

By Senator Lynn

7-1006-07

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A bill to be entitled

An act relating to government organization;
amending s. 20.197, F.S.; transferring the
Agency for Persons with Disabilities from the
Department of Children and Family Services to
the Agency for Health Care Administration;
providing an effective date.

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

Section 1. Section 20.197, Florida Statutes, is
amended to read:

20.197 Agency for Persons with Disabilities.--There is
created the Agency for Persons with Disabilities, housed
within the Agency for Health Care Administration ~~Department of
Children and Family Services~~ for administrative purposes only.
The agency shall be a separate budget entity not subject to
control, supervision, or direction by the Agency for Health
Care Administration ~~Department of Children and Family Services~~
in any manner, including, but not limited to, personnel,
purchasing, transactions involving real or personal property,
and budgetary matters.

(1) The director of the agency shall be the agency
head for all purposes and shall be appointed by the Governor,
subject to confirmation by the Senate, and shall serve at the
pleasure of the Governor. The director shall administer the
affairs of the agency and may, within available resources,
employ assistants, professional staff, and other employees as
necessary to discharge the powers and duties of the agency.

(2) The agency shall include a Division of Budget and
Planning and a Division of Operations. In addition, and in

1 accordance with s. 20.04, the director of the agency may
2 recommend establishing additional divisions, bureaus,
3 sections, and subsections of the agency in order to promote
4 efficient and effective operation of the agency.

5 (3) The agency is responsible for providing all
6 services provided to persons with developmental disabilities
7 under chapter 393, including the operation of all state
8 institutional programs and the programmatic management of
9 Medicaid waivers established to provide services to persons
10 with developmental disabilities.

11 (4) The agency shall engage in such other
12 administrative activities as are deemed necessary to
13 effectively and efficiently address the needs of the agency's
14 clients.

15 (5) The agency shall enter into an interagency
16 agreement that delineates the responsibilities of the Agency
17 for Health Care Administration for the following:

18 (a) The terms and execution of contracts with Medicaid
19 providers for the provision of services provided through
20 Medicaid, including federally approved waiver programs.

21 (b) The billing, payment, and reconciliation of claims
22 for Medicaid services reimbursed by the agency.

23 (c) The implementation of utilization management
24 measures, including the prior authorization of services plans
25 and the streamlining and consolidation of waiver services, to
26 ensure the cost-effective provision of needed Medicaid
27 services and to maximize the number of persons with access to
28 such services.

29 (d) A system of approving each client's plan of care
30 to ensure that the services on the plan of care are those that
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1 without which the client would require the services of an
2 intermediate care facility for the developmentally disabled.

3 Section 2. This act shall take effect July 1, 2007.

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6 SENATE SUMMARY

7 Transfers the Agency for Persons with Disabilities from
8 the Department of Children and Family Services to the
9 Agency for Health Care Administration.

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