

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: Children and Families Committee

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BILL: CS/CS/SB 1716

SPONSOR: Children and Families Committee, Education Committee and Senator Klein

SUBJECT: Regional Autism Centers

DATE: April 18, 2005

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Collins</u>	<u>Whiddon</u>	<u>CF</u>	<u>Fav/CS</u>
3.	_____	_____	<u>EA</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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## I. Summary:

The CS/CS for SB 1716 increases the number of regional autism centers from six to seven and modifies the service area for two existing centers. The new center is created at the Department of Exceptional Student Education at Florida Atlantic University. The service area for this regional center consists of Palm Beach, Indian River, Martin, Okeechobee, and St. Lucie Counties. The bill further designates the Department of Psychology as an additional site at the University of Miami. The bill requires consistent service delivery for all centers and encourages the board for each center to raise funds that are equivalent to two percent of the center's total fund allocation for each fiscal year. Finally, the bill prohibits direct medical intervention or pharmaceutical intervention at any center effective July 1, 2008.

This bill substantially amends s. 1004.55, F.S.

The provisions of this bill will become effective upon becoming a law.

## II. Present Situation:

### *Autism*

Current law (s. 393.063(10), F.S.) defines the term "developmental disability" to mean a disorder or syndrome that is attributable to retardation, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely. "Autism" means a pervasive, neurologically-based developmental disability of extended duration which causes severe learning, communication, and behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit

impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests.<sup>1</sup>

#### *Regional Autism Centers*

Current law (s.1004.55, F.S.) provides for six regional autism centers at the following locations:<sup>2</sup>

- Florida State University, Department of Communications Disorders;
- University of Central Florida, College of Health and Public Affairs;
- University of Florida College of Medicine;
- University of Florida Health Science Center at Jacksonville;
- University of Miami(UM), Mailman Center for Child Development; and
- University of South Florida (USF), Louis de la Parte Florida Mental Health Institute.

The UM center provides services within a four county area that includes Miami-Dade, Broward, Monroe, and Palm Beach Counties, while the USF center provides services within an eighteen county area, including Indian River, Martin, Okeechobee, and St. Lucie Counties. All centers are charged by law with providing nonresidential resources and training for persons of all ages and all levels of intellectual functioning who have:

- autism;
- a pervasive developmental disorder that is not otherwise specified;
- an autistic-like disability;
- a dual sensory impairment; or
- a sensory impairment with other handicapping conditions.

Each center must be operationally and fiscally independent, provide services within its geographical region of the state, and coordinate services within and between state and local agencies and school districts.<sup>3</sup> Each center must provide the following:

- A staff with expertise in autism, autistic-like behaviors, and sensory impairments.
- Individual and direct family assistance in the home, community, and school; however, center assistance should not supplant responsibilities of local and state agencies, and school districts.
- Technical assistance and consultation services.
- Professional training programs.
- Public education programs.

Funding for autism programs is provided through the General Appropriations Act (GAA). The 2004-2005 GAA specified \$4,975,000 in funding that was distributed to the regional autism centers. Florida Atlantic University is a satellite center through the University of Miami which prior to 2004 received funding in the annual General Appropriations Act through the UM appropriation. However, in fiscal year 2004-2005, FAU was directly provided funding through the General Appropriation Act.

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<sup>1</sup> s. 393.063(2), F.S. See also *Autism Facts*, National Institute of Health, National Institute of Child Health and Human Development, <http://www.nichd.nih.gov/publications/pubs/autisim/facts/sub.11.htm>.

<sup>2</sup> These centers are referred to as Centers for Autism and Related Disabilities or CARDs.

<sup>3</sup> School districts are responsible for providing an appropriate education for school-age clients.

Each center has a constituency board that must work collaboratively with the center. The boards must include at least six members. Each board member must have a disability served by the center or have a family member with such disability. Board members are selected by the university president from a list developed by constituency groups that represent persons with autism and sensory impairments served by the center. The boards meet quarterly with staff of the center to provide advice on policies, priorities, and activities. Each board submits an annual report to the university president and the Department of Education (DOE) that evaluates the activities and accomplishments of its center during the year.

The State Board of Education, in cooperation with the regional autism centers, is responsible for adopting rules to carry out the purposes of statutory provisions relating to those centers.

### **III. Effect of Proposed Changes:**

The CS/CS for SB 1716 amends s. 1004.55, F.S., to create a new regional autism center, increasing the number of centers from six to seven. The bill further reduces the number of counties within the service areas of two existing regional autism centers and transfers these counties to the new center's service area. The new center is the Department of Exceptional Student Education which is located at Florida Atlantic University (FAU) and the service area consists of Palm Beach, Indian River, Martin, Okeechobee, and St. Lucie Counties.

The bill also provides for the consistent service delivery for all centers as well as designates an additional site at the University of Miami (the Department of Psychology). The bill encourages the board for each center to raise funds that are equivalent to two percent of the center's total fund allocation for each fiscal year. Finally, the bill prohibits direct medical intervention or pharmaceutical intervention at any center effective July 1, 2008.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Economic Impact and Fiscal Note:**

#### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

Under the bill's provisions, families may be in closer proximity to needed services and experience reduced travel costs.

The bill encourages rather than requires the constituency board for each center to raise funds equivalent to two percent of the total funds allocated to that center in each fiscal year.

**C. Government Sector Impact:**

Specific Appropriation 103 of the 2004 GAA, chapter 2004-268, L.O.F., provided \$4,975,000 in funding for autism programs. Those funds were distributed as follows:

• University of South Florida/Florida Mental Health Institute	\$966,666
• University of Florida (College of Medicine)	\$736,666
• University of Central Florida	\$726,666
• University of Miami (Department of Pediatrics) <sup>4</sup>	\$834,670
• Florida Atlantic University	\$157,000
• University of Florida (Jacksonville)	\$736,666
• Florida State University (College of Communications)	\$816,666

Proviso language also required programs to submit to the Department of Education summaries of achievements for the prior fiscal year.

The bill may increase state expenditures if additional funding for the new center is needed. Even though the same counties are being served through different locations, there could be some increased operating and development costs for FAU.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The Agency for Persons with Disabilities reports that the implementation of this bill will improve access to resources for persons with autism and may help to alleviate the needs of persons who are not currently receiving services.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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<sup>4</sup> Includes \$182,000 for activities in Broward County through Nova Southeastern University.

## **VIII. Summary of Amendments:**

None.

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