as the council  
9 considers appropriate. The meetings, hearings, and forums  
10 shall be publicly announced. The meetings shall be open and  
11 accessible to the public unless there is a valid reason for an  
12 executive session. The council shall make a report of each  
13 meeting which shall include a record of its discussions and  
14 recommendations, all of which reports shall be made available  
15 to the public.

16 (12)~~(11)~~ The council shall reimburse members of the  
17 council for reasonable and necessary expenses of attending  
18 council meetings and performing council duties, including  
19 child care and personal assistance services, as provided in  
20 and subject to the requirements of s. 112.061. The council may  
21 pay reasonable compensation to a member of the council if such  
22 member is not employed or must forfeit wages from other  
23 employment for each day the member is engaged in performing  
24 the duties of the council.

25 Section 5. Subsection (1) of section 413.445, Florida  
26 Statutes, is amended to read:

27 413.445 Recovery of third-party payments for  
28 vocational rehabilitation and related services.--

29 (1) As used in this section, "vocational  
30 rehabilitation and related services" means any services that  
31 ~~which~~ are provided or paid for by the Division of Vocational

1 Rehabilitation of the Department of Education ~~Labor and~~  
2 ~~Employment Security~~.

3 Section 6. Subsection (12) of section 413.615, Florida  
4 Statutes, is amended to read:

5 413.615 Florida Endowment for Vocational  
6 Rehabilitation.--

7 (12) ANNUAL REPORT.--The board shall issue a report to  
8 the Governor, the President of the Senate, the Speaker of the  
9 House of Representatives, and the Commissioner of Education  
10 ~~Secretary of Labor and Employment Security~~ by February 1 each  
11 year, summarizing the performance of the endowment fund for  
12 the previous fiscal year, summarizing the foundation's  
13 fundraising activities and performance, and detailing those  
14 activities and programs supported by the endowment principal  
15 or earnings on the endowment principal or by bequests, gifts,  
16 grants, donations, and other valued goods and services  
17 received.

18 Section 7. Before the 2005 Regular Session of the  
19 Legislature, the Office of Program Policy Analysis and  
20 Government Accountability shall conduct a review of and  
21 prepare a report on the progress of the Division of Vocational  
22 Rehabilitation of the Department of Education.

23 Section 8. This act shall take effect July 1, 2002.  
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SENATE SUMMARY

Defines terms relating to vocational rehabilitation. Requires the Division of Vocational Rehabilitation to develop a 5-year plan relating to general vocational rehabilitation programs. Provides requirements for the contents of the plan. Provides for service providers' quality-assurance and fitness for their responsibilities. Redesignates the Rehabilitation Advisory Council as the Rehabilitation Council. Revises council membership and duties. Requires the council to submit reports to the Governor and to legislative leaders. Revises cross-references to conform to the division's transfer from the Department of Labor and Employment Security to the Department of Education. Requires the Office of Program Policy Analysis and Government Accountability to conduct a review of the division's progress and to prepare a report before the 2005 Regular Session of the Legislature.