

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 885 CS

Regional Autism Centers

**SPONSOR(S):** Goldstein

**TIED BILLS:**

**IDEN./SIM. BILLS:** SB 1716

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Colleges &amp; Universities Committee</u>	<u>9 Y, 0 N, w/CS</u>	<u>Hatfield</u>	<u>Tilton</u>
2) <u>Elder &amp; Long-Term Care Committee</u>	<u>8 Y, 0 N</u>	<u>Walsh</u>	<u>Liem</u>
3) <u>Education Appropriations Committee</u>	<u></u>	<u>Hammock</u>	<u>Hamon</u>
4) <u>Education Council</u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

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### SUMMARY ANALYSIS

Committee Substitute (CS) for HB 885 increases the number of regional autism centers from six to seven and requires service delivery to be consistent for all Centers for Autism & Related Disabilities (CARD).

The CS transfers the service areas of Indian River, Martin, Okeechobee, St. Lucie, and Palm Beach Counties to the new CARD housed within the Department of Exceptional Student Education at Florida Atlantic University.

The CS expands the current CARD at the University of Miami to include the Department of Psychology at that institution.

The CS requires the constituency board for each CARD, beginning in the 2006-2007 fiscal year, to raise funds equivalent to 2 percent of the total funds allocated to that center in each fiscal year.

The CS prohibits direct medical intervention or pharmaceutical intervention in any CARD.

The House General Appropriations Bill for 2005-2006 provides \$6,075,000 for the CARD centers. This is an increase of \$1.1 million over the 2004-2005 appropriation of \$4,975,000. See FISCAL COMMENTS section for further details.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government—The CS increases the number of centers from six to seven which may increase responsibilities of Florida Atlantic University (FAU), previously a satellite center through the University of Miami (UM), and the Department of Education, which collects reports from the centers. The CS requires service delivery to be consistent for all centers, the constituency boards for each center to raise funds, and prohibits direct medical intervention or pharmaceutical intervention at any Center for Autism & Related Disabilities (CARD).

Empower families—The CS provides access to an additional CARD, reducing commute time and additional costs for families who previously had to drive to the USF or UM CARD for care. These families will now be cared for at a CARD in much closer proximity.

#### B. EFFECT OF PROPOSED CHANGES:

##### **Background**

Current law designates six regional autism centers to provide nonresidential resource and training services for persons of all ages and all levels of intellectual functioning who have autism; a pervasive developmental disorder that is not otherwise specified; who have an autistic-like disability; who have a dual sensory impairment; or who have a sensory impairment with other handicapping conditions.<sup>1</sup>

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 provided by those agencies or school districts.

Each center must provide:

- 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.

Locations and service areas of the centers are designated in s.1004.55, F.S. The locations of current Centers for Autism & Related Disabilities (CARD) include:

- Department of Communication Disorders at Florida State University (FSU)
- College of Medicine at the University of Florida (UF)
- UF Health Science Center at Jacksonville
- Louis de la Parte Florida Mental Health Institute at the University of South Florida (USF)
- Mailman Center for Child Development at the University of Miami (UM)
- College of Health and Public Affairs at the University of Central Florida (UCF)

Currently, families in Indian River, Martin, Okeechobee, and St. Lucie Counties must use the facility at USF in order to receive assistance. Families in Palm Beach County must use the facility at UM.

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<sup>1</sup> See s. 1004.55, F.S.

Each CARD has a constituency board that must work collaboratively with the center. The boards must include at least 6 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 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.

An annual conference must be held for staff of the centers and representatives of each constituency board to promote statewide planning and coordination.

The State Board of Education has responsibilities for adopting rules to carry out the purposes of statutory provisions relating to regional autism centers.

For several years FAU has received funding in the annual General Appropriations Act through the University of Miami CARD appropriation. In Fiscal Year 2004-05, FAU was provided funding directly in the General Appropriations Act.

### **Effect of Proposed Changes**

The CS increases the number of regional autism centers from six to seven and requires service delivery to be consistent for all centers.

The CS transfers the service areas of Indian River, Martin, Okeechobee, St. Lucie, and Palm Beach Counties to the new center housed within the Department of Exceptional Student Education at FAU.

The CS expands the current center at UM to include the Department of Psychology at that institution.

The CS requires the constituency board for each center, beginning in the 2006-2007 fiscal year, to raise funds equivalent to 2 percent of the total funds allocated to that center in each fiscal year.

The CS prohibits direct medical intervention or pharmaceutical intervention in any center.

#### C. SECTION DIRECTORY:

**Section 1:** Amends s. 1004.55, F.S. to create an additional regional autism center in the state; reduce the number of counties within the service areas of two existing regional autism centers; provide for consistency in service delivery; require each constituency board to raise funds; and prohibit medical or pharmaceutical intervention in a center.

**Section 2:** Provides that the CS will become effective upon becoming law.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

See FISCAL COMMENTS

##### 2. Expenditures:

See FISCAL COMMENTS

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None

2. Expenditures:

None

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Families who, in the past, may have been unable to reach the CARD that served their location, or had great difficulty in doing so, will have a center located in closer proximity, making services more available to them without the extra cost that may be incurred by having to travel to a center miles away.

**D. FISCAL COMMENTS:**

Specific Appropriation 103 of the 2004-2005 General Appropriations Act, 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>2</sup>	\$834,670
Florida Atlantic University	\$157,000
University of Florida (Jacksonville)	\$736,666
Florida State University (College of Communications)	\$816,666

Proviso language in Specific Appropriation 103 required programs to submit summaries of achievements for the prior fiscal year to DOE by September 1, 2004.

Specific Appropriation 96 of HB 1885 (the House General Appropriations Bill for 2005-2006) provides \$6,075,000 for the CARD centers. The funds are distributed as follows:

University of South Florida/Florida Mental Health Institute	\$ 970,000
University of Florida (College of Medicine)	\$ 740,000
University of Central Florida	\$ 950,000
University of Miami (Department of Pediatrics) <sup>2</sup>	\$1,115,000
Florida Atlantic University	\$ 740,000
University of Florida (Jacksonville)	\$ 740,000
Florida State University (College of Communications)	\$ 820,000

The CS requires the constituency board for each CARD, beginning in the 2006-2007 fiscal year, to raise funds equivalent to 2 percent of the total funds allocated to that center in each fiscal year. The impact, if any, of this requirement on the allocation for a center and the consequences if a board fails to do so, are unknown.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

None

<sup>2</sup> Includes \$182,000 for activities in Broward County through Nova Southeastern University

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

#### **IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES**

On March 15, 2005, the Colleges & Universities Committee adopted an amendment to HB 885. The bill was reported favorably with a Committee Substitute (CS). The CS provides a start date for the requirement that the constituency board for each CARD raise funds equivalent to 2 percent of the total funds allocated to that center in each fiscal year. Each constituency board must fulfill this requirement beginning in the 2006-2007 fiscal year. The original bill did not have a start date for when this requirement began. The analysis is drafted to the Committee Substitute.