

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 8 and 9, insert:

5 Section 1. 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 if such
41 | hours are essential for avoiding institutionalization ~~only if a~~
42 | ~~substantial change in circumstances occurs for the individual.~~

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

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

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

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

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

67 | 9. Pending federal approval, the agency is authorized to
68 | extend current support plans for clients receiving services
69 | under Medicaid waivers for 1 year beginning July 1, 2007, or
70 | from the date approved, whichever is later. Clients who have a
71 | substantial change in circumstances which threatens their health

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72 and safety may be reassessed during this year in order to
73 determine the necessity for a change in their support plan.

74 Section 2. The following proviso associated with Specific
75 Appropriation 270 in chapter 2007-72, Laws of Florida, is
76 amended to read:

77
78 Personal Care Assistance services shall be limited to no more
79 than 180 hours per calendar month and shall not include rate
80 modifiers. Additional hours may be authorized for persons who
81 have intensive physical, medical, or adaptive needs if such
82 hours are essential for avoiding institutionalization ~~only if a~~
83 ~~substantial change in circumstances occurs for the individual.~~

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85

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

87 Remove line 2 and insert:

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