



270460

576-02158-15

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Health and Human Services)

A bill to be entitled

An act relating to persons with developmental disabilities; amending s. 393.063, F.S.; revising the definition of the term "developmental disability" to include Down syndrome; amending s. 393.065, F.S.; requiring the Agency for Persons with Disabilities to allow an applicant whose parent or guardian is a member of the United States Armed Forces or the Florida National Guard to receive Medicaid home and community-based waiver program services under certain conditions; prohibiting the agency from prioritizing an applicant who is eligible for waiver services with a higher priority than certain other clients under certain circumstances; providing an effective date.

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

Section 1. Subsection (9) of section 393.063, Florida Statutes, is amended to read:

393.063 Definitions.—For the purposes of this chapter, the term:

(9) "Developmental disability" means a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, Down syndrome, spina bifida, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.



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28           Section 2. Present subsection (7) of section 393.065,  
29 Florida Statutes, is redesignated as subsection (8), and a new  
30 subsection (7) is added to that section, to read:

31           393.065 Application and eligibility determination.—

32           (7) The agency shall allow an applicant who meets the  
33 eligibility requirements of subsection (1) to receive home and  
34 community-based services in this state if:

35           (a) The applicant's parent or legal guardian is a military  
36 servicemember on active duty and, at the time of the  
37 servicemember's transfer to this state, the applicant was  
38 receiving home and community-based services in another state; or

39           (b) The applicant's parent or legal guardian is a member of  
40 the Florida National Guard and resides in this state.

41  
42           The agency shall not prioritize an applicant who is eligible for  
43 waiver services under this subsection with a higher priority  
44 than a client waiting for waiver services who is prioritized in  
45 category 1 or category 2 under subsection (5).

46           Section 3. This act shall take effect July 1, 2015.