



621184

603-06046A-08

Proposed Committee Substitute by the Committee on Health and Human
Services Appropriations

1 A bill to be entitled

2 An act relating to the home and community-based services
3 delivery system; amending s. 393.0661, F.S.; providing
4 that the total annual expenditures under tier one for
5 services to clients with developmental disabilities may
6 not exceed \$150,000 per client per year; limiting tier two
7 services to clients whose service needs include a licensed
8 residential facility and who have authorization for a
9 moderate level of support for standard residential
10 habilitation services or authorization for a minimal level
11 of support for behavior focus residential habilitation
12 services; delaying the applicability of provisions
13 governing services provided under tier four; providing an
14 effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Paragraphs (a), (b), and (d) of subsection (3)
19 of section 393.0661, Florida Statutes, are amended to read:

20 393.0661 Home and community-based services delivery system;
21 comprehensive redesign.--The Legislature finds that the home and
22 community-based services delivery system for persons with
23 developmental disabilities and the availability of appropriated
24 funds are two of the critical elements in making services
25 available. Therefore, it is the intent of the Legislature that
26 the Agency for Persons with Disabilities shall develop and
27 implement a comprehensive redesign of the system.



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28 (3) The Agency for Health Care Administration, in
29 consultation with the agency, shall seek federal approval and
30 implement a four-tiered waiver system to serve clients with
31 developmental disabilities in the developmental disabilities and
32 family and supported living waivers. The agency shall assign all
33 clients receiving services through the developmental disabilities
34 waiver to a tier based on a valid assessment instrument, client
35 characteristics, and other appropriate assessment methods. All
36 services covered under the current developmental disabilities
37 waiver shall be available to all clients in all tiers where
38 appropriate, except as otherwise provided in this subsection or
39 in the General Appropriations Act.

40 (a) Tier one shall be limited to clients who have service
41 needs that cannot be met in tier two, three, or four for
42 intensive medical or adaptive needs and that are essential for
43 avoiding institutionalization, or who possess behavioral problems
44 that are exceptional in intensity, duration, or frequency and
45 present a substantial risk of harm to themselves or others. Total
46 annual expenditures under tier one may not exceed \$150,000 per
47 client per year.

48 (b) Tier two shall be limited to clients whose service
49 needs include a licensed residential facility and who have
50 authorization for a moderate level of support for standard
51 residential habilitation services or authorization for a minimal
52 level of support for behavior focus residential habilitation
53 services ~~greater than 5 hours per day in residential habilitation~~
54 ~~services~~ or clients in supported living who receive greater than
55 6 hours a day of in-home support services. Total annual
56 expenditures under tier two may not exceed \$55,000 per client
57 each year.



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58 (d) Tier four is the family and supported living waiver.
59 Tier four shall include, but is not limited to, clients in
60 independent or supported living situations and clients who live
61 in their family home. An increase to the number of services
62 available to clients in this tier shall not take effect before
63 July 1, 2009 ~~prior to July 1, 2008~~. Total annual expenditures
64 under tier four may not exceed \$14,792 per client each year.
65 Section 2. This act shall take effect July 1, 2008.