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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 use of a licensed
13 nurse registry to recruit and screen
14 participants and act as a fiscal intermediary;
15 providing for assessment of participants for
16 work-related training programs; providing for
17 development of a plan for program
18 implementation; requiring a report to the
19 Legislature; providing for implementation on a
20 specified date; directing the Department of
21 Revenue to develop and implement a tax
22 collection enforcement diversion program;
23 providing for coordination with the Florida
24 Association of Centers for Independent Living,
25 the Florida Prosecuting Attorneys Association,
26 and the state attorneys' offices; providing for
27 deposit and use of funds collected; directing
28 the Revenue Estimating Conference to make
29 certain annual projections; providing an
30 appropriation; providing an effective date.
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1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Section 413.402, Florida Statutes, is
4 created to read:

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

16 (1) Persons eligible to participate in the pilot
17 program must:

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

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

23 (c) Either:

24 1. Live in a nursing home; or

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

29 (2) The association shall develop a training program
30 for training persons selected to participate in the pilot

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1 program that will prepare each person to manage his or her own
2 personal care attendant.

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

7 (b) The services of a nurse registry licensed pursuant
8 to s. 400.506 may be utilized to recruit and screen candidates
9 and to operate as a fiscal intermediary through which payments
10 are made to individuals performing services as personal care
11 attendants under the pilot program. The Agency for Health Care
12 Administration shall seek any federal waivers necessary to
13 implement this provision.

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

17 (5) The association, in cooperation with the Florida
18 Endowment Foundation for Vocational Rehabilitation, shall
19 establish procedures for selecting persons eligible under
20 subsection (1) to participate in the pilot program.

21 (6) The association, in cooperation with the Division
22 of Vocational Rehabilitation of the Department of Education,
23 shall assess the selected participants and make
24 recommendations for their placement into appropriate
25 work-related training programs.

26 (7) The association, in cooperation with the
27 Department of Revenue, the Brain and Spinal Cord Injury
28 Program in the Department of Health, the Florida Medicaid
29 program in the Agency for Health Care Administration, a
30 representative from the state attorney's office in each of the
31 counties participating in the pilot program, the Florida

1 Endowment Foundation for Vocational Rehabilitation, and the
2 Division of Vocational Rehabilitation of the Department of
3 Education, shall develop a plan for implementation of the
4 pilot program.

5 (8) No later than March 1, 2003, the association shall
6 present to the President of the Senate and to the Speaker of
7 the House of Representatives the implementation plan for the
8 pilot program, a timeline for implementation, estimates of the
9 number of participants to be served, and cost projections for
10 each component of the pilot program. The pilot program shall
11 be implemented beginning July 1, 2003, unless there is
12 specific legislative action to the contrary.

13 Section 2. The Department of Revenue, in coordination
14 with the the Florida Association of Centers for Independent
15 Living and the Florida Prosecuting Attorneys Association,
16 shall select four counties in which to operate the pilot
17 program. The association and the state attorneys' offices in
18 Duval County and the four pilot program counties shall develop
19 and implement a tax collection enforcement diversion program,
20 which shall collect revenue due from persons who have not
21 remitted their collected sales tax. The criteria for referral
22 to the tax collection enforcement diversion program shall be
23 determined cooperatively between the state attorneys' offices
24 in those counties and the Department of Revenue.

25 (1) Notwithstanding the provisions of s. 212.20,
26 Florida Statutes, 25 percent of the revenues collected from
27 the tax collection enforcement diversion program shall be
28 deposited into the operating account of the Florida Endowment
29 Foundation for Vocational Rehabilitation, to be used to
30 implement the personal care attendant pilot program.

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

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

7 Section 3. There is appropriated from the Brain and
8 Spinal Cord Injury Program Trust Fund to the Florida Endowment
9 Foundation for Vocational Rehabilitation the sum of \$250,000
10 in nonrecurring funds for fiscal year 2002-2003 for
11 development of the personal care attendant pilot program under
12 s. 413.402, Florida Statutes. The initial \$50,000 from each of
13 the pilot program counties and Duval County deposited with the
14 Florida Endowment Foundation for Vocational Rehabilitation
15 shall be used to repay the \$250,000 to the Brain and Spinal
16 Cord Injury Program Trust Fund.

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