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CHAMBER ACTION

Senate

House

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Floor: 1/AD/2R
4/16/2008 12:15 PM



1 Senator Peaden moved the following **amendment**:

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

4 Delete everything after the enacting clause
5 and insert:

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

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

16 (3) The Agency for Health Care Administration, in
17 consultation with the agency, shall seek federal approval and



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

28 | (a) Tier one shall be limited to clients who have service
29 | needs that cannot be met in tier two, three, or four for
30 | intensive medical or adaptive needs and that are essential for
31 | avoiding institutionalization, or who possess behavioral problems
32 | that are exceptional in intensity, duration, or frequency and
33 | present a substantial risk of harm to themselves or others. Total
34 | annual expenditures under tier one may not exceed \$150,000 per
35 | client per year.

36 | (b) Tier two shall be limited to clients whose service
37 | needs include a licensed residential facility and who have
38 | authorization for a moderate level of support for standard
39 | residential habilitation services or authorization for a minimal
40 | level of support for behavior focus residential habilitation
41 | services ~~greater than 5 hours per day in residential habilitation~~
42 | ~~services~~ or clients in supported living who receive greater than
43 | 6 hours a day of in-home support services. Total annual
44 | expenditures under tier two may not exceed \$55,000 per client
45 | each year.

46 | (d) Tier four is the family and supported living waiver.
47 | Tier four shall include, but is not limited to, clients in



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48 independent or supported living situations and clients who live
 49 in their family home. An increase to the number of services
 50 available to clients in this tier shall not take effect before
 51 July 1, 2009 ~~prior to July 1, 2008~~. Total annual expenditures
 52 under tier four may not exceed \$14,792 per client each year.

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

54
 55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete everything before the enacting clause
 58 and insert:

59 A bill to be entitled
 60 An act relating to the home and community-based services
 61 delivery system; amending s. 393.0661, F.S.; providing
 62 that the total annual expenditures under tier one for
 63 services to clients with developmental disabilities may
 64 not exceed \$150,000 per client per year; limiting tier two
 65 services to clients whose service needs include a licensed
 66 residential facility and who have authorization for a
 67 moderate level of support for standard residential
 68 habilitation services or authorization for a minimal level
 69 of support for behavior focus residential habilitation
 70 services; delaying the applicability of provisions
 71 governing services provided under tier four; providing an
 72 effective date.