

By the Committee on Health & Human Services Appropriations
and Representatives Littlefield, Mahon and Murman

1 A bill to be entitled
2 An act relating to persons with disabilities;
3 creating s. 413.402, F.S.; directing the
4 Florida Association of Centers for Independent
5 Living to develop a personal care attendant
6 pilot program to serve persons with spinal cord
7 injuries; providing for memorandums of
8 understanding with specified entities;
9 providing eligibility for pilot program
10 participation; providing for selection and
11 training of participants and personal care
12 attendants; providing for assessment of
13 participants for work-related training
14 programs; providing for development of a plan
15 for program implementation; requiring a report
16 to the Legislature; providing for
17 implementation on a specified date; directing
18 the Department of Revenue to develop and
19 implement a tax collection enforcement
20 diversion program; providing for coordination
21 with the Florida Association of Centers for
22 Independent Living, the Florida Prosecuting
23 Attorneys Association, and the state attorneys'
24 offices; providing for deposit and use of funds
25 collected; directing the Revenue Estimating
26 Conference to make certain annual projections;
27 providing an appropriation; providing an
28 effective date.

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30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Section 413.402, Florida Statutes, is
2 created to read:

3 413.402 Personal care attendant pilot program.--The
4 Florida Association of Centers for Independent Living shall
5 develop a pilot program to provide personal care attendants to
6 persons who are eligible pursuant to subsection (1). The
7 association shall develop memorandums of understanding with
8 the Department of Revenue, the Brain and Spinal Cord Injury
9 Program in the Department of Health, the Florida Medicaid
10 program in the Agency for Health Care Administration, the
11 Florida Endowment Foundation for Vocational Rehabilitation,
12 and the Division of Vocational Rehabilitation of the
13 Department of Education.

14 (1) Persons eligible to participate in the pilot
15 program must:

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

18 (b) Have been determined eligible for training
19 services from the Division of Vocational Rehabilitation of the
20 Department of Education; and

21 (c) Either:

22 1. Live in a nursing home; or

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

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

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

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

8 (5) The association, in cooperation with the Florida
9 Endowment Foundation for Vocational Rehabilitation, shall
10 establish procedures for selecting persons eligible under
11 subsection (1) to participate in the pilot program.

12 (6) The association, in cooperation with the Division
13 of Vocational Rehabilitation of the Department of Education,
14 shall assess the selected participants and make
15 recommendations for their placement into appropriate
16 work-related training programs.

17 (7) The association, in cooperation with the
18 Department of Revenue, the Brain and Spinal Cord Injury
19 Program in the Department of Health, the Florida Medicaid
20 program in the Agency for Health Care Administration, a
21 representative from the state attorney's office in each of the
22 counties participating in the pilot program, the Florida
23 Endowment Foundation for Vocational Rehabilitation, and the
24 Division of Vocational Rehabilitation of the Department of
25 Education, shall develop a plan for implementation of the
26 pilot program.

27 (8) No later than March 1, 2003, the association shall
28 present to the President of the Senate and to the Speaker of
29 the House of Representatives the implementation plan for the
30 pilot program, a timeline for implementation, estimates of the
31 number of participants to be served, and cost projections for

1 each component of the pilot program. The pilot program shall
2 be implemented beginning July 1, 2003, unless there is
3 specific legislative action to the contrary.

4 Section 2. The Department of Revenue, in coordination
5 with the the Florida Association of Centers for Independent
6 Living and the Florida Prosecuting Attorneys Association,
7 shall select four counties in which to operate the pilot
8 program. The association and the state attorneys' offices in
9 Duval County and the four pilot program counties shall develop
10 and implement a tax collection enforcement diversion program,
11 which shall collect revenue due from persons who have not
12 remitted their collected sales tax. The criteria for referral
13 to the tax collection enforcement diversion program shall be
14 determined cooperatively between the state attorneys' offices
15 in those counties and the Department of Revenue.

16 (1) Notwithstanding the provisions of s. 212.20,
17 Florida Statutes, 25 percent of the revenues collected from
18 the tax collection enforcement diversion program shall be
19 deposited into the operating account of the Florida Endowment
20 Foundation for Vocational Rehabilitation, to be used to
21 implement the personal care attendant pilot program.

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

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

28 Section 3. 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 2002-2003 for

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 program counties and Duval County deposited with the
4 Florida Endowment Foundation for Vocational Rehabilitation
5 shall be used to repay the \$250,000 to the Brain and Spinal
6 Cord Injury Program Trust Fund.

7 Section 4. This act shall take effect July 1, 2002.

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