

By Senator Berman

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1 A bill to be entitled
2 An act relating to fetal alcohol spectrum disorders;
3 amending s. 393.063, F.S.; revising the definition of
4 the term "developmental disability" to include fetal
5 alcohol spectrum disorders; defining the term "fetal
6 alcohol spectrum disorders"; reenacting s.
7 383.141(1)(b), F.S., relating to prenatally diagnosed
8 conditions, to incorporate the amendment made to s.
9 393.063, F.S., in a reference thereto; amending s.
10 1002.394, F.S.; conforming provisions to changes made
11 by the act; providing an effective date.

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

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15 Section 1. Present subsections (18) through (46) of section
16 393.063, Florida Statutes, are redesignated as subsections (19)
17 through (47), respectively, a new subsection (18) is added to
18 that section, and subsection (12) of that section is amended, to
19 read:

20 393.063 Definitions.—For the purposes of this chapter, the
21 term:

22 (12) "Developmental disability" means a disorder or
23 syndrome that is attributable to intellectual disability,
24 cerebral palsy, autism, spina bifida, Down syndrome, Phelan-
25 McDermid syndrome, ~~or~~ Prader-Willi syndrome, or a fetal alcohol
26 spectrum disorder; that manifests before the age of 18; and that
27 constitutes a substantial handicap that can reasonably be
28 expected to continue indefinitely.

29 (18) "Fetal alcohol spectrum disorders" means the range of

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30 adverse effects that can occur in an individual who is
31 prenatally exposed to alcohol and that may include physical,
32 mental, behavioral, and learning disabilities associated with
33 possible lifelong implications.

34 Section 2. For the purpose of incorporating the amendment
35 made by this act to section 393.063(12), Florida Statutes, in a
36 reference thereto, paragraph (b) of subsection (1) of section
37 383.141, Florida Statutes, is reenacted to read:

38 383.141 Prenatally diagnosed conditions; patient to be
39 provided information; definitions; information clearinghouse;
40 advisory council.—

41 (1) As used in this section, the term:

42 (b) "Developmental disability" includes Down syndrome and
43 other developmental disabilities defined by s. 393.063(12).

44 Section 3. Paragraph (d) of subsection (2) of section
45 1002.394, Florida Statutes, is amended to read:

46 1002.394 The Family Empowerment Scholarship Program.—

47 (2) DEFINITIONS.—As used in this section, the term:

48 (d) "Disability" means, for a 3- or 4-year-old child or for
49 a student in kindergarten to grade 12, autism spectrum disorder,
50 as defined in the Diagnostic and Statistical Manual of Mental
51 Disorders, Fifth Edition, published by the American Psychiatric
52 Association; cerebral palsy, as defined in s. 393.063; Down
53 syndrome, as defined in s. 393.063; an intellectual disability,
54 as defined in s. 393.063; a speech impairment; a language
55 impairment; an orthopedic impairment; any ~~an~~ other health
56 impairment; an emotional or a behavioral disability; a specific
57 learning disability, including, but not limited to, dyslexia,
58 dyscalculia, or developmental aphasia; Phelan-McDermid syndrome,

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59 as defined in s. 393.063; Prader-Willi syndrome, as defined in
60 s. 393.063; spina bifida, as defined in s. 393.063; a fetal
61 alcohol spectrum disorder, as defined in s. 393.063; being a
62 high-risk child, as defined in s. 393.063(24)(a) ~~s.~~
63 ~~393.063(23)(a)~~; muscular dystrophy; Williams syndrome; rare
64 diseases which affect patient populations of fewer than 200,000
65 individuals in the United States, as defined by the National
66 Organization for Rare Disorders; anaphylaxis; a hearing
67 impairment, including deafness; a visual impairment, including
68 blindness; traumatic brain injury; hospital or homebound; or
69 identification as dual sensory impaired, as defined by rules of
70 the State Board of Education and evidenced by reports from local
71 school districts. The term "hospital or homebound" includes a
72 student who has a medically diagnosed physical or psychiatric
73 condition or illness, as defined by the state board in rule, and
74 who is confined to the home or hospital for more than 6 months.
75 Section 4. This act shall take effect July 1, 2024.