

By Senator Pizzo

38-00542-22

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1                                   A bill to be entitled  
 2       An act relating to the Assistive Technology Advisory  
 3       Council; amending s. 413.407, F.S.; revising  
 4       provisions relating to the membership of and  
 5       appointments and reappointments to the Assistive  
 6       Technology Advisory Council; requiring council members  
 7       to select a chair from among the council membership;  
 8       revising provisions relating to committees appointed  
 9       to perform the council's functions; expanding the  
 10      council's functions to include fundraising activities;  
 11      providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15       Section 1. Section 413.407, Florida Statutes, is amended to  
 16      read:

17       413.407 Assistive Technology Advisory Council.—There is  
 18      created the Assistive Technology Advisory Council, responsible  
 19      for ensuring consumer involvement in the creation, application,  
 20      and distribution of technology-related assistance to and for  
 21      persons who have disabilities. The council shall fulfill its  
 22      responsibilities through statewide policy development, ~~both~~  
 23      state and federal legislative initiatives, advocacy at ~~both~~ the  
 24      state and federal levels ~~level~~, planning of statewide resource  
 25      allocations, policy-level management, and reviews of ~~both~~  
 26      consumer responsiveness and the adequacy of program service  
 27      delivery~~7~~ and by performing the functions listed in this  
 28      section.

29       (1) (a) The council shall be composed of:

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30 1. Persons ~~Individuals~~ who have disabilities and who are  
31 assistive technology consumers or family members or guardians of  
32 those persons ~~individuals~~.

33 2. A representative ~~Representatives~~ of a consumer  
34 organization ~~organizations~~ concerned with assistive technology.

35 3. A representative ~~Representatives~~ of business and  
36 industry, including the insurance industry, concerned with  
37 assistive technology.

38 4. A representative of the Division of Vocational  
39 Rehabilitation.

40 5. A representative of the Division of Blind Services.

41 6. A representative of a center for independent living ~~the~~  
42 ~~Florida Independent Living Council~~.

43 7. A representative of CareerSource Florida, Inc.

44 8. A representative of the Department of Education.

45 9. A representative ~~Representatives~~ of any other state  
46 agency ~~agencies~~ that provides or coordinates ~~provide or~~  
47 ~~coordinate~~ services for persons with disabilities, if requested  
48 by a majority vote of the council members.

49  
50 ~~Total membership on the council may not exceed 27 at any one~~  
51 ~~time. A majority of the members shall be appointed in accordance~~  
52 ~~with subparagraph 1.~~

53 (b) Members of the council shall be appointed by the  
54 Commissioner of Education from a list of candidates proposed by  
55 the division director. However, a member who is a representative  
56 of a state agency shall be appointed by the head of that state  
57 agency.

58 (c) A majority of council members must ~~shall~~ be persons who

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59 have disabilities as defined in s. 413.20 and ~~s. 413.20(7)~~ who  
 60 are ~~also~~ consumers of assistive technology or family members or  
 61 guardians of such persons.

62 (d) Members of the council must be geographically  
 63 representative of the state and reflect the diversity of the  
 64 state's population with respect to race, ethnicity, gender, age,  
 65 type of disability, and type of disability-related services and  
 66 devices received.

67 (e)~~(d)~~ The members of the council shall select a chair ~~two~~  
 68 ~~co-chairs~~ from among the membership of the council.

69 ~~1. One co-chair may be selected from the group described in~~  
 70 ~~paragraph (c) and one co-chair shall be selected from the other~~  
 71 ~~council members.~~

72 ~~2. The chair~~ No co-chair may not be an elected member or an  
 73 employee of a state agency or of any political subdivision of  
 74 the state.

75 (f) 1.~~(e) 1.~~ Each member of the council shall serve for a  
 76 term of not more than 3 years, except that a member appointed to  
 77 fill a vacancy occurring before ~~prior to~~ the expiration of the  
 78 term for which a predecessor was appointed shall be appointed  
 79 for the remainder of such term.

80 2. A ~~No~~ member of the council may not serve more than two  
 81 consecutive terms; however, any appointment under subparagraph  
 82 1., if for less than 18 months, is ~~shall~~ ~~not be~~ considered a  
 83 term for the purposes of this section.

84 3. A member who has served two consecutive terms and has  
 85 been retired from the council for at least 3 years ~~1 year~~ may be  
 86 reappointed to the council on the same basis as a new member.

87 (g)~~(f)~~ Any vacancy occurring in the membership of the

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88 council shall be filled in the same manner as the original  
89 appointment. A vacancy does not affect the power of the  
90 remaining members to execute the duties of the council.

91 (2) In addition to the other functions specified in this  
92 section, the council shall:

93 (a) Act as the board of directors of a not-for-profit  
94 corporation created by the division. Through the corporation,  
95 the council shall provide direction to the Florida ~~Florida's~~  
96 Alliance for Assistive Services and Technology, a project  
97 sponsored by the department for the coordination and delivery of  
98 appropriate, cost-effective, state-of-the-art assistive  
99 technology services and devices.

100 (b) Appoint committees made up of members of the council to  
101 focus on specific issues within the council's mandate.  
102 Committees may request and accept in-kind contributions of  
103 personnel from public or private entities to supply such  
104 staffing as the committees deem necessary to carry out their  
105 individual mandates. ~~These committees shall include, but are not~~  
106 ~~limited to:~~

107 1. Members who are representatives of state agencies  
108 serving on the committees ~~An interagency committee composed of~~  
109 ~~those members representing state agencies. The interagency~~  
110 ~~committee~~ shall work towards the development of cooperative  
111 agreements among government agencies and perform such other  
112 duties as the council deems appropriate.

113 2. Members who are representatives of state agencies  
114 serving on the committees ~~The interagency committee's members~~  
115 shall assign staff from their respective agencies to the  
116 alliance, as an in-kind contribution for a specified period of

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117 time, to review federal and state legislation and agency  
118 policies and practices and to identify both facilitators of, and  
119 barriers to, accessibility and utilization of assistive  
120 technology services, devices, and funding sources.

121 ~~2. A technology awareness committee to guide the council's~~  
122 ~~public awareness, coordination, and collaboration activities.~~

123 ~~3. A public policy and advocacy committee to review federal~~  
124 ~~and state legislation and agency policies and practices and to~~  
125 ~~identify facilitators of and barriers to access and utilization~~  
126 ~~of assistive technology services, devices, and funding sources.~~

127 (c) Review and approve all reports, recommendations, and  
128 proposed actions of committee staff.

129 (d) Appoint the executive director of the alliance who is  
130 ~~The executive director shall be~~ responsible for the overall  
131 administration and day-to-day direction of the alliance,  
132 including the ~~as well as~~ supervision of all staff.

133 (e) Annually review and approve the strategic or business  
134 plan of the alliance, as submitted by the executive director.

135 (f) Submit an annual comprehensive report of the activities  
136 of the council, the corporation, and the alliance to the  
137 division director.

138 (g) Perform ~~such~~ other functions, including fundraising  
139 activities, as the council determines to be appropriate which  
140 are comparable to functions performed by the council.

141 (h) Convene at least four meetings each year in locations  
142 that ~~such places as~~ it determines to be necessary to conduct  
143 council business and may conduct such forums or hearings as it  
144 ~~the council~~ considers appropriate. The council shall make a  
145 report of each meeting which must contain ~~shall include~~ a record

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146 of its discussions and recommendations and must, ~~all of which~~  
147 ~~reports shall~~ be made available to the public.

148 (3) In accordance with Pub. L. No. 108-364, the council  
149 shall:

150 (a) Investigate financing options that will increase access  
151 to and funding for assistive technology devices and assistive  
152 technology services.

153 (b) Develop assistive technology demonstrations,  
154 reutilization programs, and loan programs.

155 (c) Provide training and technical assistance in order to  
156 increase knowledge and awareness of the uses and benefits of  
157 assistive technology devices and assistive technology services.

158 (d) Promote public awareness activities designed to provide  
159 information relating to the benefits of assistive technology  
160 devices and assistive technology services.

161 (e) Promote coordination and collaboration among public and  
162 private entities that are responsible for policies, procedures,  
163 or funding for the provision of assistive technology devices and  
164 assistive technology services.

165 Section 2. This act shall take effect July 1, 2022.