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A bill to be entitled  
 An act relating to persons with disabilities; amending ss. 413.402, 413.4021, F.S., and s. 3 of chapter 2002-286, Laws of Florida; making the pilot program for personal care attendants for spinal cord injury victims permanent; providing criteria for participation in the program; increasing the percentage of revenues collected from the tax collection enforcement diversion program for deposit into the operating account of the Florida Endowment Foundation for Vocational Rehabilitation; providing an appropriation; providing an effective date.

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

Section 1. Section 413.402, Florida Statutes, is amended 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 memoranda 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~~ program must:

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



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31 (b) Have been determined eligible for training services  
32 from the Division of Vocational Rehabilitation of the Department  
33 of Education; and

34 (c) Either:

- 35 1. Live in a nursing home; or
- 36 2. Have moved out of a nursing home within the preceding  
37 180 days due to participation in a Medicaid home and community-  
38 based waiver program targeted to persons with brain or spinal  
39 cord injuries.

40 (2) The association shall develop a training program for  
41 training persons selected to participate in the ~~pilot~~ program  
42 that will prepare each person to manage his or her own personal  
43 care attendant.

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

48 (b) The services of a nurse registry licensed pursuant to  
49 s. 400.506 may be utilized to recruit and screen candidates and  
50 to operate as a fiscal intermediary through which payments are  
51 made to individuals performing services as personal care  
52 attendants under the ~~pilot~~ program. The Agency for Health Care  
53 Administration shall seek any federal waivers necessary to  
54 implement this provision.

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

58 (5) The association, in cooperation with the Florida  
59 Endowment Foundation for Vocational Rehabilitation, shall



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60 establish procedures for selecting persons eligible under  
61 subsection (1) to participate in the ~~pilot~~ program.

62 (6) The association, in cooperation with the Division of  
63 Vocational Rehabilitation of the Department of Education, shall  
64 assess the selected participants and make recommendations for  
65 their placement into appropriate work-related training programs.

66 (7) The association, in cooperation with the Department of  
67 Revenue, the Brain and Spinal Cord Injury Program in the  
68 Department of Health, the Florida Medicaid program in the Agency  
69 for Health Care Administration, a representative from the state  
70 attorney's office in each of the judicial circuits ~~counties~~  
71 participating in the ~~pilot~~ program, the Florida Endowment  
72 Foundation for Vocational Rehabilitation, and the Division of  
73 Vocational Rehabilitation of the Department of Education, shall  
74 develop a plan for implementation of the ~~pilot~~ program.

75 (8) ~~No later than March 1, 2003, the association shall~~  
76 ~~present to the President of the Senate and to the Speaker of the~~  
77 ~~House of Representatives the implementation plan for the pilot~~  
78 ~~program, a timeline for implementation, estimates of the number~~  
79 ~~of participants to be served, and cost projections for each~~  
80 ~~component of the pilot program. The pilot program shall be~~  
81 ~~implemented beginning July 1, 2003, unless there is specific~~  
82 ~~legislative action to the contrary.~~

83 Section 2. Section 413.4021, Florida Statutes, is amended  
84 to read:

85 413.4021 ~~Pilot~~ Program participant county selection; tax  
86 collection enforcement diversion program.--The Department of  
87 Revenue, in coordination with the Florida Association of Centers  
88 for Independent Living and the Florida Prosecuting Attorneys  
89 Association, shall select judicial circuits ~~four counties~~ in



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90 which to operate the ~~pilot~~ program. The association and the  
 91 state attorneys' offices ~~in Duval County and the four pilot~~  
 92 ~~program counties~~ shall develop and implement a tax collection  
 93 enforcement diversion program, which shall collect revenue due  
 94 from persons who have not remitted their collected sales tax.  
 95 The criteria for referral to the tax collection enforcement  
 96 diversion program shall be determined cooperatively between the  
 97 state attorneys' offices ~~in those counties~~ and the Department of  
 98 Revenue.

99 (1) Notwithstanding the provisions of s. 212.20, 50 ~~25~~  
 100 percent of the revenues collected from the tax collection  
 101 enforcement diversion program shall be deposited into the  
 102 operating account of the Florida Endowment Foundation for  
 103 Vocational Rehabilitation, to be used to implement the personal  
 104 care attendant ~~pilot~~ program.

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

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

111 Section 3. Section 3 of chapter 2002-286, Laws of Florida,  
 112 is amended to read:

113 Section 3. There is appropriated from the Brain and Spinal  
 114 Cord Injury Program Trust Fund to the Florida Endowment  
 115 Foundation for Vocational Rehabilitation the sum of \$250,000 in  
 116 nonrecurring funds for fiscal year 2002-2003 for development of  
 117 the personal care attendant pilot program under s. 413.402,  
 118 Florida Statutes. The initial \$50,000 from each of the pilot  
 119 program judicial circuits ~~counties~~ and the Fourth Judicial



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120 Circuit Duval County deposited with the Florida Endowment  
121 Foundation for Vocational Rehabilitation shall be used to repay  
122 the \$250,000 to the Brain and Spinal Cord Injury Program Trust  
123 Fund.

124 Section 4. The sum of \$50,000 is appropriated from the  
125 General Revenue Fund annually from recurring funds to the office  
126 of the circuit court administrator in each judicial circuit  
127 participating in the tax collection enforcement diversion  
128 program to pay expenses of participating in the program.

129 Section 5. This act shall take effect July 1, 2003.