

Bill No. SB 12-C

Barcode 285544

CHAMBER ACTION

Senate

House

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The Committee on Health and Human Services Appropriations
(Gaetz) recommended the following amendment:

Senate Amendment (with title amendment)

On page 1, line 26,

insert:

Section 1. Paragraph (f) of subsection (3) of section
393.0661, Florida Statutes, is amended to read:

393.0661 Home and community-based services delivery
system; comprehensive redesign.--The Legislature finds that
the home and community-based services delivery system for
persons with developmental disabilities and the availability
of appropriated funds are two of the critical elements in
making services available. Therefore, it is the intent of the
Legislature that the Agency for Persons with Disabilities
shall develop and implement a comprehensive redesign of the
system.

(3) The Agency for Health Care Administration, in
consultation with the agency, shall seek federal approval and
implement a four-tiered waiver system to serve clients with

Bill No. SB 12-C

Barcode 285544

1 developmental disabilities in the developmental disabilities
 2 and family and supported living waivers. The agency shall
 3 assign all clients receiving services through the
 4 developmental disabilities waiver to a tier based on a valid
 5 assessment instrument, client characteristics, and other
 6 appropriate assessment methods. All services covered under the
 7 current developmental disabilities waiver shall be available
 8 to all clients in all tiers where appropriate, except as
 9 otherwise provided in this subsection or in the General
 10 Appropriations Act.

11 (f) The agency shall seek federal waivers and amend
 12 contracts as necessary to make changes to services defined in
 13 federal waiver programs administered by the agency as follows:

14 1. Supported living coaching services shall not exceed
 15 20 hours per month for persons who also receive in-home
 16 support services.

17 2. Limited support coordination services shall be the
 18 only type of support coordination service provided to persons
 19 under the age of 18 who live in the family home.

20 3. Personal care assistance services shall be limited
 21 to no more than 180 hours per calendar month and shall not
 22 include rate modifiers. Additional hours may be authorized for
 23 persons who have intensive medical or adaptive needs and if
 24 such hours are essential for avoiding institutionalization, or
 25 for persons who possess behavioral problems that are
 26 exceptional in intensity, duration, or frequency and present a
 27 substantial risk of harming themselves or others. Additional
 28 ~~hours may be authorized only if a substantial change in~~
 29 ~~circumstances occurs for the individual.~~

30 4. Residential habilitation services shall be limited
 31 to 8 hours per day. Additional hours may be authorized for

Bill No. SB 12-C

Barcode 285544

1 persons who have intensive medical or adaptive needs and if
 2 such hours are essential for avoiding institutionalization, or
 3 for persons who possess behavioral problems that are
 4 exceptional in intensity, duration, or frequency and present a
 5 substantial risk of harming themselves or others. This
 6 restriction shall be in effect until the four-tiered waiver
 7 system is fully implemented.

8 5. Chore Services, nonresidential support services,
 9 and homemaker services shall be eliminated. The agency shall
 10 expand the definition of in-home support services to enable
 11 the provider of the service to include activities previously
 12 provided in these eliminated services.

13 6. Massage therapy and psychological assessment
 14 services shall be eliminated.

15 7. The agency shall conduct supplemental cost plan
 16 reviews to verify the medical necessity of authorized services
 17 for plans that have increased by more than 8 percent during
 18 either of the 2 preceding fiscal years.

19 8. The agency shall implement a consolidated
 20 residential habilitation rate structure to increase savings to
 21 the state through a more cost-effective payment method and
 22 establish uniform rates for intensive behavioral residential
 23 habilitation services.

24 9. Pending federal approval, the agency is authorized
 25 to extend current support plans for clients receiving services
 26 under Medicaid waivers for 1 year beginning July 1, 2007, or
 27 from the date approved, whichever is later. Clients who have a
 28 substantial change in circumstances which threatens their
 29 health and safety may be reassessed during this year in order
 30 to determine the necessity for a change in their support plan.

31 Section 2. The following proviso associated with

Bill No. SB 12-C

Barcode 285544

1 Specific Appropriation 270 in chapter 2007-72, Laws of
 2 Florida, is repealed: "Personal Care Assistance services shall
 3 be limited to no more than 180 hours per calendar month and
 4 shall not include rate modifiers. Additional hours may be
 5 authorized only if a substantial change in circumstances
 6 occurs for the individual."

7
 8 (Redesignate subsequent sections.)

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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 1, line 2, after the semicolon,

14

15 insert:

16 amending s. 393.0661, F.S.; providing for
 17 additional hours to be authorized under the
 18 personal care assistance services provided
 19 pursuant to a federal waiver program and
 20 administered by the Agency for Health Care
 21 Administration; repealing proviso language
 22 contained in Specific Appropriation 270 in
 23 chapter 2007-72, Laws of Florida, to conform;

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