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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
10/08/2015	.	
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The Committee on Children, Families, and Elder Affairs (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 65 - 128

and insert:

Attendant Services and Employment Assistance Program and shall
remit sufficient funds monthly to meet the requirements of
subsection (5).

(1) As used in this section, the term "competitive
employment" means employment in the public or private sector in
which the employee earns comparable wages and benefits,



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11 commensurate with his or her qualifications and experience, and
12 works in comparable conditions to those experienced by the
13 general workforce in that industry or profession.

14 (2) The program shall ~~to~~ provide personal care attendants
15 and other support and services necessary to enable ~~to~~ persons
16 eligible under subsection (3) who have significant ~~severe~~ and
17 chronic disabilities to obtain or maintain competitive
18 employment, including self-employment of all kinds and who are
19 eligible under subsection (1). ~~Effective July 1, 2008, The~~
20 ~~Florida Association of Centers for Independent Living shall~~
21 ~~receive 12 percent of the funds paid to or on behalf of~~
22 ~~participants from funds to be deposited with the Florida~~
23 ~~Endowment Foundation for Vocational Rehabilitation pursuant to~~
24 ~~ss. 320.08068(4)(d) and 413.4021(1) to administer the program.~~
25 ~~For the purpose of ensuring continuity of services, a memorandum~~
26 ~~of understanding shall be executed between the parties to cover~~
27 ~~the period between July 1, 2008, and the execution of the final~~
28 ~~agreement.~~

29 (3) ~~(1)~~ In order to be eligible to participate in the
30 program, a person must:

31 (a) Be at least 18 years of age, be a legal resident of
32 this state, and be significantly and chronically disabled.

33 (b) As determined by a physician, psychologist, or
34 psychiatrist, require a personal care attendant for assistance
35 with or support for at least two activities of daily living as
36 defined in s. 429.02. ~~as determined by a physician,~~
37 ~~psychologist, or psychiatrist;~~

38 (c) Require a personal care attendant and, as needed, other
39 support and services in order to accept an offer of employment



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40 and commence working or to a job or maintain competitive
41 substantial gainful employment.; and

42 (d) Be able to acquire and direct the support and services
43 provided pursuant to this section, including the services of a
44 personal care attendant.

45 (4)(2)(a) The Florida Association of Centers for
46 Independent Living shall provide program participants with
47 appropriate training to program participants on the hiring and
48 management of managing a personal care attendant and on other
49 self-advocacy skills needed to effectively access and manage the
50 support and services provided under this section. and,

51 (b) In consultation e cooperation with the Advisory and
52 Oversight Committee established in subsection (6), the Florida
53 Association of Centers for Independent Living shall oversight
54 group described in paragraph (b), adopt new and revised and
55 revise the policies and procedures governing the operation of
56 the personal care attendant program and the training program
57 required in paragraph (a), provide technical assistance to
58 program participants, provide administrative support services
59 for the program, including the implementation of appropriate
60 internal financial controls to ensure program integrity, and
61 provide administrative support for the Advisory and Oversight
62 Committee ~~The oversight group shall include, but need not be~~
63 ~~limited to, a member of the Florida Association of Centers for~~
64 ~~Independent Living, a person who is participating in the~~
65 ~~program, and one representative each from the Department of~~
66 ~~Revenue, the Department of Children and Families, the Division~~
67 ~~of Vocational Rehabilitation in the Department of Education, the~~
68 ~~Medicaid program in the Agency for Health Care Administration,~~



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69 ~~the Florida Endowment Foundation for Vocational Rehabilitation,~~
70 ~~and the Brain and Spinal Cord Injury Program in the Department~~
71 ~~of Health.~~

72 (5) The James Patrick Memorial Work Incentive Personal
73 Attendant Services and Employment Assistance Program shall
74 reimburse the Florida Association of Centers for Independent
75 Living monthly for payments made to program participants and for
76 costs associated with program administration and oversight in
77 accordance with the annual operating budget approved by the
78 Advisory and Oversight Committee established pursuant to
79 subsection (6). Such costs may not exceed 12 percent of the
80 funds deposited with the Florida Endowment Foundation for
81 Vocational Rehabilitation pursuant to ss. 320.08068(4)(d) and
82 413.4021(1).

83 (6) The Advisory and Oversight Committee for the James
84 Patrick Memorial Work Incentive Personal Attendant Services and
85 Employment Assistance Program is established for the purpose of
86 providing program oversight, advising the Florida Association of
87 Centers for Independent Living on policies and procedures, and
88 approving the program's annual operating budget for
89 administration and oversight.

90 (a) The committee shall consist of the following members:

91 1. The director of the Division of Vocational
92 Rehabilitation or his or her designee;

93 2. The executive director of the Department of Revenue or
94 his or her designee;

95 3. The secretary of the Department of Children and Families
96 or his or her designee;

97 4. The director of the advisory council on brain and spinal



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98 cord injuries or his or her designee;

99 5. A program participant, appointed by the President of the
100 Senate;

101 6. A member of the Florida Independent Living Council,
102 appointed by the Speaker of the House of Representatives;

103 7. A financial management professional, appointed by the
104 Governor; and

105 8. Two ex officio, nonvoting members, one of whom
106 designated by the chair of the Florida Endowment Foundation for
107 Vocational Rehabilitation, and the other designated by the chair
108 of the Florida Association of Centers for Independent Living.

109 (b) The appointed members shall serve for a term concurrent
110 with the term of the official who made the appointment and shall
111 serve at the pleasure of such official.

112
113 ===== T I T L E A M E N D M E N T =====

114 And the title is amended as follows:

115 Delete lines 11 - 17

116 and insert:

117 Services and Employment Assistance Program; defining a
118 term; requiring the program to provide additional
119 support and services; revising eligibility
120 requirements; expanding the kinds of training
121 required; requiring the association, in consultation
122 with the Advisory and Oversight Committee, to adopt
123 and revise certain policies and procedures and to
124 provide technical assistance and support under certain
125 circumstances; requiring the program to reimburse the
126 Florida Association of Centers for Independent Living



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127 for certain costs approved by the Advisory and
128 Oversight Committee; prohibiting such reimbursement
129 from exceeding a certain amount; establishing the
130 Advisory and Oversight Committee for the James Patrick
131 Memorial Work Incentive Personal Attendant Services
132 and Employment Assistance Program; providing the
133 committee's purpose; providing for committee
134 membership;