

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Galvano offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 280 and 281, insert:

5 Section 13. Paragraph (f) of subsection (3) of section  
6 393.0661, Florida Statutes, is amended to read:

7 393.0661 Home and community-based services delivery  
8 system; comprehensive redesign.--The Legislature finds that the  
9 home and community-based services delivery system for persons  
10 with developmental disabilities and the availability of  
11 appropriated funds are two of the critical elements in making  
12 services available. Therefore, it is the intent of the  
13 Legislature that the Agency for Persons with Disabilities shall  
14 develop and implement a comprehensive redesign of the system.

15 (3) The Agency for Health Care Administration, in  
16 consultation with the agency, shall seek federal approval and  
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17 | implement a four-tiered waiver system to serve clients with  
18 | developmental disabilities in the developmental disabilities and  
19 | family and supported living waivers. The agency shall assign all  
20 | clients receiving services through the developmental  
21 | disabilities waiver to a tier based on a valid assessment  
22 | instrument, client characteristics, and other appropriate  
23 | assessment methods. All services covered under the current  
24 | developmental disabilities waiver shall be available to all  
25 | clients in all tiers where appropriate, except as otherwise  
26 | provided in this subsection or in the General Appropriations  
27 | Act.

28 |       (f) The agency shall seek federal waivers and amend  
29 | contracts as necessary to make changes to services defined in  
30 | federal waiver programs administered by the agency as follows:

31 |       1. Supported living coaching services shall not exceed 20  
32 | hours per month for persons who also receive in-home support  
33 | services.

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

37 |       3. Personal care assistance services shall be limited to  
38 | no more than 180 hours per calendar month and shall not include  
39 | rate modifiers. Additional hours may be authorized for persons  
40 | who have intensive physical, medical, or adaptive needs and if  
41 | such hours are essential for avoiding institutionalization only  
42 | ~~if a substantial change in circumstances occurs for the~~  
43 | ~~individual.~~

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44           4. Residential habilitation services shall be limited to 8  
45 hours per day. Additional hours may be authorized for persons  
46 who have intensive medical or adaptive needs and if such hours  
47 are essential for avoiding institutionalization, or for persons  
48 who possess behavioral problems that are exceptional in  
49 intensity, duration, or frequency and present a substantial risk  
50 of harming themselves or others. This restriction shall be in  
51 effect until the four-tiered waiver system is fully implemented.

52           5. Chore Services, nonresidential support services, and  
53 homemaker services shall be eliminated. The agency shall expand  
54 the definition of in-home support services to enable the  
55 provider of the service to include activities previously  
56 provided in these eliminated services.

57           6. Massage therapy and psychological assessment services  
58 shall be eliminated.

59           7. The agency shall conduct supplemental cost plan reviews  
60 to verify the medical necessity of authorized services for plans  
61 that have increased by more than 8 percent during either of the  
62 2 preceding fiscal years.

63           8. The agency shall implement a consolidated residential  
64 habilitation rate structure to increase savings to the state  
65 through a more cost-effective payment method and establish  
66 uniform rates for intensive behavioral residential habilitation  
67 services.

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

75 Section 14. The following proviso language associated with  
76 Specific Appropriation 270 in chapter 2007-72, Laws of Florida,  
77 is amended to read:

78  
79 Personal Care Assistance services shall be limited to no more  
80 than 180 hours per calendar month and shall not include rate  
81 modifiers. Additional hours may be authorized for persons who  
82 have intensive physical, medical, or adaptive needs and if such  
83 hours are essential for avoiding institutionalization ~~only if a~~  
84 ~~substantial change in circumstances occurs for the individual.~~

85

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

87 Between lines 21 and 22, insert:

88 amending s. 393.0661, F.S.; providing for additional hours to be  
89 authorized under the personal care assistance services provided  
90 pursuant to a federal waiver program and administered by the  
91 Agency for Persons with Disabilities; amending proviso language  
92 contained in Specific Appropriation 270 in chapter 2007-72, Laws  
93 of Florida, to conform;