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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/15/2010 04:50 PM

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Senator Haridopolos moved the following:

Senate Amendment (with title amendment)

Between lines 59 and 60

insert:

Section 2. Subsection (5) of section 393.18, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

393.18 Comprehensive transitional education program.—A comprehensive transitional education program is a group of jointly operating centers or units, the collective purpose of which is to provide a sequential series of educational care, training, treatment, habilitation, and rehabilitation services to persons who have developmental disabilities and who have



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14 severe or moderate maladaptive behaviors. However, this section
15 does not require such programs to provide services only to
16 persons with developmental disabilities. All such services shall
17 be temporary in nature and delivered in a structured residential
18 setting, having the primary goal of incorporating the principle
19 of self-determination in establishing permanent residence for
20 persons with maladaptive behaviors in facilities that are not
21 associated with the comprehensive transitional education
22 program. The staff shall include behavior analysts and teachers,
23 as appropriate, who shall be available to provide services in
24 each component center or unit of the program. A behavior analyst
25 must be certified pursuant to s. 393.17.

26 (5) This section shall authorize licensure for
27 comprehensive transitional education programs which by July 1,
28 1989:

29 (a) Were in actual operation; or

30 (b) Owned a fee simple interest in real property for which
31 a county or city government has approved zoning allowing for the
32 placement of the facilities described in this subsection, and
33 have registered an intent with the agency to operate a
34 comprehensive transitional education program. However, nothing
35 prohibits ~~shall prohibit~~ the assignment by such a registrant to
36 another entity at a different site within the state, so long as
37 there is compliance with all criteria of this program and local
38 zoning requirements and provided that each residential facility
39 within the component centers or units of the program authorized
40 under this paragraph does not exceed a capacity of 15 persons.

41 (6) Notwithstanding subsection (5), the agency may, in
42 order to maximize federal revenues and to provide for children



43 with the need of special behavioral services, authorize the
44 licensure of a facility that:

45 (a) Provides residential services for children with
46 developmental disabilities with significant behavioral problems;
47 and

48 (b) Served children as of July 1, 2010, who were served by
49 the child welfare system with an open case in the automated
50 child welfare system of the Department of Children and Family
51 Services.

52
53 The facility must be in compliance with all criteria of this
54 program and local zoning requirements and provided that each
55 residential facility within the component centers or units of
56 the program authorized under this subsection does not exceed a
57 capacity of 15 persons.

58
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61
62 Delete line 7

63 and insert:

64
65 individuals are liable for damages; amending s.
66 393.18, F.S.; authorizing the agency to issue a
67 license as a comprehensive transitional education
68 program to serve children with severe behavioral
69 conditions; amending s.