

By the Committees on Fiscal Policy; and Children, Families, and Elder Affairs; and Senator Brodeur

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1 A bill to be entitled
2 An act relating to individuals with disabilities;
3 amending s. 393.064, F.S.; revising provisions related
4 to programs and services provided by the Agency for
5 Persons with Disabilities; requiring the agency,
6 within available resources, to offer voluntary
7 participation care navigation services to clients and
8 their caregivers at specified times; specifying goals
9 and requirements for such care navigation services;
10 specifying requirements for care plans; requiring the
11 integration of care plans with any individual
12 education plans of clients; specifying requirements
13 for such integration; amending s. 393.065, F.S.;
14 requiring the agency to develop and implement an
15 online application process; specifying requirements
16 for the online application process; defining the term
17 "complete application"; revising timeframes within
18 which the agency must make eligibility determinations
19 for services; lowering the age that a caregiver must
20 be for an individual to be placed in a certain
21 preenrollment category; amending s. 393.0651, F.S.;
22 revising which types of clients are eligible for an
23 individual support plan; clarifying the timeframe
24 within which a family or individual support plan must
25 be developed; requiring waiver support coordinators to
26 inform the client, client's parent or guardian, or
27 client's advocate, as appropriate, of certain
28 information when developing or reviewing the family or
29 individual support plan; providing for a type two

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30 transfer of the Florida Unique Abilities Partner
31 Program from the Department of Commerce to the Agency
32 for Persons with Disabilities; amending ss. 20.60 and
33 413.801, F.S.; conforming provisions to changes made
34 by the act; providing appropriations; requiring the
35 Agency for Health Care Administration and the Agency
36 for Persons with Disabilities, in consultation with
37 other stakeholders, to jointly develop a comprehensive
38 plan for the administration, finance, and delivery of
39 home and community-based services through a new home
40 and community-based services Medicaid waiver program;
41 providing requirements for the waiver program;
42 authorizing the Agency for Health Care Administration
43 to contract with necessary experts to assist in
44 developing the plan; requiring the Agency for Health
45 Care Administration to submit a specified report to
46 the Governor and the Legislature by a specified date;
47 providing an effective date.

48
49 Be It Enacted by the Legislature of the State of Florida:

50
51 Section 1. Section 393.064, Florida Statutes, is amended to
52 read:

53 393.064 Care navigation ~~Prevention~~.—

54 (1) Within available resources, the agency shall offer to
55 clients and their caregivers care navigation services for
56 voluntary participation at the time of application and as part
57 of any eligibility or renewal review. The goals of care
58 navigation are to create a seamless network of community

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59 resources and supports for the client and the client's family as
60 a whole to support a client in daily living, community
61 integration, and achievement of individual goals. Care
62 navigation services must involve assessing client needs and
63 developing and implementing care plans, including, but not
64 limited to, connecting a client to resources and supports. At a
65 minimum, a care plan must address immediate, intermediate, and
66 long-term needs and goals to promote and increase well-being and
67 opportunities for education, employment, social engagement,
68 community integration, and caregiver support. For a client who
69 is a public school student entitled to a free appropriate public
70 education under the Individuals with Disabilities Education Act,
71 I.D.E.A., as amended, the care plan must be integrated with the
72 student's individual education plan (IEP). The care plan and IEP
73 must be implemented to maximize the attainment of educational
74 and habilitation goals ~~give priority to the development,~~
75 ~~planning, and implementation of programs which have the~~
76 ~~potential to prevent, correct, cure, or reduce the severity of~~
77 ~~developmental disabilities. The agency shall direct an~~
78 ~~interagency and interprogram effort for the continued~~
79 ~~development of a prevention plan and program. The agency shall~~
80 ~~identify, through demonstration projects, through program~~
81 ~~evaluation, and through monitoring of programs and projects~~
82 ~~conducted outside of the agency, any medical, social, economic,~~
83 ~~or educational methods, techniques, or procedures that have the~~
84 ~~potential to effectively ameliorate, correct, or cure~~
85 ~~developmental disabilities. The agency shall determine the costs~~
86 ~~and benefits that would be associated with such prevention~~
87 ~~efforts and shall implement, or recommend the implementation of,~~

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88 ~~those methods, techniques, or procedures which are found likely~~
89 ~~to be cost beneficial.~~

90 (2) ~~Prevention~~ Services provided by the agency must ~~shall~~
91 include services to high-risk children from 3 to 5 years of age,
92 and their families, to meet the intent of chapter 411. Except
93 for services for children from birth to age 3 years which are
94 the responsibility of the Division of Children's Medical
95 Services in the Department of Health or part H of the
96 Individuals with Disabilities Education Act, such services may
97 include:

98 (a) Individual evaluations or assessments necessary to
99 diagnose a developmental disability or high-risk condition and
100 to determine appropriate, individual family and support
101 services.

102 (b) Early intervention services, including developmental
103 training and specialized therapies.

104 (c) Support services, such as respite care, parent
105 education and training, parent-to-parent counseling, homemaker
106 services, and other services which allow families to maintain
107 and provide quality care to children in their homes.

108 (3) Other agencies of state government shall cooperate with
109 and assist the agency, within available resources, in
110 implementing programs which have the potential to prevent, or
111 reduce the severity of, developmental disabilities and shall
112 consider the findings and recommendations of the agency in
113 developing and implementing agency programs and formulating
114 agency budget requests.

115 (4) There is created at the developmental disabilities
116 center in Gainesville a research and education unit. Such unit

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117 shall be named the Raymond C. Philips Research and Education
118 Unit. The functions of such unit shall include:

119 (a) Research into the etiology of developmental
120 disabilities.

121 (b) Ensuring that new knowledge is rapidly disseminated
122 throughout the agency.

123 (c) Diagnosis of unusual conditions and syndromes
124 associated with developmental disabilities in clients identified
125 throughout developmental disabilities programs.

126 (d) Evaluation of families of clients with developmental
127 disabilities of genetic origin in order to provide them with
128 genetic counseling aimed at preventing the recurrence of the
129 disorder in other family members.

130 (e) Ensuring that health professionals in the developmental
131 disabilities center at Gainesville have access to information
132 systems that will allow them to remain updated on newer
133 knowledge and maintain their postgraduate education standards.

134 (f) Enhancing staff training for professionals throughout
135 the agency in the areas of genetics and developmental
136 disabilities.

137 Section 2. Subsection (1) and paragraph (d) of subsection
138 (5) of section 393.065, Florida Statutes, are amended to read:

139 393.065 Application and eligibility determination.—

140 (1)(a) The agency shall develop and implement an online
141 application process that, at a minimum, supports paperless,
142 electronic application submissions with immediate e-mail
143 confirmation to each applicant to acknowledge receipt of
144 application upon submission. The online application system must
145 allow an applicant to review the status of a submitted

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146 application and respond to provide additional information.

147 (b) The agency shall maintain access to a printable paper
148 application on its website and, upon request, must provide an
149 applicant with a printed paper application. Paper applications
150 may ~~Application for services shall~~ be submitted ~~made~~ in writing
151 to the agency, in the region in which the applicant resides.

152 (c) The agency ~~must~~ shall review each submitted application
153 in accordance with federal time standards ~~and make an~~
154 eligibility determination within 60 days after receipt of the
155 signed application. ~~If, at the time of the application, an~~
156 applicant is requesting enrollment in the home and community-
157 based services Medicaid waiver program for individuals with
158 developmental disabilities deemed to be in crisis, as described
159 in paragraph (5) (a), the agency shall complete an eligibility
160 determination within 45 days after receipt of the signed
161 application.

162 1.(a) If the agency determines additional documentation is
163 necessary to make an eligibility determination, the agency may
164 request the additional documentation from the applicant.

165 2.(b) When necessary to definitively identify individual
166 conditions or needs, the agency or its designee must provide a
167 comprehensive assessment.

168 ~~(c) If the agency requests additional documentation from~~
169 ~~the applicant or provides or arranges for a comprehensive~~
170 ~~assessment, the agency's eligibility determination must be~~
171 ~~completed within 90 days after receipt of the signed~~
172 ~~application.~~

173 (d)1. For purposes of this paragraph, the term "complete
174 application" means an application submitted to the agency which

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175 is signed and dated by the applicant or an individual with legal
176 authority to apply for public benefits on behalf of the
177 applicant, is responsive on all parts of the application, and
178 contains documentation of a diagnosis.

179 2. If the applicant requesting enrollment in the home and
180 community-based services Medicaid waiver program for individuals
181 with developmental disabilities is deemed to be in crisis as
182 described in paragraph (5) (a), the agency must make an
183 eligibility determination within 15 calendar days after receipt
184 of a complete application.

185 3. If the applicant meets the criteria specified in
186 paragraph (5) (b), the agency must review and make an eligibility
187 determination as soon as practicable after receipt of a complete
188 application.

189 4. If the application meets any of the criteria specified
190 in paragraphs (5) (c)-(g), the agency must make an eligibility
191 determination within 60 days after receipt of a complete
192 application.

193 (e) Any delays in the eligibility determination process, or
194 any tolling of the time standard until certain information or
195 actions have been completed, must be conveyed to the client as
196 soon as such delays are known through verbal contact with the
197 client or the client's designated caregiver and confirmed by a
198 written notice of the delay, the anticipated length of delay,
199 and a contact person for the client.

200 (5) Except as provided in subsections (6) and (7), if a
201 client seeking enrollment in the developmental disabilities home
202 and community-based services Medicaid waiver program meets the
203 level of care requirement for an intermediate care facility for

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204 individuals with intellectual disabilities pursuant to 42 C.F.R.
205 ss. 435.217(b)(1) and 440.150, the agency must assign the client
206 to an appropriate preenrollment category pursuant to this
207 subsection and must provide priority to clients waiting for
208 waiver services in the following order:

209 (d) Category 4, which includes, but is not required to be
210 limited to, clients whose caregivers are 60 ~~70~~ years of age or
211 older and for whom a caregiver is required but no alternate
212 caregiver is available.

213

214 Within preenrollment categories 3, 4, 5, 6, and 7, the agency
215 shall prioritize clients in the order of the date that the
216 client is determined eligible for waiver services.

217 Section 3. Section 393.0651, Florida Statutes, is amended
218 to read:

219 393.0651 Family or individual support plan.—The agency
220 shall provide directly or contract for the development of a
221 family support plan for children ages 3 to 18 years of age and
222 an individual support plan for each client served by the home
223 and community-based services Medicaid waiver program under s.
224 393.0662. The client, if competent, the client's parent or
225 guardian, or, when appropriate, the client advocate, shall be
226 consulted in the development of the plan and shall receive a
227 copy of the plan. Each plan must include the most appropriate,
228 least restrictive, and most cost-beneficial environment for
229 accomplishment of the objectives for client progress and a
230 specification of all services authorized. The plan must include
231 provisions for the most appropriate level of care for the
232 client. Within the specification of needs and services for each

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233 client, when residential care is necessary, the agency shall
234 move toward placement of clients in residential facilities based
235 within the client's community. The ultimate goal of each plan,
236 whenever possible, shall be to enable the client to live a
237 dignified life in the least restrictive setting, be that in the
238 home or in the community. The family or individual support plan
239 must be developed within 60 calendar days after the agency
240 determines the client eligible pursuant to s. 393.065(3).

241 (1) The agency shall develop and specify by rule the core
242 components of support plans.

243 (2) The family or individual support plan shall be
244 integrated with the individual education plan (IEP) for all
245 clients who are public school students entitled to a free
246 appropriate public education under the Individuals with
247 Disabilities Education Act, I.D.E.A., as amended. The family or
248 individual support plan and IEP must be implemented to maximize
249 the attainment of educational and habilitation goals.

250 (a) If the IEP for a student enrolled in a public school
251 program indicates placement in a public or private residential
252 program is necessary to provide special education and related
253 services to a client, the local education agency must provide
254 for the costs of that service in accordance with the
255 requirements of the Individuals with Disabilities Education Act,
256 I.D.E.A., as amended. This does not preclude local education
257 agencies and the agency from sharing the residential service
258 costs of students who are clients and require residential
259 placement.

260 (b) For clients who are entering or exiting the school
261 system, an interdepartmental staffing team composed of

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262 representatives of the agency and the local school system shall
263 develop a written transitional living and training plan with the
264 participation of the client or with the parent or guardian of
265 the client, or the client advocate, as appropriate.

266 (3) Each family or individual support plan shall be
267 facilitated through case management designed solely to advance
268 the individual needs of the client.

269 (4) In the development of the family or individual support
270 plan, a client advocate may be appointed by the support planning
271 team for a client who is a minor or for a client who is not
272 capable of express and informed consent when:

273 (a) The parent or guardian cannot be identified;

274 (b) The whereabouts of the parent or guardian cannot be
275 discovered; or

276 (c) The state is the only legal representative of the
277 client.

278

279 Such appointment may not be construed to extend the powers of
280 the client advocate to include any of those powers delegated by
281 law to a legal guardian.

282 (5) The agency shall place a client in the most appropriate
283 and least restrictive, and cost-beneficial, residential facility
284 according to his or her individual support plan. The client, if
285 competent, the client's parent or guardian, or, when
286 appropriate, the client advocate, and the administrator of the
287 facility to which placement is proposed shall be consulted in
288 determining the appropriate placement for the client.

289 Considerations for placement shall be made in the following
290 order:

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- 291 (a) Client's own home or the home of a family member or
292 direct service provider.
- 293 (b) Foster care facility.
- 294 (c) Group home facility.
- 295 (d) Intermediate care facility for the developmentally
296 disabled.
- 297 (e) Other facilities licensed by the agency which offer
298 special programs for people with developmental disabilities.
- 299 (f) Developmental disabilities center.
- 300 (6) In developing a client's annual family or individual
301 support plan, the individual or family with the assistance of
302 the support planning team shall identify measurable objectives
303 for client progress and shall specify a time period expected for
304 achievement of each objective.
- 305 (7) The individual, family, and support coordinator shall
306 review progress in achieving the objectives specified in each
307 client's family or individual support plan, and shall revise the
308 plan annually, following consultation with the client, if
309 competent, or with the parent or guardian of the client, or,
310 when appropriate, the client advocate. The agency or designated
311 contractor shall annually report in writing to the client, if
312 competent, or to the parent or guardian of the client, or to the
313 client advocate, when appropriate, with respect to the client's
314 habilitative and medical progress.
- 315 (8) Any client, or any parent of a minor client, or
316 guardian, authorized guardian advocate, or client advocate for a
317 client, who is substantially affected by the client's initial
318 family or individual support plan, or the annual review thereof,
319 shall have the right to file a notice to challenge the decision

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320 pursuant to ss. 120.569 and 120.57. Notice of such right to
321 appeal shall be included in all support plans provided by the
322 agency.

323 (9) When developing or reviewing a client's family or
324 individual support plan, the waiver support coordinator shall
325 inform the client, the client's parent or guardian, or, when
326 appropriate, the client advocate about the consumer-directed
327 care program established under s. 409.221.

328 Section 4. Type two transfer from the Department of
329 Commerce.—All powers, duties, functions, records, offices,
330 personnel, associated administrative support positions,
331 property, pending issues, existing contracts, administrative
332 authority, administrative rules, and unexpended balances of
333 appropriations, allocations, and any other funds relating to the
334 Florida Unique Abilities Partner Program are transferred by a
335 type two transfer, as described in s. 20.06(2), Florida
336 Statutes, from the Department of Commerce to the Agency for
337 Persons with Disabilities.

338 Section 5. Paragraph (c) of subsection (10) of section
339 20.60, Florida Statutes, is amended to read:

340 20.60 Department of Commerce; creation; powers and duties.—

341 (10) The department shall, by November 1 of each year,
342 submit an annual report to the Governor, the President of the
343 Senate, and the Speaker of the House of Representatives on the
344 condition of the business climate and economic development in
345 the state.

346 (c) The report must incorporate annual reports of other
347 programs, including:

348 1. A detailed report of the performance of the Black

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349 Business Loan Program and a cumulative summary of quarterly
350 report data required under s. 288.714.

351 2. The Rural Economic Development Initiative established
352 under s. 288.0656.

353 3. ~~The Florida Unique Abilities Partner Program.~~

354 4. A detailed report of the performance of the Florida
355 Development Finance Corporation and a summary of the
356 corporation's report required under s. 288.9610.

357 ~~4.5.~~ Information provided by Space Florida under s.
358 331.3051 and an analysis of the activities and accomplishments
359 of Space Florida.

360 Section 6. Section 413.801, Florida Statutes, is amended to
361 read:

362 413.801 Florida Unique Abilities Partner Program.—

363 (1) CREATION AND PURPOSE.—The Agency for Persons with
364 Disabilities ~~Department of Economic Opportunity~~ shall establish
365 the Florida Unique Abilities Partner Program to designate a
366 business entity as a Florida Unique Abilities Partner if the
367 business entity demonstrates commitment, through employment or
368 support, to the independence of individuals who have a
369 disability. The agency ~~department~~ shall consult with the
370 Department of Commerce ~~Agency for Persons with Disabilities~~, the
371 Division of Vocational Rehabilitation of the Department of
372 Education, the Division of Blind Services of the Department of
373 Education, and CareerSource Florida, Inc., in creating the
374 program.

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

376 (a) "Agency Department" means the Agency for Persons with
377 Disabilities ~~Department of Economic Opportunity~~.

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378 (b) "Individuals who have a disability" means persons who
379 have a physical or intellectual impairment that substantially
380 limits one or more major life activities, persons who have a
381 history or record of such an impairment, or persons who are
382 perceived by others as having such an impairment.

383 (3) DESIGNATION.—

384 (a) A business entity may apply to the agency ~~department~~ to
385 be designated as a Florida Unique Abilities Partner, based on
386 the business entity's achievements in at least one of the
387 following categories:

388 1. Employment of individuals who have a disability.

389 2. Contributions to local or national disability
390 organizations.

391 3. Contributions to, or the establishment of, a program
392 that contributes to the independence of individuals who have a
393 disability.

394 (b) As an alternative to application by a business entity,
395 the agency ~~department~~ must consider nominations from members of
396 the community where the business entity is located. The
397 nomination must identify the business entity's achievements in
398 at least one of the categories provided in paragraph (a).

399 (c) The name, location, and contact information of the
400 business entity must be included in the business entity's
401 application or nomination.

402 (d) The agency ~~department~~ shall adopt procedures for the
403 application, nomination, and designation processes for the
404 Florida Unique Abilities Partner Program. Designation as a
405 Florida Unique Abilities Partner does not establish or involve
406 licensure, does not affect the substantial interests of a party,

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407 and does not constitute a final agency action. The Florida
408 Unique Abilities Partner Program and designation are not subject
409 to chapter 120.

410 (4) ELIGIBILITY AND AWARD.—In determining the eligibility
411 for the designation of a business entity as a Florida Unique
412 Abilities Partner, the agency ~~department~~ shall consider, at a
413 minimum, the following criteria:

414 (a) For a designation based on an application by a business
415 entity, the business entity must certify that:

416 1. It employs at least one individual who has a disability.
417 Such employees must be residents of this state and must have
418 been employed by the business entity for at least 9 months
419 before the business entity's application for the designation.
420 The agency ~~department~~ may not require the employer to provide
421 personally identifiable information about its employees;

422 2. It has made contributions to local and national
423 disability organizations or contributions in support of
424 individuals who have a disability. Contributions may be
425 accomplished through financial or in-kind contributions,
426 including employee volunteer hours. Contributions must be
427 documented by providing copies of written receipts or letters of
428 acknowledgment from recipients or donees. A business entity with
429 100 or fewer employees must make a financial or in-kind
430 contribution of at least \$1,000, and a business entity with more
431 than 100 employees must make a financial or in-kind contribution
432 of at least \$5,000; or

433 3. It has established, or has contributed to the
434 establishment of, a program that contributes to the independence
435 of individuals who have a disability. Contributions must be

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436 documented by providing copies of written receipts, a summary of
437 the program, program materials, or letters of acknowledgment
438 from program participants or volunteers. A business entity with
439 100 or fewer employees must make a financial or in-kind
440 contribution of at least \$1,000 in the program, and a business
441 entity with more than 100 employees must make a financial or in-
442 kind contribution of at least \$5,000.

443

444 A business entity that applies to the agency ~~department~~ to be
445 designated as a Florida Unique Abilities Partner shall be
446 awarded the designation upon meeting the requirements of this
447 section.

448 (b) For a designation based upon receipt of a nomination of
449 a business entity:

450 1. The agency ~~department~~ shall determine whether the
451 nominee, based on the information provided by the nominating
452 person or entity, meets the requirements of paragraph (a). The
453 agency ~~department~~ may request additional information from the
454 nominee.

455 2. If the nominee meets the requirements, the agency
456 ~~department~~ shall provide notice, including the qualification
457 criteria provided in the nomination, to the nominee regarding
458 the nominee's eligibility to be awarded a designation as a
459 Florida Unique Abilities Partner.

460 3. The nominee shall be provided 30 days after receipt of
461 the notice to certify that the information in the notice is true
462 and accurate and accept the nomination, to provide corrected
463 information for consideration by the agency ~~department~~ and
464 indicate an intention to accept the nomination, or to decline

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465 the nomination. If the nominee accepts the nomination, the
466 agency ~~department~~ shall award the designation. The agency
467 ~~department~~ may not award the designation if the nominee declines
468 the nomination or has not accepted the nomination within 30 days
469 after receiving notice.

470 (5) ANNUAL CERTIFICATION.—After an initial designation as a
471 Florida Unique Abilities Partner, a business entity must certify
472 each year that it continues to meet the criteria for the
473 designation. If the business entity does not submit the yearly
474 certification of continued eligibility, the agency ~~department~~
475 shall remove the designation. The business entity may elect to
476 discontinue its designation status at any time by notifying the
477 agency ~~department~~ of such decision.

478 (6) LOGO DEVELOPMENT.—

479 (a) The agency ~~department~~, in consultation with members of
480 the disability community, shall develop a logo that identifies a
481 business entity that is designated as a Florida Unique Abilities
482 Partner.

483 (b) The agency ~~department~~ shall adopt guidelines and
484 requirements for the use of the logo, including how the logo may
485 be used in advertising. The agency ~~department~~ may allow a
486 business entity to display a Florida Unique Abilities Partner
487 logo upon designation. A business entity that has not been
488 designated as a Florida Unique Abilities Partner or has elected
489 to discontinue its designated status may not display the logo.

490 (7) WEBSITE.—The agency ~~department~~ shall maintain a website
491 for the program. At a minimum, the website must provide a list
492 of business entities, by county, which currently have the
493 Florida Unique Abilities Partner designation, updated quarterly;

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494 information regarding the eligibility requirements for the
495 designation and the method of application or nomination; and
496 best practices for business entities to facilitate the inclusion
497 of individuals who have a disability, updated annually. The
498 website may provide links to the websites of organizations or
499 other resources that will aid business entities to employ or
500 support individuals who have a disability.

501 (8) INTERAGENCY COLLABORATION.—

502 (a) The Department of Commerce ~~Agency for Persons with~~
503 ~~Disabilities~~ shall provide a link on its website to the agency's
504 ~~department's~~ website for the Florida Unique Abilities Partner
505 Program.

506 (b) On a quarterly basis, the agency ~~department~~ shall
507 provide the Florida Tourism Industry Marketing Corporation with
508 a current list of all businesses that are designated as Florida
509 Unique Abilities Partners. The Florida Tourism Industry
510 Marketing Corporation must consider the Florida Unique Abilities
511 Partner Program in the development of marketing campaigns, and
512 specifically in any targeted marketing campaign for individuals
513 who have a disability or their families.

514 (c) The agency ~~department~~ and CareerSource Florida, Inc.,
515 shall identify employment opportunities posted by business
516 entities that currently have the Florida Unique Abilities
517 Partner designation in the workforce information system under s.
518 445.011.

519 (9) REPORT.—

520 ~~(a)~~ By January 1, 2025, and annually thereafter ~~2017~~, the
521 agency ~~department~~ shall provide a report on the progress and use
522 of the program to the President of the Senate and the Speaker of

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523 the House of Representatives ~~on the status of the implementation~~
524 ~~of this section, including the adoption of rules, development of~~
525 ~~the logo, and development of application procedures.~~

526 ~~(b) Beginning in 2017 and each year thereafter, the~~
527 ~~department's annual report required under s. 20.60 must describe~~
528 ~~in detail the progress and use of the program. At a minimum, the~~
529 ~~report must include, for the most recent year, all of the~~
530 ~~following:~~

531 ~~(a) The number of applications and nominations received.~~†

532 ~~(b) The number of nominations accepted and declined.~~†

533 ~~(c) The number of designations awarded.~~†

534 ~~(d) Annual certifications.~~†

535 ~~(e) The use of information provided under subsection (8).~~†

536 ~~and~~

537 ~~(f) Any other information the agency deems ~~deemed~~ necessary~~
538 ~~to evaluate the program.~~

539 (10) RULES.—The agency ~~department~~ shall adopt rules to
540 administer this section.

541 Section 7. For the 2024-2025 fiscal year, the sums of
542 \$16,562,703 in recurring funds from the General Revenue Fund and
543 \$22,289,520 in recurring funds from the Operations and
544 Maintenance Trust Fund are appropriated in the Home and
545 Community Based Services Waiver category to the Agency for
546 Persons with Disabilities to offer waiver services to the
547 greatest number of individuals permissible under the
548 appropriation from preenrollment categories 3, 4, and 5,
549 including individuals whose caregiver is age 60 or older in
550 category 4, as provided in s. 393.065, Florida Statutes, as
551 amended by this act.

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552 Section 8. The Agency for Health Care Administration and
553 the Agency for Persons with Disabilities, in consultation with
554 other stakeholders, shall jointly develop a comprehensive plan
555 for the administration, finance, and delivery of home and
556 community-based services through a new home and community-based
557 services Medicaid waiver program. The waiver program shall be
558 for clients transitioning into adulthood and shall be designed
559 to prevent future crisis enrollment into the waiver program
560 authorized under s. 393.0662, Florida Statutes. The Agency for
561 Health Care Administration is authorized to contract with
562 necessary experts to assist in developing the plan. The Agency
563 for Health Care Administration must submit a report to the
564 Governor, the President of the Senate, and the Speaker of the
565 House of Representatives by December 1, 2024, addressing, at a
566 minimum, all of the following:

567 (1) The purpose, rationale, and expected benefits of the
568 new waiver program.

569 (2) The proposed eligibility criteria for clients and
570 service packages to be offered through the new waiver program.

571 (3) A proposed implementation plan and timeline, including
572 recommendations for the number of clients to be served by the
573 new waiver program at initial implementation, changes over time,
574 and any per-client benefit caps.

575 (4) Proposals for how clients will transition onto and off
576 of the new waiver, including, but not limited to, transitions
577 between this new waiver and the waiver established under s.
578 393.0662, Florida Statutes.

579 (5) The fiscal impact for the implementation year and
580 projections for the subsequent 5 years, determined on an

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581 actuarially sound basis.

582 (6) An analysis of the availability of services that would
583 be offered under the new waiver program and recommendations to
584 increase availability of such services, if necessary.

585 (7) A list of all stakeholders, public and private, who
586 were consulted or contacted as part of developing the plan for
587 the new waiver program.

588 Section 9. This act shall take effect July 1, 2024.