

By Senator Lynn

7-03570-08

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1 A bill to be entitled

2 An act relating to government organization; amending s.  
3 20.197, F.S.; transferring the Agency for Persons with  
4 Disabilities from the Department of Children and Family  
5 Services to the Agency for Health Care Administration;  
6 providing an effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Section 20.197, Florida Statutes, is amended to  
11 read:

12 20.197 Agency for Persons with Disabilities.--There is  
13 created the Agency for Persons with Disabilities, housed within  
14 the Agency for Health Care Administration ~~Department of Children~~  
15 ~~and Family Services~~ for administrative purposes only. The agency  
16 shall be a separate budget entity not subject to control,  
17 supervision, or direction by the Agency for Health Care  
18 Administration ~~Department of Children and Family Services~~ in any  
19 manner, including, but not limited to, personnel, purchasing,  
20 transactions involving real or personal property, and budgetary  
21 matters.

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

29 (2) The agency shall include a Division of Budget and

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30 | Planning and a Division of Operations. In addition, and in  
31 | accordance with s. 20.04, the director of the agency may  
32 | recommend establishing additional divisions, bureaus, sections,  
33 | and subsections of the agency in order to promote efficient and  
34 | effective operation of the agency.

35 |       (3) The agency is responsible for providing all services  
36 | provided to persons with developmental disabilities under chapter  
37 | 393, including the operation of all state institutional programs  
38 | and the programmatic management of Medicaid waivers established  
39 | to provide services to persons with developmental disabilities.

40 |       (4) The agency shall engage in such other administrative  
41 | activities as are deemed necessary to effectively and efficiently  
42 | address the needs of the agency's clients.

43 |       (5) The agency shall enter into an interagency agreement  
44 | that delineates the responsibilities of the Agency for Health  
45 | Care Administration for the following:

46 |       (a) The terms and execution of contracts with Medicaid  
47 | providers for the provision of services provided through  
48 | Medicaid, including federally approved waiver programs.

49 |       (b) The billing, payment, and reconciliation of claims for  
50 | Medicaid services reimbursed by the agency.

51 |       (c) The implementation of utilization management measures,  
52 | including the prior authorization of services plans and the  
53 | streamlining and consolidation of waiver services, to ensure the  
54 | cost-effective provision of needed Medicaid services and to  
55 | maximize the number of persons with access to such services.

56 |       (d) A system of approving each client's plan of care to  
57 | ensure that the services on the plan of care are those that  
58 | without which the client would require the services of an

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59 intermediate care facility for the developmentally disabled.

60 Section 2. This act shall take effect July 1, 2008.