

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Renner offered the following:

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

4 Remove lines 803-877 and insert:

5 Section 10. Section 393.18, Florida Statutes, is reenacted  
6 and amended to read:

7 393.18 Comprehensive transitional education program.—A  
8 comprehensive transitional education program serves individuals  
9 ~~is a group of jointly operating centers or units, the collective~~  
10 ~~purpose of which is to provide a sequential series of~~  
11 ~~educational care, training, treatment, habilitation, and~~  
12 ~~rehabilitation services to persons who have developmental~~  
13 ~~disabilities, and who have severe or moderate maladaptive~~  
14 ~~behaviors, and co-occurring complex medical conditions, or a~~

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15 dual diagnosis of developmental disability and mental illness.  
16 ~~However, this section does not require such programs to provide~~  
17 ~~services only to persons with developmental disabilities. All~~  
18 ~~such Services~~ provided by the program must shall be temporary in  
19 nature and delivered in a manner designed to achieve structured  
20 ~~residential setting, having~~ the primary goal of incorporating  
21 the principles principle of self-determination and person-  
22 centered planning to transition individuals to the most  
23 appropriate, least restrictive community living option of their  
24 choice which is not operated as a in establishing permanent  
25 ~~residence for persons with maladaptive behaviors in facilities~~  
26 ~~that are not associated with the comprehensive transitional~~  
27 ~~education program. The supervisor of the clinical director of~~  
28 the program licensee must hold a doctorate degree with a primary  
29 focus in behavior analysis from an accredited university, be a  
30 certified behavior analyst pursuant to s. 393.17, and have at  
31 least 1 year of experience in providing behavior analysis  
32 services for individuals in developmental disabilities. The  
33 staff must shall include behavior analysts and teachers, as  
34 appropriate, who must shall be available to provide services in  
35 each component center or unit of the program. A behavior analyst  
36 must be certified pursuant to s. 393.17.

37 (1) Comprehensive transitional education programs must  
38 ~~shall include a minimum of two component centers or units, one~~  
39 ~~of which shall be an intensive treatment and educational center~~  
40 ~~or a transitional training and educational center, which~~

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41 ~~provides services to persons with maladaptive behaviors in the~~  
42 ~~following components sequential order:~~

43 (a) Intensive treatment and education ~~educational center.~~-  
44 This component provides ~~is a self-contained residential unit~~  
45 ~~providing~~ intensive behavioral and educational programming for  
46 individuals whose conditions ~~persons with severe maladaptive~~  
47 ~~behaviors whose behaviors~~ preclude placement in a less  
48 restrictive environment due to the threat of danger or injury to  
49 themselves or others. Continuous-shift staff are ~~shall be~~  
50 required for this component.

51 (b) Intensive Transitional training and education  
52 ~~educational center.~~-This component provides ~~is a residential~~  
53 ~~unit for persons with moderate maladaptive behaviors providing~~  
54 concentrated psychological and educational programming that  
55 emphasizes a transition toward a less restrictive environment.  
56 Continuous-shift staff are ~~shall be~~ required for this component.

57 (c) ~~Community~~ Transition ~~residence.~~-This component  
58 provides ~~is a residential center providing~~ educational programs  
59 and any support services, training, and care that are needed ~~to~~  
60 ~~assist persons with maladaptive behaviors~~ to avoid regression to  
61 more restrictive environments while preparing them for more  
62 independent living. Continuous-shift staff are ~~shall~~ be required  
63 for this component.

64 (d) ~~Alternative living center.~~-This component ~~is a~~  
65 ~~residential unit providing an educational and family living~~  
66 ~~environment for persons with maladaptive behaviors in a~~

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67 ~~moderately unrestricted setting. Residential staff shall be~~  
68 ~~required for this component.~~

69 ~~(c) Independent living education center. This component is~~  
70 ~~a facility providing a family living environment for persons~~  
71 ~~with maladaptive behaviors in a largely unrestricted setting and~~  
72 ~~includes education and monitoring that is appropriate to support~~  
73 ~~the development of independent living skills.~~

74 (2) Components of a comprehensive transitional education  
75 program are subject to the license issued under s. 393.067 to a  
76 comprehensive transitional education program and may be located  
77 on a single site or multiple sites as long as such components  
78 are located within the same agency region.

79 (3) Comprehensive transitional education programs shall  
80 develop individual education plans for each school-aged person  
81 with maladaptive behaviors, severe maladaptive behaviors and co-  
82 occurring complex medical conditions, or a dual diagnosis of  
83 developmental disability and mental illness who receives  
84 services from the program. Each individual education plan shall  
85 be developed in accordance with the criteria specified in 20  
86 U.S.C. ss. 401 et seq., and 34 C.F.R. part 300. Educational  
87 components of the program, including individual education plans,  
88 to the extent possible, must be integrated with the programs of  
89 the referring school district of each school-aged resident.

90 (4) ~~For comprehensive transitional education programs,~~ The  
91 total number of persons in a comprehensive transitional  
92 education program ~~residents~~ who are being provided with services

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93 may not ~~in any instance~~ exceed ~~the licensed capacity~~ of 120  
 94 residents, and each residential unit within the component  
 95 centers of a ~~the~~ program authorized under this section may not  
 96 ~~in any instance~~ exceed 15 residents. However, a program that was  
 97 authorized to operate residential units with more than 15  
 98 residents before July 1, 2015, may continue to operate such  
 99 units.

100 (5) Any licensee that has executed a settlement agreement  
 101 with the agency that is enforceable by the court must comply  
 102 with the terms of the settlement agreement or be subject to  
 103 discipline as provided by law or rule.

104 (6) The agency may approve the proposed admission or  
 105 readmission of individuals into a comprehensive transitional  
 106 education program for up to 2 years subject to a specific review  
 107 process. The agency may allow an individual to reside in this  
 108 setting for a longer period of time if, after a clinical review  
 109 is conducted by the agency, it is determined that remaining in  
 110 the program for a longer period of time is in the best interest  
 111 of the individual.

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113  
 114 **T I T L E A M E N D M E N T**

115 Remove lines 37-45 and insert:  
 116 222, Laws of Florida; abrogating the scheduled  
 117 expiration and reversion of amendments to ss.  
 118 393.067(15) and 393.18, F.S.; providing for contingent

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119 retroactive operation; reenacting s. 393.067(15),  
120 F.S., relating to a provision specifying that the  
121 agency is not required to contract with certain  
122 licensed facilities; reenacting and amending s.  
123 393.18, F.S.; revising the purposes of comprehensive  
124 transitional education programs; providing  
125 qualification requirements for the supervisor of the  
126 clinical director of a specified licensee; revising  
127 the organization and operation of components of such a  
128 program; providing for the integration of educational  
129 components with the local school district; providing  
130 that failure of certain licensees to comply with the  
131 terms of a settlement agreement is grounds for  
132 discipline; authorizing the agency to approve the  
133 admission or readmission of an individual to such a  
134 program; amending ss. 383.141

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