

By Senator Bradley

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1 A bill to be entitled
2 An act relating to the Agency for Persons with
3 Disabilities; renaming ch. 393, F.S., as "Persons with
4 Disabilities"; providing for a type two transfer of
5 primary powers and duties relating to the Division of
6 Vocational Rehabilitation, the Division of Blind
7 Services, and the Federal Rehabilitation Trust Fund
8 from the Department of Education to the Agency for
9 Persons with Disabilities; specifying that certain
10 binding contracts and interagency agreements remain
11 binding; providing that the Department of Education
12 shall continue operations of certain direct-support
13 organizations for a specified timeframe; providing for
14 the transition of such operations; requiring the
15 transfer of specified funds; transferring duties
16 related to submission of specified amendments,
17 supplemental information, or waivers to the Federal
18 Government; providing for a type two transfer of
19 certain programs of the department to the agency;
20 providing legislative intent; directing applicable
21 units of state government to contribute to
22 implementation of the act; specifying a transition
23 period; requiring the secretary of the Agency for
24 Persons with Disabilities and the Commissioner of
25 Education to each designate a transition coordinator
26 to implement the transition; providing for the
27 establishment of a transition advisory working group;
28 specifying duties of the working group; requiring that
29 any adjustments to the operating budgets be made in

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30 consultation with the appropriate committees of the
31 Legislature; amending s. 20.15, F.S.; removing
32 specified divisions from the Department of Education;
33 amending s. 20.197, F.S.; designating the Agency for
34 Persons with Disabilities as a separate department
35 rather than as being housed within the Department of
36 Children and Families; providing the purposes of the
37 agency; providing that the head of the agency is the
38 secretary of the Agency for Persons with Disabilities,
39 rather than the director; conforming provisions to
40 changes made by the act; amending s. 20.1971, F.S.;
41 requiring the agency to administer the Federal
42 Rehabilitation Trust Fund; providing requirements for
43 the use of specified funds; providing that any
44 unexpended balance at a specified time to remain in
45 such trust fund for certain purpose; making technical
46 changes; amending s. 393.062, F.S.; providing and
47 revising legislative findings and intent; providing
48 the mission of the agency; creating s. 393.0621, F.S.;
49 providing agency duties and responsibilities; amending
50 s. 393.063, F.S.; providing and revising definitions;
51 amending s. 393.065, F.S.; requiring the agency to
52 participate in certain transition planning activities
53 for certain eligible individuals; creating s.
54 393.0664, F.S.; requiring the agency to implement a
55 specified Medicaid waiver program to address the needs
56 of certain clients; providing the purpose of the
57 program; authorizing the agency, in partnership with
58 the Agency for Health Care Administration, to seek

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59 federal approval through a state plan amendment or
60 Medicaid waiver to implement the program by a
61 specified date; providing voluntary enrollment,
62 eligibility, and disenrollment requirements; requiring
63 the agency to approve a needs assessment methodology;
64 providing that only persons trained by the agency may
65 administer the methodology; requiring the agency to
66 offer such training; requiring the agency to authorize
67 certain covered services specified in the Medicaid
68 waiver; providing requirements for such services;
69 requiring the agency to begin enrollment in the
70 program upon federal approval; providing construction;
71 requiring the agency, in consultation with the Agency
72 for Health Care Administration, to submit progress
73 reports to the Governor and the Legislature upon
74 federal approval and throughout implementation of the
75 program; requiring the agency to submit, by a
76 specified date, a progress report on the
77 administration of the program; specifying requirements
78 for the report; amending s. 393.502, F.S.; creating
79 the statewide family care council for specified
80 purposes; specifying duties of the statewide council;
81 creating local family care councils for specified
82 purposes; requiring the statewide council to submit
83 annual reports to the agency by a specified date;
84 providing requirements for the reports; requiring
85 local councils to submit annual reports to the
86 statewide council; providing requirements for the
87 reports; specifying duties of the local councils;

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88 providing for funding and financial reviews of the
89 councils; revising membership requirements and meeting
90 requirements for the councils; creating s. 413.001,
91 F.S.; providing legislative intent for and purpose of
92 the agency; amending s. 413.271, F.S.; revising
93 membership of a specified council; amending ss.
94 90.6063, 110.112, 215.311, 257.04, 318.21, 320.0848,
95 393.13, 394.75, 402.56, 409.9855, 410.604, 413.011,
96 413.0111, 413.033, 413.035, 413.036, 413.037, 413.051,
97 413.091, 413.092, 413.20, 413.201, 413.203, 413.402,
98 413.405, 413.407, 413.445, 413.615, 413.80, 413.801,
99 427.012, 943.0585, 943.059, 1002.394, 1003.575,
100 1004.6495, and 1012.582, F.S.; conforming provisions
101 and cross-references to changes made by the act;
102 providing an effective date.

103
104 WHEREAS, the Agency for Persons with Disabilities serves as
105 the primary agency administering support to all individuals with
106 disabilities in living, learning, and working within their
107 communities by creating multiple pathways to possibilities for
108 such individuals and their families, and

109 WHEREAS, the agency accomplishes its mission by
110 streamlining access to support and services for individuals with
111 disabilities, providing care navigation to assist them in
112 realizing their potential and thriving in their communities;
113 programs that provide Medicaid waivers, vocational
114 rehabilitation, and blind services; the Florida Unique Abilities
115 Partner Program; and a host of other necessary supports and
116 services, and

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117 WHEREAS, the mission of the agency is to develop community-
118 based programs and services for individuals with disabilities
119 and to work with private businesses, nonprofit organizations,
120 units of local government, and other organizations capable of
121 providing needed services to individuals with disabilities to
122 provide opportunities for success to such individuals, and

123 WHEREAS, this state continues to develop multiple
124 innovative pathways to serve individuals with disabilities and
125 their families, including advancing the continuum of care to
126 provide a robust and consistent system that promotes quality of
127 life in daily living, community integration, and goal-based
128 achievement, NOW, THEREFORE,

129

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

131

132 Section 1. Chapter 393, Florida Statutes, entitled
133 "Developmental Disabilities," is renamed "Persons with
134 Disabilities."

135 Section 2. Type two transfer from the Department of
136 Education.-

137 (1) All powers, duties, functions, records, offices,
138 personnel, associated administrative support positions,
139 property, pending issues, existing contracts, administrative
140 authority, administrative rules, and unexpended balances of
141 appropriations, allocations, and other funds relating to the
142 Division of Vocational Rehabilitation, the Division of Blind
143 Services, and the Federal Rehabilitation Trust Fund in the
144 Department of Education are transferred by a type two transfer,
145 as described in s. 20.06(2), Florida Statutes, from the

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146 Department of Education to the Agency for Persons with
147 Disabilities.

148 (2) Any binding contract or interagency agreement existing
149 before September 30, 2026, between the Division of Blind
150 Services, the Division of Vocational Rehabilitation, or an
151 entity or agent of those divisions and any other agency, entity,
152 or person must continue as a binding contract or agreement for
153 the remainder of the term of such contract or agreement on the
154 successor department, agency, or entity responsible for the
155 program, activity, or functions relative to the contract or
156 agreement. The Department of Education shall continue the
157 operations of any direct-support organization created under
158 chapter 413, Florida Statutes, until full implementation of the
159 transition plan or October 1, 2027, whichever occurs first. The
160 transition must include the transfer of powers, duties,
161 functions, records, offices, personnel, property, pending
162 issues, and existing contracts related to any direct-support
163 organizations created under chapter 413, Florida Statutes.

164 (3) Any funds held in trust which were donated to or earned
165 by the Division of Blind Services or the Division of Vocational
166 Rehabilitation must be transferred in conjunction with the
167 direct-support organization created pursuant to s. 413.0111,
168 Florida Statutes, as appropriate, and used for the original
169 purposes.

170 (4) Duties related to applicable federal authority in
171 connection with any federal program operated by or federal
172 funding received by the state must transfer to the Agency for
173 Persons with Disabilities to allow the timely submission of any
174 necessary amendments, supplemental information, or waivers

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175 concerning plans that the state or an entity specified in
176 subsection (3) is required to submit to the applicable federal
177 departments or agencies or that, pursuant to federal laws or
178 regulations, are necessary to administer this act.

179 (5) All powers, duties, functions, records, offices,
180 personnel, property, pending issues, existing contracts,
181 administrative authority, administrative rules, and unexpended
182 balances of appropriations, allocations, and other funds of the
183 Department of Education relating to the programs transferred to
184 the Agency for Persons with Disabilities under subsection (1)
185 which are not specifically transferred by this section are
186 transferred by a type two transfer, as defined in s. 20.06(2),
187 Florida Statutes, to the Agency for Persons with Disabilities.

188 (6) The Agency for Persons with Disabilities and the
189 Department of Education shall jointly notify the United States
190 Department of Education of the change in grant recipient for any
191 applicable federal funding.

192 (7) It is the intent of the Legislature that all transition
193 activities be completed on or before October 1, 2027, and that
194 the changes made by this section be accomplished with minimal
195 disruption of services provided to the public and minimal
196 disruption to employees of any affected organization. To that
197 end, the Legislature directs all applicable units of state
198 government to contribute to the successful implementation of
199 this act, and declares that a transition period between July 1,
200 2025, and October 1, 2027, is appropriate and warranted, and is
201 hereby established.

202 Section 3. (1) The secretary of the Agency for Persons
203 with Disabilities and the Commissioner of Education shall each

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204 designate a transition coordinator to serve as the primary
205 representative on a transition advisory working group for
206 matters related to implementing this act and the transition
207 plans required under this act. The transition coordinators may
208 recommend to the secretary and the commissioner a team of
209 subject-matter experts to fulfill transition duties and submit
210 progress reports on any activity, duty, or function performed
211 under this act.

212 (2) The secretary and the commissioner shall each appoint
213 three staff members to the transition advisory working group to
214 review and make determinations on the following:

215 (a) The appropriate proportionate number of administrative,
216 auditing, inspector general, attorney, and operational support
217 positions and their related funding levels and sources and
218 assigned property to be transferred from the Office of General
219 Counsel, Office of Inspector General, and Division of
220 Administrative Services or other relevant offices or divisions
221 within the Department of Education to the Agency for Persons
222 with Disabilities.

223 (b) The development of a recommended plan addressing the
224 transfers or shared use of buildings, regional offices, and
225 other facilities used or owned by the Department of Education.

226 (c) Any operating budget adjustments necessary to implement
227 the requirements of this act. Adjustments made to the operating
228 budgets of the Agency for Persons with Disabilities and the
229 Department of Education in the implementation of this act must
230 be made in consultation with the appropriate substantive and
231 fiscal committees of the Senate and the House of
232 Representatives.

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233 Section 4. Paragraphs (e) and (f) of subsection (3) of
234 section 20.15, Florida Statutes, are amended to read:

235 20.15 Department of Education.—There is created a
236 Department of Education.

237 (3) DIVISIONS.—The following divisions of the Department of
238 Education are established:

239 ~~(e) Division of Vocational Rehabilitation.~~

240 ~~(f) Division of Blind Services.~~

241 Section 5. Section 20.197, Florida Statutes, is amended to
242 read:

243 20.197 Agency for Persons with Disabilities.—

244 (1) Notwithstanding s. 20.04(1), there is created a
245 department, which shall be called the Agency for Persons with
246 Disabilities, for the purposes of:

247 (a) Serving as the single state agency providing multiple
248 pathways for success for persons with disabilities.

249 (b) Providing services under chapter 393 to persons with
250 disabilities, including overseeing the operation of all state
251 institutional programs and the programmatic management of
252 Medicaid waivers and other programs established to provide
253 services to persons with developmental disabilities.

254 (c) Providing services under chapter 413 to persons with
255 disabilities.

256 (2) The head of the agency is the secretary of the Agency
257 for Persons with Disabilities and shall be appointed by the
258 Governor, subject to confirmation by the Senate. The secretary
259 shall serve at the pleasure of and report to the Governor housed
260 ~~within the Department of Children and Families for~~
261 ~~administrative purposes only. The agency shall be a separate~~

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262 ~~budget entity not subject to control, supervision, or direction~~
263 ~~by the Department of Children and Families in any manner,~~
264 ~~including, but not limited to, personnel, purchasing,~~
265 ~~transactions involving real or personal property, and budgetary~~
266 ~~matters.~~

267 (3)~~(1)~~ ~~The director of the agency shall be the agency head~~
268 ~~for all purposes and shall be appointed by the Governor, subject~~
269 ~~to confirmation by the Senate, and shall serve at the pleasure~~
270 ~~of the Governor. The secretary ~~director~~ shall administer the~~
271 ~~affairs of the agency and may, within available resources,~~
272 ~~employ assistants, professional staff, and other employees as~~
273 ~~necessary to discharge the powers and duties of the agency.~~

274 (4)~~(2)~~ ~~The agency, shall include a Division of Budget and~~
275 ~~Planning and a Division of Operations. In addition, and in~~
276 ~~accordance with s. 20.04, shall establish ~~the director of the~~~~
277 ~~agency may recommend establishing~~ additional divisions, bureaus,
278 sections, and subsections ~~of the agency~~ in order to promote
279 efficient and effective operation of the agency.

280 ~~(3)~~ ~~The agency is responsible for providing all services~~
281 ~~provided to persons with developmental disabilities under~~
282 ~~chapter 393, including the operation of all state institutional~~
283 ~~programs and the programmatic management of Medicaid waivers~~
284 ~~established to provide services to persons with developmental~~
285 ~~disabilities.~~

286 (5)~~(4)~~ ~~The agency shall engage in such other programmatic~~
287 ~~and administrative activities as it deems ~~are deemed~~ necessary~~
288 ~~to effectively and efficiently address the needs of the agency's~~
289 ~~clients.~~

290 (6)~~(5)~~ ~~The agency shall enter into an interagency agreement~~

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291 that delineates the responsibilities of the Agency for Health
292 Care Administration for the following:

293 (a) The terms and execution of contracts with Medicaid
294 providers for the provision of services provided through
295 Medicaid, including federally approved waiver programs.

296 (b) The billing, payment, and reconciliation of claims for
297 Medicaid services reimbursed by the agency.

298 (c) The implementation of utilization management measures,
299 including the prior authorization of services plans and the
300 streamlining and consolidation of waiver services, to ensure the
301 cost-effective provision of needed Medicaid services and to
302 maximize the number of persons with access to such services.

303 (d) A system of approving each client's plan of care to
304 ensure that the services on the plan of care are those that
305 without which the client would require the services of an
306 intermediate care facility for the developmentally disabled.

307 Section 6. Section 20.1971, Florida Statutes, is amended to
308 read:

309 20.1971 Agency for Persons with Disabilities; trust funds.—
310 The following trust funds shall be administered by the Agency
311 for Persons with Disabilities:

312 (1) THE ADMINISTRATIVE TRUST FUND.—

313 (a) Funds to be credited to the trust fund shall consist of
314 federal matching funds provided for the administration of
315 Medicaid services. Funds must ~~shall~~ be used for the purpose of
316 supporting the agency's administration of Medicaid programs and
317 for other such purposes as may be appropriate and shall be
318 expended only pursuant to legislative appropriation or an
319 approved amendment to the agency's operating budget pursuant to

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320 ~~the provisions of~~ chapter 216.

321 (b) Notwithstanding ~~the provisions of~~ s. 216.301 and
322 pursuant to s. 216.351, any balance in the trust fund at the end
323 of any fiscal year remains ~~shall remain~~ in the trust fund at the
324 end of the year and is ~~shall be~~ available for carrying out the
325 purposes of the trust fund.

326 (2) THE OPERATIONS AND MAINTENANCE TRUST FUND. —

327 (a) Funds to be credited to the trust fund shall consist of
328 receipts from third-party payors of health care services such as
329 Medicaid. Funds must ~~shall~~ be used for the purpose of providing
330 health care services to agency clients and for other such
331 purposes as may be appropriate and may ~~shall~~ be expended only
332 pursuant to legislative appropriation or an approved amendment
333 to the agency's operating budget pursuant to ~~the provisions of~~
334 chapter 216.

335 (b) Notwithstanding ~~the provisions of~~ s. 216.301 and
336 pursuant to s. 216.351, any balance in the trust fund at the end
337 of any fiscal year remains ~~shall remain~~ in the trust fund at the
338 end of the year and is ~~shall be~~ available for carrying out the
339 purposes of the trust fund.

340 (3) THE SOCIAL SERVICES BLOCK GRANT TRUST FUND. —

341 (a) Funds to be credited to the trust fund shall consist of
342 federal social services block grant funds. These funds must
343 ~~shall~~ be used for the purpose of providing health care and
344 support services to agency clients and for other such purposes
345 as may be appropriate and may ~~shall~~ be expended only pursuant to
346 legislative appropriation or an approved amendment to the
347 agency's operating budget pursuant to ~~the provisions of~~ chapter
348 216.

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349 (b) Notwithstanding ~~the provisions of~~ s. 216.301 and
350 pursuant to s. 216.351, any balance in the trust fund at the end
351 of any fiscal year remains ~~shall remain~~ in the trust fund at the
352 end of the year and is ~~shall be~~ available for carrying out the
353 purposes of the trust fund.

354 (4) THE TOBACCO SETTLEMENT TRUST FUND. —

355 (a) Funds to be credited to the trust fund shall consist of
356 funds disbursed, by nonoperating transfer, from the Department
357 of Financial Services Tobacco Settlement Clearing Trust Fund in
358 amounts equal to the annual appropriations made from this trust
359 fund.

360 (b) Notwithstanding ~~the provisions of~~ s. 216.301 and
361 pursuant to s. 216.351, any unencumbered balance in the trust
362 fund at the end of any fiscal year and any encumbered balance
363 remaining undisbursed on September 30 of the same calendar year
364 reverts ~~shall revert~~ to the Department of Financial Services
365 Tobacco Settlement Clearing Trust Fund.

366 (5) THE FEDERAL GRANTS TRUST FUND. —

367 (a) Funds to be credited to the trust fund shall consist of
368 receipts from federal grants. These funds must ~~shall~~ be used for
369 the purpose of providing health care services to agency clients
370 and for other such purposes as may be appropriate and may ~~shall~~
371 be expended only pursuant to legislative appropriation or an
372 approved amendment to the agency's operating budget pursuant to
373 ~~the provisions of~~ chapter 216.

374 (b) Notwithstanding ~~the provisions of~~ s. 216.301 and
375 pursuant to s. 216.351, any balance in the trust fund at the end
376 of any fiscal year remains ~~shall remain~~ in the trust fund at the
377 end of the year and is ~~shall be~~ available for carrying out the

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378 purposes of the trust fund.

379 (6) THE FEDERAL REHABILITATION TRUST FUND.—

380 (a) Funds to be credited to the trust fund shall consist of
381 receipts from federal grants. These funds must be used for the
382 purpose of providing independent living skills, education,
383 medical treatment, and assistive devices for individuals with
384 disabilities so that they may lead productive lives and join the
385 workforce.

386 (b) Notwithstanding s. 216.301 and pursuant to s. 216.351,
387 any balance in the trust fund at the end of any fiscal year
388 remains in the trust fund at the end of the year and is
389 available for carrying out the purposes of the trust fund.

390 Section 7. Section 393.062, Florida Statutes, is amended to
391 read:

392 393.062 Legislative findings and declaration of intent.—The
393 Legislature finds and intends ~~declares~~ that the Agency for
394 Persons with Disabilities serve as the single state agency for
395 all individuals with disabilities in this state. The mission of
396 the agency is to support individuals with disabilities and their
397 families in living, learning, and working within their
398 communities by creating multiple pathways to possibilities for
399 such individuals and their families ~~existing state programs for~~
400 ~~the treatment of individuals with developmental disabilities,~~
401 ~~which often unnecessarily place clients in institutions, are~~
402 ~~unreasonably costly, are ineffective in bringing the individual~~
403 ~~client to his or her maximum potential, and are in fact~~
404 ~~debilitating to many clients. A redirection in state treatment~~
405 ~~programs for individuals with developmental disabilities is~~
406 ~~necessary if any significant amelioration of the problems faced~~

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407 ~~by such individuals is ever to take place. Such redirection~~
408 ~~should place primary emphasis on programs that prevent or reduce~~
409 ~~the severity of developmental disabilities. Further,~~ The
410 greatest priority shall be given to the development and
411 implementation of community-based services that will enable
412 individuals with developmental disabilities to achieve their
413 greatest potential for independent and productive living, enable
414 them to live in their own homes or in residences located in
415 their own communities, and permit them to be diverted or removed
416 from unnecessary institutional placements. This goal cannot be
417 met without ensuring the availability of community residential
418 opportunities in the residential areas of this state. The
419 Legislature, therefore, declares that all persons with
420 developmental disabilities who live in licensed community homes
421 shall have a family living environment comparable to other
422 Floridians and that such residences shall be considered and
423 treated as a functional equivalent of a family unit and not as
424 an institution, business, or boarding home. The Legislature
425 further declares that, in developing community-based programs
426 and services for individuals with developmental disabilities,
427 private businesses, not-for-profit corporations, units of local
428 government, and other organizations capable of providing needed
429 services to clients in a cost-efficient manner shall be given
430 preference in lieu of operation of programs directly by state
431 agencies. ~~Finally, it is the intent of the Legislature that all~~
432 ~~caretakers unrelated to individuals with developmental~~
433 ~~disabilities receiving care shall be of good moral character.~~

434 Section 8. Section 393.0621, Florida Statutes, is created
435 to read:

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436 393.0621 Duties and responsibilities of the agency.-The
437 agency shall:

438 (1) Serve as the primary agency administering support to
439 individuals with disabilities in living, learning, and working
440 within their communities by creating multiple pathways to
441 possibilities for such individuals and their families, among
442 other responsibilities.

443 (2) Administer, as deemed fit by the agency and in
444 accordance with law, developmental disabilities home and
445 community-based Medicaid waiver programs.

446 (3) Develop community-based programs and services for
447 individuals with disabilities and work with private businesses,
448 nonprofit organizations, faith-based entities, units of local
449 government, and other organizations capable of providing needed
450 services to individuals with disabilities to provide
451 opportunities for success to such individuals.

452 (4) Advise the Governor and the Legislature regarding the
453 need for and location of programs related to disabilities.

454 (5) Serve as the preeminent state authority on individuals
455 with disabilities and, when necessary, advise, set standards
456 for, and propose recommendations to other entities serving
457 individuals with disabilities.

458 (6) Advocate for quality programs and services for the
459 state's disabled population and on behalf of the needs of
460 individuals with disabilities.

461 (7) Purchase, lease, or otherwise acquire material to
462 advertise, market, and promote awareness of services available
463 to enable individuals with disabilities to achieve greater
464 independence.

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465 (8) Prevent neglect, abuse, or exploitation of individuals
466 with disabilities who are unable to protect their own interests.

467 (9) Conduct studies and collect data necessary for the
468 success of its mission.

469 (10) Coordinate interdepartmental policy development and
470 program planning for all state agencies that provide services
471 for individuals with disabilities in order to prevent
472 duplicative efforts, to maximize use of resources, and to ensure
473 cooperation, communication, and departmental linkages.

474 Section 9. Present subsections (6) through (46) of section
475 393.063, Florida Statutes, are redesignated as subsections (7)
476 through (47), respectively, a new subsection (6) is added to
477 that section, and present subsections (6), (7), (10), (13),
478 (18), (20), (31), (37), and (46) of that section are amended, to
479 read:

480 393.063 Definitions.—For the purposes of this chapter, the
481 term:

482 (6) "Care plan" means a written tool that contains
483 information provided by the individual with disabilities or his
484 or her guardian advocate or representative which is used to
485 develop attainable milestones and corresponding timelines to
486 address immediate, intermediate, and long-term needs and goals
487 through the coordination of resources and support.

488 (7)~~(6)~~ "Cerebral palsy" means a group of disabling symptoms
489 of extended duration which results from damage to the developing
490 brain that may occur before, during, or after birth and that
491 results in the loss or impairment of control over voluntary
492 muscles. The term ~~For the purposes of this definition, cerebral~~
493 ~~palsy~~ does not include those symptoms or impairments resulting

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494 solely from a stroke.

495 (8)~~(7)~~ "Client" means any individual with disabilities who
496 receives services or support from the agency under this chapter
497 or chapter 413 ~~person determined eligible by the agency for~~
498 ~~services under this chapter.~~

499 (11)~~(10)~~ "Developmental disabilities center" means a state-
500 owned and state-operated facility, ~~formerly known as a "Sunland~~
501 ~~Center,"~~ providing for the care, habilitation, and
502 rehabilitation of clients ~~with developmental disabilities.~~

503 (14)~~(13)~~ "Domicile" means the place where a client legally
504 resides and which is his or her permanent home. Domicile may be
505 established as provided in s. 222.17. Domicile may not be
506 established in Florida by a minor who does not have a ~~has no~~
507 ~~parent domiciled in Florida,~~ or ~~by a minor who has no~~ legal
508 guardian domiciled in Florida, or by any alien not classified as
509 a resident alien.

510 (19)~~(18)~~ "Group home facility" means a residential facility
511 licensed under this chapter which provides a family living
512 environment including supervision and care necessary to meet the
513 physical, emotional, and social needs of its residents. The
514 capacity of such a facility must ~~shall~~ be at least 4 but not
515 more than 15 residents.

516 (21)~~(20)~~ "Guardian advocate" means a person appointed by a
517 written order of the court under s. 393.12 to represent a person
518 with developmental disabilities ~~under s. 393.12.~~

519 (32)~~(31)~~ "Resident" means a person who has a developmental
520 disability and resides at a residential facility, regardless of
521 ~~whether or not~~ such person is a client of the agency.

522 (38)~~(37)~~ "Seclusion" means the involuntary isolation of a

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523 person in a room or area from which the person is prevented from
 524 leaving. The prevention may be by physical barrier or by a staff
 525 member ~~who is~~ acting in a manner, or ~~who is~~ physically situated,
 526 so as to prevent the person from leaving the room or area. For
 527 the purposes of this chapter, the term does not mean isolation
 528 due to the medical condition or symptoms of the person.

529 (47)~~(46)~~ "Treatment" means interventions or services
 530 provided to prevent and lessen a client's symptoms; provide
 531 care, comfort, and education to a client; and restore and
 532 maintain the health of a client ~~the prevention, amelioration, or~~
 533 ~~cure of a client's physical and mental disabilities or~~
 534 ~~illnesses.~~

535 Section 10. Paragraph (b) of subsection (5) and paragraph
 536 (a) of subsection (11) of section 393.065, Florida Statutes, are
 537 amended to read:

538 393.065 Application and eligibility determination.—

539 (5) Except as provided in subsections (6) and (7), if a
 540 client seeking enrollment in the developmental disabilities home
 541 and community-based services Medicaid waiver program meets the
 542 level of care requirement for an intermediate care facility for
 543 individuals with intellectual disabilities pursuant to 42 C.F.R.
 544 ss. 435.217(b)(1) and 440.150, the agency must assign the client
 545 to an appropriate preenrollment category pursuant to this
 546 subsection and must provide priority to clients waiting for
 547 waiver services in the following order:

548 (b) Category 2, which includes clients in the preenrollment
 549 categories who are:

550 1. From the child welfare system with an open case in the
 551 Department of Children and Families' statewide automated child

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552 welfare information system and who are either:

553 a. Transitioning out of the child welfare system into
554 permanency; or

555 b. At least 18 years but not yet 22 years of age and who
556 need both waiver services and extended foster care services; or

557 2. At least 18 years but not yet 22 years of age and who
558 withdrew consent pursuant to s. 39.6251(5)(c) to remain in the
559 extended foster care system.

560

561 For individuals who are at least 18 years but not yet 22 years
562 of age and who are eligible under sub-subparagraph 1.b., the
563 agency must provide waiver services, including residential
564 habilitation, and must participate in transition planning
565 activities coordinated by the community-based care lead agency,
566 including, but not limited to, transition plan staffing pursuant
567 to s. 39.6035 and multidisciplinary staffing pursuant to s.
568 39.701, including those activities regarding guardianship. ~~and~~

569 The community-based care lead agency must fund room and board at
570 the rate established in s. 409.145(3) and provide case
571 management and related services as defined in s. 409.986(3)(e).
572 Individuals may receive both waiver services and services under
573 s. 39.6251. Services may not duplicate services available
574 through the Medicaid state plan.

575

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

579 (11)(a) The agency must provide the following information
580 to all applicants or their parents, legal guardians, or family

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581 members:

582 1. A brief overview of the vocational rehabilitation
583 services offered through the Division of Vocational
584 Rehabilitation of the agency ~~Department of Education~~, including
585 a hyperlink or website address that provides access to the
586 application for such services;

587 2. A brief overview of the Florida ABLE program as
588 established under s. 1009.986, including a hyperlink or website
589 address that provides access to the application for establishing
590 an ABLE account as defined in s. 1009.986(2);

591 3. A brief overview of the supplemental security income
592 benefits and social security disability income benefits
593 available under Title XVI of the Social Security Act, as
594 amended, including a hyperlink or website address that provides
595 access to the application for such benefits;

596 4. A statement indicating that the applicant's local public
597 school district may provide specialized instructional services,
598 including transition programs, for students with special
599 education needs;

600 5. A brief overview of programs and services funded through
601 the Florida Center for Students with Unique Abilities, including
602 contact information for each state-approved Florida
603 Postsecondary Comprehensive Transition Program;

604 6. A brief overview of decisionmaking options for
605 individuals with disabilities, guardianship under chapter 744,
606 and alternatives to guardianship as defined in s. 744.334(1),
607 which may include contact information for organizations that the
608 agency believes would be helpful in assisting with such
609 decisions;

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610 7. A brief overview of the referral tools made available
611 through the agency, including a hyperlink or website address
612 that provides access to such tools; and

613 8. A statement indicating that some waiver providers may
614 serve private-pay individuals.

615 Section 11. Section 393.0664, Florida Statutes, is created
616 to read:

617 393.0664 Adult Pathways Home and Community-based Services
618 Medicaid waiver program.-

619 (1) PROGRAM IMPLEMENTATION.-

620 (a) The agency shall implement the Adult Pathways Home and
621 Community-based Services Medicaid waiver program using a fee-
622 for-service model with an annual per-person funding cap to
623 address the needs of clients with developmental disabilities as
624 they transition into adulthood and achieve greater independence
625 throughout their lifetimes.

626 (b) The program is created to establish an additional
627 pathway to provide necessary supports and services to clients
628 and contain costs by maximizing the use of natural supports and
629 community partnerships before turning to state resources to meet
630 the needs of clients at the earliest possible time to prevent
631 care crises and to positively influence outcomes relating to
632 client health, safety, and well-being.

633 (c) The agency, in partnership with the Agency for Health
634 Care Administration, may seek federal approval through a state
635 plan amendment or Medicaid waiver as necessary to implement the
636 program. The Agency for Health Care Administration shall submit
637 a request for any federal approval needed to implement the
638 program by October 1, 2025.

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639 (2) VOLUNTARY ENROLLMENT; ELIGIBILITY; DISENROLLMENT.-

640 (a) Participation in the program is voluntary and limited
641 to the maximum number of enrollees authorized in the General
642 Appropriations Act.

643 (b) The agency shall approve a needs assessment methodology
644 to determine functional, behavioral, and physical needs of
645 prospective enrollees. The assessment methodology may be
646 administered only by persons who have completed any training
647 required by the agency for such purpose. If required, the agency
648 must offer any such training.

649 (c) To participate in the program, a client must meet all
650 of the following criteria:

651 1. Be eligible for Medicaid.

652 2. Be eligible for a preenrollment category for Medicaid
653 waiver services as provided in s. 393.065(5).

654 3. Be 18 to 28 years of age at the time of enrollment and
655 have attained a high school diploma or the equivalent.

656 4. Meet the level of care required for home and community-
657 based services as identified in the federal approval for the
658 program.

659 (d) Enrollees may remain on the Adult Pathways waiver until
660 the age of 32.

661 (e) Participation in the program does not affect the status
662 of current clients of the home and community-based services
663 Medicaid waiver program under s. 393.0662 unless a client, or
664 his or her legal representative, voluntarily disenrolls from
665 that program.

666 (f) Enrollees who voluntarily disenroll from the program
667 must be allowed to return to the most appropriate preenrollment

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668 category for services under s. 393.065 based on a current needs
669 assessment and the preenrollment category criteria.

670 (3) ADULT PATHWAYS WAIVER SERVICES.—

671 (a) The agency shall authorize covered services as
672 specified in the Medicaid waiver which are medically necessary,
673 including, but not limited to, any of the following:

674 1. Adult day training.

675 2. Companion services.

676 3. Employment services.

677 4. Personal supports.

678 5. Prevocational services.

679 6. Supported living coaching.

680 7. Transportation.

681 8. Care Coordination.

682 (b) Services must be provided to enrollees in accordance
683 with an individualized care plan, which must be evaluated and
684 updated at least annually and as often as warranted by changes
685 in the enrollee's circumstances.

686 (4) PROGRAM ADMINISTRATION AND EVALUATION.—

687 (a) The agency shall begin enrollment upon federal approval
688 of the Medicaid waiver, with coverage for enrollees becoming
689 effective upon authorization and availability of sufficient
690 state and federal funding and resources.

691 (b) This section and any rules adopted pursuant thereto may
692 not be construed to prevent or limit the agency, in consultation
693 with the Agency for Health Care Administration, from adjusting
694 fees, reimbursement rates, lengths of stay, number of visits, or
695 number of services; limiting enrollment; or making any other
696 adjustment necessary based upon funding and any limitations

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697 imposed or directions provided in the General Appropriations
698 Act.

699 (c) The agency, in consultation with the Agency for Health
700 Care Administration, shall submit progress reports to the
701 Governor, the President of the Senate, and the Speaker of the
702 House of Representatives upon federal approval of the Medicaid
703 waiver and throughout implementation of the program under the
704 waiver. By July 1, 2026, the Agency for Persons with
705 Disabilities shall submit a progress report on the
706 administration of the program, including, but not limited to,
707 all of the following:

708 1. The number of enrollees in the program and other
709 pertinent information on enrollment.

710 2. Service use.

711 3. Average cost per enrollee.

712 4. Outcomes and performance reporting relating to health,
713 safety, and well-being of enrollees.

714 Section 12. Section 393.502, Florida Statutes, is amended
715 to read:

716 393.502 Family care councils.—

717 (1) CREATION; PURPOSE.—

718 (a) There is created the statewide family care council to
719 work in consultation with the agency for purposes of advising
720 the agency on strategies to promote and support the delivery of
721 services and resources across the state. The statewide council
722 shall use information provided from the local family care
723 councils to inform the development of strategies and resources,
724 including the promotion of peer and mentorship models, to
725 support individuals with disabilities and their families in the

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726 state.

727 (b) There ~~is shall be~~ established and located within each
728 agency-designated region ~~service area of the agency~~ a local
729 family care council to collect, provide, and promote information
730 in consultation with the statewide family care council and the
731 agency relating to services and resources within each council's
732 locally designated region and to act as a local network for
733 mentorship and peer support to individuals with disabilities and
734 their families.

735 (2) DUTIES; REPORT.—

736 (a) The statewide family care council shall use the
737 information received from the annual reports and quarterly
738 meetings of the local family care councils to provide an annual
739 report to the agency due December 1, including information
740 relating to the existing infrastructure of supports for
741 individuals with disabilities and their families and targeted
742 strategies in consultation with the agency for the development
743 of existing and additional peer and mentorship models.
744 Specifically, the plan and strategies should reference existing
745 models established as leading practices and promote the
746 maximization of community integration, resource identification,
747 encouragement for others by sharing lived experiences, and
748 increase of skills for independence through partnerships that
749 promote volunteer, intern, and employment options.

750 (b) The local family care councils shall:

751 1. Provide an annual report to the statewide family care
752 council by July 1 which includes information relating to locally
753 based existing resources and supports available for individuals
754 with disabilities and their families with an emphasis on peer

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755 and mentorship programs and models and direct feedback and
756 activities provided through the local family care council's
757 quarterly meetings which inform strategies to develop networks
758 of supports which promote the maximization of community
759 integration, resource identification, encouragement for others
760 by sharing lived experiences, and increase of skills for
761 independence through partnerships that promote volunteer
762 opportunities, internships, and employment options.

763 2. Assist in promoting strategies, models, and programs
764 that are developed as a result of findings in the statewide
765 family care council's annual report and in consultation with the
766 agency.

767 3. Provide outreach and connection for individuals with
768 disabilities and their families to care navigation, resources
769 and supports, and additional opportunities to connect with
770 others with lived experiences to promote empowerment and
771 resiliency.

772 (3) FUNDING; FINANCIAL REVIEW.—A local family care council
773 may apply for, receive, and accept grants, gifts, and donations,
774 bequests, and other payments from any public or private entity
775 or person for the purpose of directly supporting the mentorship
776 and peer supports program and network. Each council shall
777 exercise care and prudence in the expenditure of funds. The
778 statewide council and each local council are subject to an
779 annual financial review by staff assigned by the agency. After
780 the review, the agency may implement financial controls for a
781 council as it deems necessary. The statewide and local councils
782 must comply with state expenditure requirements.

783 (4) ~~(2)~~ MEMBERSHIP.—

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784 (a)1. Employees of the agency are not eligible to serve as
785 voting members on either the statewide council or a local
786 council.

787 2. Persons related by consanguinity or affinity within the
788 third degree may not serve on the same council at the same time.

789 (b)1. The Governor shall appoint all members of the
790 statewide council, based on recommendations of the secretary of
791 the agency. The statewide council shall be composed of up to 11
792 members, as follows:

793 a. At least one representative from each agency-designated
794 region, each of whom must be a resident of the region he or she
795 represents on the council.

796 b. At least two individuals who are receiving waiver
797 services from the agency or are assigned to a preenrollment
798 category for waiver services under s. 393.065.

799 c. One nonvoting member appointed by the secretary of the
800 agency.

801 d. One representative of an entity that provides services
802 to individuals with disabilities in this state, including, but
803 not limited to, a private sector Florida Unique Abilities
804 Partner designated under s. 413.801, which does not have a
805 Medicaid waiver service contract with the agency, who shall
806 serve as a member-at-large.

807 e. At least one member who is the parent, grandparent,
808 guardian, or sibling of an individual with disabilities who is
809 served by the agency. For a grandparent to serve as a member,
810 the grandchild's parent or legal guardian must consent to the
811 appointment in writing to the agency.

812 f. Additional members may include representatives from

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813 local community-based nonprofit organizations, faith-based
814 organizations, schools, or programs embedded within educational
815 systems in this state.

816 2. The council chair shall be chosen by the council members
817 to serve a 1-year term. A person may not serve more than two
818 consecutive terms as chair.

819 (c)-(a) Each local family care council shall be composed
820 consist of at least 10 and no more than 15 members who are
821 recommended by a majority vote of the local family care council
822 and appointed by the secretary of the agency. Each local council
823 member must reside within the agency-designated region served by
824 the local council.

825 1. At least one member must be an individual receiving
826 waiver services from the agency or assigned to a preenrollment
827 category for waiver services under s. 393.065.

828 2. One member must be a representative of an entity
829 providing services to individuals with disabilities in this
830 state, including, but not limited to, a private sector Florida
831 Unique Abilities Partner designated under s. 413.801, which does
832 not have a Medicaid waiver service contract with the agency.

833 3. At least one member must be the parent, grandparent,
834 guardian, or sibling of an individual with disabilities who is
835 served by the agency. For a grandparent to serve as a member,
836 the grandchild's parent or legal guardian must consent to the
837 appointment in writing to the agency.

838 4. Additional members may include representatives of local
839 community-based nonprofit organizations, faith-based
840 organizations, schools, or educational programs ~~Governor.~~

841 ~~(b) At least three of the members of the council shall be~~

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842 ~~individuals receiving or waiting to receive services from the~~
843 ~~agency. One such member shall be an individual who has been~~
844 ~~receiving services within the 4 years before the date of~~
845 ~~recommendation. The remainder of the council members shall be~~
846 ~~parents, grandparents, guardians, or siblings of individuals who~~
847 ~~have developmental disabilities and qualify for services~~
848 ~~pursuant to this chapter. For a grandparent to be a council~~
849 ~~member, the grandchild's parent or legal guardian must consent~~
850 ~~to the appointment and report the consent to the agency.~~

851 ~~(c) A person who is currently serving on another board or~~
852 ~~council of the agency may not be appointed to a local family~~
853 ~~care council.~~

854 ~~(d) Employees of the agency are not eligible to serve on a~~
855 ~~local family care council.~~

856 ~~(e) Persons related by consanguinity or affinity within the~~
857 ~~third degree shall not serve on the same local family care~~
858 ~~council at the same time.~~

859 ~~5. (f) The A chair of each local for the council must shall~~
860 ~~be chosen by the council members to serve a 1-year term for 1~~
861 ~~year. A person may not serve no more than two consecutive four~~
862 ~~1-year terms as chair.~~

863 ~~(5) (3) TERMS; VACANCIES.-~~

864 (a) Council members for the statewide and local councils
865 shall be appointed for a 3-year term, except as provided in
866 subsection (9) (8), and may be reappointed to one additional
867 term.

868 (b) A member who has served two consecutive terms shall not
869 be eligible to serve again until 12 months have elapsed since
870 ending his or her service on the local council.

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871 (c) Upon expiration of a term or in the case of any other
 872 vacancy, the statewide or local council shall notify the agency
 873 of the vacancy, which must be filled in the same manner as the
 874 original appointment, ~~by majority vote, recommend to the~~
 875 ~~Governor for appointment a person for each vacancy.~~

876 (d) Statewide council members serve at the pleasure of the
 877 Governor. Local council members serve at the pleasure of the
 878 secretary of the agency.

879 (6)~~(4)~~ COMMITTEE APPOINTMENTS.—The chair of the local
 880 family care council may appoint persons to serve on council
 881 committees. Such persons may include former members of the
 882 council and persons not eligible to serve on the council.

883 (7)~~(5)~~ TRAINING.—

884 (a) The agency, in consultation with the statewide and
 885 local councils, shall establish a training program for ~~local~~
 886 ~~family care~~ council members. Each council ~~local area~~ shall
 887 provide the training program when new members ~~persons~~ are
 888 appointed to the ~~local~~ council and at other times as the
 889 secretary deems necessary.

890 (b) The training must ~~shall~~ assist the council members to
 891 understand the laws, rules, and policies applicable to their
 892 duties and responsibilities.

893 (c) All members ~~persons~~ appointed to a local council must
 894 complete this training within 90 days after their appointment. A
 895 member ~~person~~ who fails to meet this requirement is ~~shall be~~
 896 considered to have resigned from the council.

897 (8)~~(6)~~ MEETINGS.—

898 (a) The statewide family care council and all local family
 899 care councils shall meet as necessary but at least quarterly.

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900 (b) Council members shall serve on a voluntary basis
901 without compensation. However, members who were appointed on the
902 basis of receiving waiver services from the agency or by virtue
903 of being assigned to a preenrollment category or who are serving
904 on the basis of being related to such a person are entitled to
905 reimbursement payment for their services but shall be reimbursed
906 for per diem and travel expenses as provided for in s. 112.061.

907 (c) The statewide family care council and local family care
908 councils may not conduct business in the absence of a quorum.
909 The majority of the members of the council constitutes a quorum,
910 and a meeting may not be held with less than a quorum present.
911 In order to establish a quorum, the council may conduct its
912 meetings through teleconference or other electronic means. If
913 vacancies on a council prevent a quorum, the only business the
914 council may conduct is the development and submission of
915 recommendations for individuals to be appointed to the council
916 by the secretary of the agency ~~The council shall meet at least~~
917 ~~six times per year.~~

918 ~~(7) PURPOSE.—The purpose of the local family care councils~~
919 ~~shall be to advise the agency, to develop a plan for the~~
920 ~~delivery of family support services within the local area, and~~
921 ~~to monitor the implementation and effectiveness of services and~~
922 ~~support provided under the plan. The primary functions of the~~
923 ~~local family care councils shall be to:~~

924 ~~(a) Assist in providing information and outreach to~~
925 ~~families.~~

926 ~~(b) Review the effectiveness of service programs and make~~
927 ~~recommendations with respect to program implementation.~~

928 ~~(c) Advise the agency with respect to policy issues~~

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929 ~~relevant to the community and family support system in the local~~
930 ~~area.~~

931 ~~(d) Meet and share information with other local family care~~
932 ~~councils.~~

933 ~~(9)(8)~~ NEW COUNCILS.—When a local ~~family care~~ council is
934 established for the first time in an agency-designated region a
935 local area, the secretary of the agency ~~Governor~~ shall appoint
936 the ~~first four~~ council members, who shall serve 3-year terms.
937 ~~These members shall submit to the Governor, within 90 days after~~
938 ~~their appointment, recommendations for at least six additional~~
939 ~~members, selected by majority vote.~~

940 ~~(9) FUNDING; FINANCIAL REVIEW.~~ The local family care
941 council may apply for, receive, and accept grants, gifts,
942 donations, bequests, and other payments from any public or
943 private entity or person. Each local council is subject to an
944 annual financial review by staff assigned by the agency. Each
945 local council shall exercise care and prudence in the
946 expenditure of funds. The local family care councils shall
947 comply with state expenditure requirements.

948 Section 13. Section 413.001, Florida Statutes, is created
949 to read:

950 413.001 Legislative intent; purpose.—It is the intent of
951 the Legislature that the Agency for Persons with Disabilities
952 serve as the single state agency for all individuals with
953 disabilities. The purpose of the Agency for Persons with
954 Disabilities is to support individuals with disabilities and
955 their families in living, learning, and working within their
956 communities by creating multiple pathways to possibilities.

957 Section 14. Paragraph (b) of subsection (2) of section

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958 413.271, Florida Statutes, is amended to read:

959 413.271 Florida Coordinating Council for the Deaf and Hard
960 of Hearing.—

961 (2)

962 (b) The coordinating council shall be composed of 17
963 members. The appointment of members not representing agencies
964 must ~~shall~~ be made by the Governor. The appointment of members
965 representing organizations must ~~shall~~ be made by the Governor in
966 consultation with those organizations. The membership must ~~shall~~
967 be as follows:

968 1. Two members representing the Florida Association of the
969 Deaf.

970 2. Two members representing the Florida Association of Self
971 Help for Hard of Hearing People.

972 3. A member representing the Association of Late-Deafened
973 Adults.

974 4. An individual who is deaf and blind.

975 5. A parent of an individual who is deaf.

976 6. A member representing the Deaf Service Center
977 Association.

978 7. A member representing the Florida Registry of
979 Interpreters for the Deaf.

980 8. A member representing the Florida chapter of the
981 Alexander Graham Bell Association for the Deaf and Hard of
982 Hearing.

983 9. A communication access real-time translator.

984 10. An audiologist licensed under part I of chapter 468.

985 11. A hearing aid specialist licensed under part II of
986 chapter 484.

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987 12. The Secretary of Children and Families or his or her
988 designee.

989 13. The State Surgeon General or his or her designee.

990 14. The Commissioner of Education or his or her designee.

991 15. The Secretary of Elderly Affairs or his or her
992 designee.

993 16. The secretary of the Agency for Persons with
994 Disabilities or his or her designee.

995
996 If any organization from which a representative is to be drawn
997 ceases to exist, a representative of a similar organization must
998 ~~shall~~ be named to the coordinating council. The Governor shall
999 make appointments to the coordinating council and may remove any
1000 member for cause. Each member must ~~shall~~ be appointed to a term
1001 of 4 years. Any vacancy on the coordinating council must ~~shall~~
1002 be filled in the same manner as the original appointment, and
1003 any member appointed to fill a vacancy occurring because of
1004 death, resignation, or ineligibility for membership shall serve
1005 only for the unexpired term of the member's predecessor. Before
1006 ~~Prior to~~ serving on the coordinating council, all appointees
1007 must attend orientation training that ~~shall address~~, at a
1008 minimum, addresses the requirements of the provisions of this
1009 section; the programs operated by the coordinating council; the
1010 role and functions of the coordinating council; the current
1011 budget for the coordinating council; the results of the most
1012 recent formal audit of the coordinating council; and the
1013 requirements of the state's public records law, the code of
1014 ethics, the Administrative Procedure Act, and other laws
1015 relating to public officials, including conflict-of-interest

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1016 laws.

1017 Section 15. Paragraph (b) of subsection (5) of section
1018 90.6063, Florida Statutes, is amended to read:

1019 90.6063 Interpreter services for deaf persons.—

1020 (5) The appointing authority may channel requests for
1021 qualified interpreters through:

1022 (b) The Division of Vocational Rehabilitation of the Agency
1023 for Persons with Disabilities ~~Department of Education~~; or

1024 Section 16. Paragraph (a) of subsection (3) of section
1025 110.112, Florida Statutes, is amended to read:

1026 110.112 Affirmative action; equal employment opportunity.—

1027 (3)(a) The department, in consultation with the Agency for
1028 Persons with Disabilities, including the Division of Vocational
1029 Rehabilitation and the Division of Blind Services within the
1030 agency ~~of the Department of Education~~, the Department of
1031 Commerce, and the Executive Office of the Governor, shall
1032 develop and implement programs that incorporate internships,
1033 mentoring, on-the-job training, unpaid work experience,
1034 situational assessments, and other innovative strategies that
1035 are specifically geared toward individuals who have a
1036 disability.

1037 Section 17. Section 215.311, Florida Statutes, is amended
1038 to read:

1039 215.311 State funds; exceptions.—Section 215.31 does ~~The~~
1040 ~~provisions of s. 215.31~~ shall not apply to funds collected by
1041 and under the direction and supervision of the Division of Blind
1042 Services of the Agency for Persons with Disabilities ~~Department~~
1043 ~~of Education~~ as provided under ss. 413.011, 413.041, and
1044 413.051; however, nothing in this section may ~~shall~~ be construed

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1045 to except from ~~the provisions of~~ s. 215.31 any appropriations
1046 made by the state to the division.

1047 Section 18. Subsection (5) of section 257.04, Florida
1048 Statutes, is amended to read:

1049 257.04 Publications, pictures, and other documents received
1050 to constitute part of State Library; powers and duties of
1051 Division of Library and Information Services.—

1052 (5) The division shall make all necessary arrangements to
1053 coordinate with the Division of Blind Services of the Agency for
1054 Persons with Disabilities ~~Department of Education~~ to provide
1055 library services to the blind and physically handicapped persons
1056 of the state.

1057 Section 19. Paragraph (e) of subsection (2) and subsections
1058 (4) and (5) of section 318.21, Florida Statutes, are amended to
1059 read:

1060 318.21 Disposition of civil penalties by county courts.—All
1061 civil penalties received by a county court pursuant to the
1062 provisions of this chapter shall be distributed and paid monthly
1063 as follows:

1064 (2) Of the remainder:

1065 (e) Two percent shall be remitted to the Department of
1066 Revenue for deposit in the Grants and Donations Trust Fund of
1067 the Division of Vocational Rehabilitation of the Agency for
1068 Persons with Disabilities ~~Department of Education~~.

1069 (4) Of the additional fine assessed under s. 318.18(3)(g)
1070 for a violation of s. 316.1301, 40 percent must be remitted to
1071 the Department of Revenue for deposit in the Grants and
1072 Donations Trust Fund of the Division of Blind Services of the
1073 Agency for Persons with Disabilities ~~Department of Education~~,

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1074 and 60 percent must be distributed pursuant to subsections (1)
1075 and (2).

1076 (5) Of the additional fine assessed under s. 318.18(3)(g)
1077 for a violation of s. 316.1303(1), 60 percent must be remitted
1078 to the Department of Revenue for deposit in the Grants and
1079 Donations Trust Fund of the Division of Vocational
1080 Rehabilitation of the Agency for Persons with Disabilities
1081 ~~Department of Education~~, and 40 percent must be distributed
1082 pursuant to subsections (1) and (2).

1083 Section 20. Paragraph (c) of subsection (4) of section
1084 320.0848, Florida Statutes, is amended to read:

1085 320.0848 Persons who have disabilities; issuance of
1086 disabled parking permits; temporary permits; permits for certain
1087 providers of transportation services to persons who have
1088 disabilities.—

1089 (4) From the proceeds of the temporary disabled parking
1090 permit fees:

1091 (c) The remainder must be distributed monthly as follows:

1092 1. To be deposited in the Grants and Donations Trust Fund
1093 of the Division of Vocational Rehabilitation of the Agency for
1094 Persons with Disabilities ~~Department of Education~~ for the
1095 purpose of improving employment and training opportunities for
1096 persons who have disabilities, with special emphasis on removing
1097 transportation barriers, \$4.

1098 2. To be deposited in the Transportation Disadvantaged
1099 Trust Fund to be used for funding matching grants to counties
1100 for the purpose of improving transportation of persons who have
1101 disabilities, \$5.

1102 Section 21. Paragraph (i) of subsection (4) of section

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1103 393.13, Florida Statutes, is amended to read:

1104 393.13 Treatment of persons with developmental
1105 disabilities.—

1106 (4) CLIENT RIGHTS.—For purposes of this subsection, the
1107 term “client,” as defined in s. 393.063, shall also include any
1108 person served in a facility licensed under s. 393.067.

1109 (i) Each client shall have a central record. The central
1110 record shall be established by the agency at the time that an
1111 individual is determined eligible for services, shall be
1112 maintained by the client’s support coordinator, and must contain
1113 information pertaining to admission, diagnosis and treatment
1114 history, present condition, and such other information as may be
1115 required. The central record is the property of the agency.

1116 1. Unless waived by the client, if competent, or the
1117 client’s parent or legal guardian if the client is incompetent,
1118 the client’s central record shall be confidential and exempt
1119 from the provisions of s. 119.07(1), and no part of it shall be
1120 released except:

1121 a. The record may be released to physicians, attorneys, and
1122 government agencies having need of the record to aid the client,
1123 as designated by the client, if competent, or the client’s
1124 parent or legal guardian, if the client is incompetent.

1125 b. The record shall be produced in response to a subpoena
1126 or released to persons authorized by order of court, excluding
1127 matters privileged by other provisions of law.

1128 c. The record or any part thereof may be disclosed to a
1129 qualified researcher, a staff member of the facility where the
1130 client resides, or an employee of the agency when the
1131 administrator of the facility or the secretary ~~director~~ of the

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1132 agency deems it necessary for the treatment of the client,
1133 maintenance of adequate records, compilation of treatment data,
1134 or evaluation of programs.

1135 d. Information from the records may be used for statistical
1136 and research purposes if the information is abstracted in such a
1137 way to protect the identity of individuals.

1138 2. The client, if competent, or the client's parent or
1139 legal guardian if the client is incompetent, shall be supplied
1140 with a copy of the client's central record upon request.

1141 Section 22. Subsection (5) of section 394.75, Florida
1142 Statutes, is amended to read:

1143 394.75 State and district substance abuse and mental health
1144 plans.—

1145 (5) The district plan shall address how substance abuse and
1146 mental health services will be provided and how a system of care
1147 for target populations will be provided given the resources
1148 available in the service district. The plan must include
1149 provisions for maximizing client access to the most recently
1150 developed psychiatric medications approved by the United States
1151 Food and Drug Administration, for developing independent housing
1152 units through participation in the Section 811 program operated
1153 by the United States Department of Housing and Urban
1154 Development, for developing supported employment services
1155 through the Division of Vocational Rehabilitation of the Agency
1156 for Persons with Disabilities ~~Department of Education~~, for
1157 providing treatment services to persons with co-occurring mental
1158 illness and substance abuse problems which are integrated across
1159 treatment systems, and for providing services to adults who have
1160 a serious mental illness, as defined in s. 394.67, and who

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1161 reside in assisted living facilities.

1162 Section 23. Paragraph (a) of subsection (4) of section
1163 402.56, Florida Statutes, is amended to read:

1164 402.56 Children's cabinet; organization; responsibilities;
1165 annual report.—

1166 (4) MEMBERS.—The cabinet shall consist of 16 members
1167 including the Governor and the following persons:

1168 (a)1. The Secretary of Children and Families;

1169 2. The Secretary of Juvenile Justice;

1170 3. The secretary ~~director~~ of the Agency for Persons with
1171 Disabilities;

1172 4. A representative from the Division of Early Learning;

1173 5. The State Surgeon General;

1174 6. The Secretary of Health Care Administration;

1175 7. The Commissioner of Education;

1176 8. The director of the Statewide Guardian ad Litem Office;

1177 9. A representative of the Office of Adoption and Child
1178 Protection;

1179 10. A superintendent of schools, appointed by the Governor;
1180 and

1181 11. Five members who represent children and youth advocacy
1182 organizations and who are not service providers, appointed by
1183 the Governor.

1184 Section 24. Paragraph (b) of subsection (4) of section
1185 409.9855, Florida Statutes, is amended to read:

1186 409.9855 Pilot program for individuals with developmental
1187 disabilities.—

1188 (4) ELIGIBLE PLANS; PLAN SELECTION.—

1189 (b) The agency shall select, as provided in s. 287.057(1),

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1190 one plan to participate in the pilot program for each of the two
1191 regions. The secretary ~~director~~ of the Agency for Persons with
1192 Disabilities or his or her designee must be a member of the
1193 negotiating team.

1194 1. The invitation to negotiate must specify the criteria
1195 and the relative weight assigned to each criterion that will be
1196 used for determining the acceptability of submitted responses
1197 and guiding the selection of the plans with which the agency and
1198 the Agency for Persons with Disabilities negotiate. In addition
1199 to any other criteria established by the agency, in consultation
1200 with the Agency for Persons with Disabilities, the agency shall
1201 consider the following factors in the selection of eligible
1202 plans:

1203 a. Experience serving similar populations, including the
1204 plan's record in achieving specific quality standards with
1205 similar populations.

1206 b. Establishment of community partnerships with providers
1207 which create opportunities for reinvestment in community-based
1208 services.

1209 c. Provision of additional benefits, particularly
1210 behavioral health services, the coordination of dental care, and
1211 other initiatives that improve overall well-being.

1212 d. Provision of and capacity to provide mental health
1213 therapies and analysis designed to meet the needs of individuals
1214 with developmental disabilities.

1215 e. Evidence that an eligible plan has written agreements or
1216 signed contracts or has made substantial progress in
1217 establishing relationships with providers before submitting its
1218 response.

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1219 f. Experience in the provision of person-centered planning
1220 as described in 42 C.F.R. s. 441.301(c)(1).

1221 g. Experience in robust provider development programs that
1222 result in increased availability of Medicaid providers to serve
1223 the developmental disabilities community.

1224 2. After negotiations are conducted, the agency shall
1225 select the eligible plans that are determined to be responsive
1226 and provide the best value to the state. Preference must be
1227 given to plans that:

1228 a. Have signed contracts in sufficient numbers to meet the
1229 specific standards established under s. 409.967(2)(c), including
1230 contracts for personal supports, skilled nursing, residential
1231 habilitation, adult day training, mental health services,
1232 respite care, companion services, and supported employment, as
1233 those services are defined in the Florida Medicaid Developmental
1234 Disabilities Individual Budgeting Waiver Services Coverage and
1235 Limitations Handbook as adopted by reference in rule 59G-13.070,
1236 Florida Administrative Code.

1237 b. Have well-defined programs for recognizing patient-
1238 centered medical homes and providing increased compensation to
1239 recognized medical homes, as defined by the plan.

1240 c. Have well-defined programs related to person-centered
1241 planning as described in 42 C.F.R. s. 441.301(c)(1).

1242 d. Have robust and innovative programs for provider
1243 development and collaboration with the Agency for Persons with
1244 Disabilities.

1245 Section 25. Subsection (2) of section 410.604, Florida
1246 Statutes, is amended to read:

1247 410.604 Community care for disabled adults program; powers

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1248 and duties of the department.—

1249 (2) Any person who meets the definition of a disabled adult
 1250 pursuant to s. 410.603(2) is eligible to receive the services of
 1251 the community care for disabled adults program. However, the
 1252 community care for disabled adults program shall operate within
 1253 the funds appropriated by the Legislature. Priority shall be
 1254 given to disabled adults who are not eligible for comparable
 1255 services in programs of or funded by the department or the
 1256 Division of Vocational Rehabilitation of the Agency for Persons
 1257 with Disabilities ~~Department of Education~~; who are determined to
 1258 be at risk of institutionalization; and whose income is at or
 1259 below the existing institutional care program eligibility
 1260 standard.

1261 Section 26. Paragraphs (k) and (v) of subsection (3) and
 1262 subsections (4) and (8) of section 413.011, Florida Statutes,
 1263 are amended to read:

1264 413.011 Division of Blind Services, legislative policy,
 1265 intent; internal organizational structure and powers;
 1266 Rehabilitation Council for the Blind.—

1267 (3) DIVISION STRUCTURE AND DUTIES.—The internal
 1268 organizational structure of the Division of Blind Services shall
 1269 be designed for the purpose of ensuring the greatest possible
 1270 efficiency and effectiveness of services to the blind and to be
 1271 consistent with chapter 20. The Division of Blind Services shall
 1272 plan, supervise, and carry out the following activities:

1273 (k) Participate, through the designation of the secretary
 1274 ~~director~~ or an appropriate staff member of the division, on
 1275 boards, commissions, or bodies in this state for the purpose of
 1276 coordinating and planning services.

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1277 (v) Receive moneys or properties by gift or bequest from
 1278 any person, firm, corporation, or organization for any of the
 1279 purposes herein set out, but without authority to bind the state
 1280 to any expenditure or policy except such as may be specifically
 1281 authorized by law. All such moneys or properties so received by
 1282 gift or bequest as herein authorized may be disbursed and
 1283 expended by the division upon its own warrant for any of the
 1284 purposes herein set forth, and such moneys or properties do
 1285 ~~shall~~ not constitute or be considered a part of any legislative
 1286 appropriation made by the state for the purpose of carrying out
 1287 the provisions of this law. When determined to be in the best
 1288 interest of the division, the division may lease property
 1289 received pursuant to this paragraph, and the Agency for Persons
 1290 with Disabilities ~~Department of Education~~ may enter into leases
 1291 of property and sublease property on behalf of the division.
 1292 Division and agency ~~department~~ leases and subleases may be to
 1293 governmental, public, or nonprofit entities for the provision of
 1294 blind, education, health, and other social service programs.

1295 (4) DEFINITIONS.—As used in this section, the term:

1296 (a) "Act," unless the context indicates otherwise, means
 1297 the Rehabilitation Act of 1973, 29 U.S.C. ss. 701-797.

1298 (b) "Agency" means the Agency for Persons with
 1299 Disabilities.

1300 (c) ~~(b)~~ "Blind" or "blindness" means the condition of any
 1301 person for whom blindness is a disability as defined by the
 1302 Rehabilitation Act of 1973, 29 U.S.C. s. 706(8) (b).

1303 ~~(c) "Department" means the Department of Education.~~

1304 (8) REHABILITATION COUNCIL FOR THE BLIND.—There is created
 1305 in the agency ~~department~~ the Rehabilitation Council for the

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1306 Blind, which is an advisory council as defined in s. 20.03, to
1307 assist the division in the planning and development of statewide
1308 vocational rehabilitation programs and services pursuant to the
1309 Rehabilitation Act of 1973, as amended, to recommend
1310 improvements to such programs and services, and to perform the
1311 functions provided in this section.

1312 (a) The advisory council shall be composed of:

1313 1. At least one representative of the Independent Living
1314 Council, which representative may be the chair or other designee
1315 of the council;

1316 2. At least one representative of a parent training and
1317 information center established pursuant to s. 631(c)(9) of the
1318 Individuals with Disabilities Act, 20 U.S.C. s. 1431(c)(9);

1319 3. At least one representative of the client assistance
1320 program established under the act;

1321 4. At least one vocational rehabilitation counselor who has
1322 knowledge of and experience in vocational rehabilitation
1323 services for the blind, who shall serve as an ex officio
1324 nonvoting member of the council if the counselor is an employee
1325 of the agency ~~department~~;

1326 5. At least one representative of community rehabilitation
1327 program service providers;

1328 6. Four representatives of business, industry, and labor;

1329 7. At least one representative of a disability advocacy
1330 group representing individuals who are blind;

1331 8. At least one parent, family member, guardian, advocate,
1332 or authorized representative of an individual who is blind, has
1333 multiple disabilities, and either has difficulties representing
1334 himself or herself or is unable, due to disabilities, to

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1335 represent himself or herself;

1336 9. Current or former applicants for, or recipients of,
1337 vocational rehabilitation services; and

1338 10. The director of the division, who shall be an ex
1339 officio member of the council.

1340 (b) Members of the council shall be appointed by the
1341 Governor, who shall select members after soliciting
1342 recommendations from representatives of organizations
1343 representing a broad range of individuals who have disabilities,
1344 and organizations interested in those individuals.

1345 (c) A majority of council members shall be persons who are:

1346 1. Blind; and

1347 2. Not employed by the division.

1348 (d) The council shall select a chair from among its
1349 membership.

1350 (e) Each member of the council shall serve for a term of
1351 not more than 3 years, except that:

1352 1. A member appointed to fill a vacancy occurring prior to
1353 the expiration of the term for which a predecessor was appointed
1354 shall be appointed for the remainder of such term; and

1355 2. The terms of service of the members initially appointed
1356 shall be, as specified by the Governor, for such fewer number of
1357 years as will provide for the expiration of terms on a staggered
1358 basis.

1359 (f) A member of the council may not serve more than two
1360 consecutive full terms.

1361 (g) Any vacancy occurring in the membership of the council
1362 shall be filled in the same manner as the original appointment.

1363 A vacancy does not affect the power of the remaining members to

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1364 execute the duties of the council.

1365 (h) In addition to the other functions specified in this
1366 section, the council shall:

1367 1. Review, analyze, and advise the division regarding the
1368 performance of the responsibilities of the division under Title
1369 I of the act, particularly responsibilities relating to:

1370 a. Eligibility, including order of selection;

1371 b. The extent, scope, and effectiveness of services
1372 provided; and

1373 c. Functions performed by state agencies that affect or
1374 potentially affect the ability of individuals who are blind to
1375 achieve rehabilitation goals and objectives under Title I.

1376 2. Advise the agency ~~department~~ and the division, and, at
1377 the discretion of the agency ~~department~~ or division, assist in
1378 the preparation of applications, the state plan, the strategic
1379 plan, and amendments to the plans, reports, needs assessments,
1380 and evaluations required by Title I.

1381 3. To the extent feasible, conduct a review and analysis of
1382 the effectiveness of, and consumer satisfaction with:

1383 a. The functions performed by state agencies and other
1384 public and private entities responsible for performing functions
1385 for individuals who are blind.

1386 b. Vocational rehabilitation services:

1387 (I) Provided or paid for from funds made available under
1388 the act or through other public or private sources.

1389 (II) Provided by state agencies and other public and
1390 private entities responsible for providing vocational
1391 rehabilitation services to individuals who are blind.

1392 4. Prepare and submit an annual report on the status of

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1393 vocational rehabilitation services for the blind in the state to
 1394 the Governor and the Commissioner of the Rehabilitative Services
 1395 Administration, established under s. 702 of the act, and make
 1396 the report available to the public.

1397 5. Coordinate with other councils within the state,
 1398 including the Independent Living Council, the advisory panel
 1399 established under s. 613(a)(12) of the Individuals with
 1400 Disabilities Education Act, 20 U.S.C. 1413(a)(12), the State
 1401 Planning Council described in s. 124 of the Developmental
 1402 Disabilities Assistance and Bill of Rights Act, 42 U.S.C. s.
 1403 6024, and the state mental health planning council established
 1404 under s. 1916(e) of the Public Health Service Act, 42 U.S.C.
 1405 300X-4(e).

1406 6. Advise the agency ~~department~~ and division and provide
 1407 for coordination and the establishment of working relationships
 1408 among the agency ~~department~~, the division, the Independent
 1409 Living Council, and centers for independent living in the state.

1410 7. Perform such other functions consistent with the
 1411 purposes of the act as the council determines to be appropriate
 1412 that are comparable to functions performed by the council.

1413 (i)1. The council shall prepare, in conjunction with the
 1414 division, a plan for the provision of such resources, including
 1415 such staff and other personnel, as may be necessary to carry out
 1416 the functions of the council. The resource plan shall, to the
 1417 maximum extent possible, rely on the use of resources in
 1418 existence during the period of implementation of the plan.

1419 2. If there is a disagreement between the council and the
 1420 division in regard to the resources necessary to carry out the
 1421 functions of the council as set forth in this section, the

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1422 disagreement shall be resolved by the Governor.

1423 3. The council shall, consistent with law, supervise and
1424 evaluate such staff and other personnel as may be necessary to
1425 carry out its functions.

1426 4. While assisting the council in carrying out its duties,
1427 staff and other personnel may ~~shall~~ not be assigned duties by
1428 the division or any other state agency or office that would
1429 create a conflict of interest.

1430 (j) A council member may not cast a vote on any matter that
1431 would provide direct financial benefit to the member or
1432 otherwise give the appearance of a conflict of interest under
1433 state law.

1434 (k) The council shall convene at least four meetings each
1435 year. These meetings shall occur in such places as the council
1436 deems necessary to conduct council business. The council may
1437 conduct such forums or hearings as the council considers
1438 appropriate. The meetings, hearings, and forums shall be
1439 publicly announced. The meetings shall be open and accessible to
1440 the public. The council shall make a report of each meeting
1441 which shall include a record of its discussions and
1442 recommendations, all of which reports shall be made available to
1443 the public.

1444 Section 27. Subsection (3) of section 413.0111, Florida
1445 Statutes, is amended to read:

1446 413.0111 Blind services direct-support organization.—

1447 (3) The purposes and objectives of the direct-support
1448 organization must be consistent with the priority issues and
1449 objectives of the Agency for Persons with Disabilities
1450 ~~Department of Education~~ and must be in the best interests of the

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1451 state, though the Division of Blind Services may permit, without
1452 charge, the appropriate use of property and facilities of the
1453 state by the direct-support organization subject to this
1454 section. Such use must be directly in keeping with the approved
1455 purposes of the direct-support organization.

1456 Section 28. Subsection (2) of section 413.033, Florida
1457 Statutes, is amended to read:

1458 413.033 Definitions.—As used in ss. 413.032-413.037:

1459 (2) "Other severely handicapped" and "severely handicapped
1460 individuals" mean an individual or class of individuals under a
1461 physical or mental disability other than blindness, which,
1462 according to criteria established by the Agency for Persons with
1463 Disabilities ~~department~~, after consultation with appropriate
1464 entities of the state and taking into account the views of
1465 nongovernmental entities representing the handicapped,
1466 constitutes a substantial handicap to employment and is of such
1467 a nature as to prevent the individual under such disability from
1468 currently engaging in normal competitive employment.

1469 Section 29. Section 413.035, Florida Statutes, is amended
1470 to read:

1471 413.035 Duties and powers of the Agency for Persons with
1472 Disabilities ~~department~~.—

1473 (1) It ~~is shall be~~ the duty of the Agency for Persons with
1474 Disabilities ~~department~~ to determine the market price of all
1475 products and services offered for sale to the various agencies
1476 of the state by any qualified nonprofit agency for the blind or
1477 other severely handicapped. The price shall recover for the
1478 nonprofit agency the cost of raw materials, labor, overhead, and
1479 delivery, but without profit, and shall be revised from time to

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1480 time in accordance with changing cost factors. The Agency for
1481 Persons with Disabilities ~~department~~ shall adopt ~~make~~ such rules
1482 and regulations regarding specifications, time of delivery, and
1483 assignment of products and services to be supplied by nonprofit
1484 agencies for the blind or by agencies for the other severely
1485 handicapped, with priority for assignment of products to
1486 agencies for the blind, authorization of a central nonprofit
1487 agency to facilitate the allocation of orders among qualified
1488 nonprofit agencies for the blind, authorization of a central
1489 nonprofit agency to facilitate the allocation of orders among
1490 qualified nonprofit agencies for other severely handicapped, and
1491 other relevant matters of procedure as shall be necessary to
1492 carry out the purposes of this act. The Agency for Persons with
1493 Disabilities ~~department~~ shall authorize the purchase of products
1494 and services elsewhere when requisitions cannot reasonably be
1495 complied with through the nonprofit agencies for the blind and
1496 other severely handicapped.

1497 (2) The Agency for Persons with Disabilities ~~department~~
1498 shall establish and publish a list of products and services
1499 provided by any qualified nonprofit agency for the blind and any
1500 nonprofit agency for the other severely handicapped, which the
1501 Agency for Persons with Disabilities ~~department~~ determines are
1502 suitable for procurement by agencies of the state pursuant to
1503 this act. This procurement list and revision thereof shall be
1504 distributed to all purchasing officers of the state and its
1505 political subdivisions. All products offered for purchase to a
1506 state agency by a qualified nonprofit agency shall have
1507 significant value added by blind or severely handicapped
1508 persons, as determined by the Agency for Persons with

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1509 Disabilities ~~department~~.

1510 Section 30. Subsections (1) and (4) of section 413.036,
1511 Florida Statutes, are amended to read:

1512 413.036 Procurement of services by agencies; authority of
1513 Agency for Persons with Disabilities ~~department~~.

1514 (1) If any agency intends to procure any product or service
1515 on the procurement list, that agency shall, in accordance with
1516 rules and regulations of the Agency for Persons with
1517 Disabilities ~~department~~, procure such product or service at the
1518 price established by the Agency for Persons with Disabilities
1519 ~~department~~ from a qualified nonprofit agency for the blind or
1520 for the other severely handicapped if the product or service is
1521 available within a reasonable delivery time. This act shall not
1522 apply in any case in which products or services are available
1523 for procurement from any agency of the state and procurement
1524 therefrom is required under the provision of any law currently
1525 in effect. However, this act shall have precedence over any law
1526 requiring state agency procurement of products or services from
1527 any other nonprofit corporation unless such precedence is waived
1528 by the Agency for Persons with Disabilities ~~department~~ in
1529 accordance with its rules.

1530 (4) A ~~No~~ similar product or service of comparable price and
1531 quality found necessary for use by any state agency may not be
1532 purchased from any source other than the nonprofit agency for
1533 the blind or for the severely handicapped if the nonprofit
1534 agency certifies that the product is manufactured or supplied
1535 by, or the service is provided by, the blind or the severely
1536 handicapped and the product or service meets the comparable
1537 performance specifications and comparable price and quality

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1538 requirements as determined by the Agency for Persons with
1539 Disabilities ~~department~~ or an agency. The purchasing authority
1540 of any such state agency may make reasonable determinations of
1541 need, price, and quality with reference to products or services
1542 available from the nonprofit agency.

1543 Section 31. Subsections (1) and (2) of section 413.037,
1544 Florida Statutes, are amended to read:

1545 413.037 Cooperation with Agency for Persons with
1546 Disabilities ~~department~~ required; duties of state agencies.—

1547 (1) In furtherance of the purposes of this act and in order
1548 to contribute to the economy of state government, it is the
1549 intent of the Legislature that there be close cooperation
1550 between the Agency for Persons with Disabilities ~~department~~ and
1551 any agency of the state from which procurement of products or
1552 services is required under the provision of any law currently in
1553 effect. The Agency for Persons with Disabilities ~~department~~ and
1554 any such agency of the state are authorized to enter into such
1555 contractual agreements, cooperative working relationships, or
1556 other arrangements as may be determined to be necessary for
1557 effective coordination and efficient realization of the
1558 objectives of this act and any other law requiring procurement
1559 of products or services from any agency of the state.

1560 (2) The Agency for Persons with Disabilities ~~department~~ may
1561 secure directly from any agency of the state information
1562 necessary to enable it to carry out this act. Upon request of
1563 the Agency for Persons with Disabilities ~~department~~, the head of
1564 the agency shall furnish such information to the Agency for
1565 Persons with Disabilities ~~department~~.

1566 Section 32. Paragraph (a) of subsection (2) and subsection

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1567 (3) of section 413.051, Florida Statutes, are amended to read:

1568 413.051 Eligible blind persons; operation of vending
1569 stands.—

1570 (2) As used in this section, the term:

1571 (a) "Blind licensee" means any blind person trained and
1572 licensed by the Division of Blind Services of the Agency for
1573 Persons with Disabilities ~~Department of Education~~ to operate a
1574 vending stand.

1575 (3) Blind licensees must ~~shall~~ be given the first
1576 opportunity to participate in the operation of vending stands on
1577 all state properties acquired after July 1, 1979, when such
1578 facilities are operated under the supervision of the Division of
1579 Blind Services of the Agency for Persons with Disabilities
1580 ~~Department of Education~~.

1581 Section 33. Subsection (1) of section 413.091, Florida
1582 Statutes, is amended to read:

1583 413.091 Identification cards.—

1584 (1) The Division of Blind Services of the Agency for
1585 Persons with Disabilities ~~Department of Education~~ shall issue
1586 identification cards to persons known to be blind or partially
1587 sighted, upon the written request of such individual.

1588 Section 34. Subsection (1) of section 413.092, Florida
1589 Statutes, is amended to read:

1590 413.092 Blind Babies Program.—

1591 (1) The Blind Babies Program is created within the Division
1592 of Blind Services of the Agency for Persons with Disabilities
1593 ~~Department of Education~~ to provide community-based early-
1594 intervention education to children from birth through 5 years of
1595 age who are blind or visually impaired, and to their parents,

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1596 families, and caregivers, through community-based provider
 1597 organizations. The division shall enlist parents,
 1598 ophthalmologists, pediatricians, schools, the Early Steps
 1599 Program, and therapists to help identify and enroll blind and
 1600 visually impaired children, as well as their parents, families,
 1601 and caregivers, in these educational programs.

1602 Section 35. Present subsections (3), (4), and (5) of
 1603 section 413.20, Florida Statutes, are redesignated as
 1604 subsections (4), (5), and (6), respectively, a new subsection
 1605 (3) is added to that section, and present subsection (6) and
 1606 subsections (8) and (10) of that section are amended, to read:

1607 413.20 Definitions.—As used in this part, the term:

1608 (3) "Agency" means Agency for Persons with Disabilities.

1609 ~~(6) "Department" means the Department of Education.~~

1610 (8) "Division" means the Division of Vocational
 1611 Rehabilitation of the agency ~~Department of Education.~~

1612 (10) "Extended services" means one or more ongoing support
 1613 services and other appropriate services needed to support and
 1614 maintain a person who has a most significant disability in
 1615 supported employment and to assist an eligible person in
 1616 maintaining integrated and competitive employment. Extended
 1617 services are based upon a determination of the needs of the
 1618 eligible person as specified in the person's individualized plan
 1619 for employment and are provided by a state agency, a nonprofit
 1620 private organization, an employer, or any other appropriate
 1621 resource after the person has made the transition from support
 1622 provided by the agency ~~department.~~

1623 Section 36. Section 413.201, Florida Statutes, is amended
 1624 to read:

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1625 413.201 Designated state agency.—Effective on the effective
1626 date of this act, for the purposes of effecting compliance with
1627 the Vocational Rehabilitation Act of 1973, as amended, the
1628 agency ~~Department of Education~~ is designated the official state
1629 agency.

1630 Section 37. Section 413.203, Florida Statutes, is amended
1631 to read:

1632 413.203 Conflict of laws.—It is the intent of the
1633 Legislature that the provisions of this part not conflict with
1634 any federal statute or implementing regulation governing federal
1635 grant-in-aid programs administered by the Division of Vocational
1636 Rehabilitation. Wherever such a conflict is asserted by the
1637 applicable agency of the Federal Government, the agency
1638 ~~Department of Education~~ shall submit to the United States
1639 Department of Education, or other applicable federal agency, a
1640 request for a favorable policy interpretation of the conflicting
1641 portions.

1642 Section 38. Subsection (6) of section 413.402, Florida
1643 Statutes, is amended to read:

1644 413.402 James Patrick Memorial Work Incentive Personal
1645 Attendant Services and Employment Assistance Program.—The
1646 Florida Association of Centers for Independent Living shall
1647 administer the James Patrick Memorial Work Incentive Personal
1648 Attendant Services and Employment Assistance Program.

1649 (6) The James Patrick Memorial Work Incentive Personal
1650 Attendant Services and Employment Assistance Program Oversight
1651 Council is created adjunct to the agency ~~Department of Education~~
1652 for the purpose of providing program recommendations,
1653 recommending the maximum monthly reimbursement available to

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1654 program participants, advising the Florida Association of
1655 Centers for Independent Living on policies and procedures, and
1656 recommending the program's annual operating budget for
1657 activities of the association associated with operations,
1658 administration, and oversight. The oversight council shall also
1659 advise on and recommend the schedule of eligible services for
1660 which program participants may be reimbursed subject to the
1661 requirements and limitations of paragraph (3)(c) which, at a
1662 minimum, must include personal care attendant services. The
1663 oversight council shall advise and make its recommendations
1664 under this section to the board of directors of the association.
1665 The oversight council is not subject to the control of or
1666 direction by the agency ~~department~~, and the agency ~~department~~ is
1667 not responsible for providing staff support or paying any
1668 expenses incurred by the oversight council in the performance of
1669 its duties.

1670 (a) The oversight council consists of the following
1671 members:

1672 1. The director of the division or his or her designee;

1673 2. A human resources professional or an individual who has
1674 significant experience managing and operating a business based
1675 in this state, recommended by the Florida Chamber of Commerce
1676 and appointed by the Governor;

1677 3. A financial management professional, appointed by the
1678 Governor;

1679 4. A program participant, appointed by the Secretary of
1680 Health or his or her designee;

1681 5. The director of the advisory council on brain and spinal
1682 cord injuries or his or her designee;

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1683 6. The director of the Florida Endowment Foundation for
1684 Vocational Rehabilitation or his or her designee; and

1685 7. The director of the Florida Association of Centers for
1686 Independent Living or his or her designee.

1687 (b) The appointed members shall serve for a term concurrent
1688 with the term of the official who made the appointment and shall
1689 serve at the pleasure of such official.

1690 (c) By February 1 of each year, the oversight council shall
1691 submit a report to the Governor, the President of the Senate,
1692 the Speaker of the House of Representatives, and the secretary
1693 of the agency ~~Commissioner of Education~~ which summarizes the
1694 performance of the program.

1695 Section 39. Paragraph (d) of subsection (1), subsection
1696 (2), and paragraphs (c) and (g) of subsection (9) of section
1697 413.405, Florida Statutes, are amended to read:

1698 413.405 Florida Rehabilitation Council.—There is created
1699 the Florida Rehabilitation Council to assist the division in the
1700 planning and development of statewide rehabilitation programs
1701 and services, to recommend improvements to such programs and
1702 services, and to perform the functions listed in this section.

1703 (1) The council shall be composed of:

1704 (d) At least one qualified vocational rehabilitation
1705 counselor who has knowledge of and experience in vocational
1706 rehabilitation programs, who shall serve as an ex officio,
1707 nonvoting member of the council if the counselor is an employee
1708 of the agency ~~department~~.

1709 (2) Employees of the agency ~~department~~ may serve only as
1710 nonvoting members of the council.

1711 (9) In addition to the other functions specified in this

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1712 section, the council shall, after consulting with the state
1713 board as defined in s. 445.002:

1714 (c) Advise the agency ~~department~~ and the division and
1715 assist in the preparation of the state plan and amendments to
1716 the plan, applications, reports, needs assessments, and
1717 evaluations required by Title I.

1718 (g) Advise the agency ~~department~~ and division and provide
1719 for coordination and the establishment of working relationships
1720 among the agency ~~department~~, the division, the Florida
1721 Independent Living Council, and centers for independent living
1722 in the state.

1723 Section 40. Paragraphs (a) and (b) of subsection (1) and
1724 paragraph (a) of subsection (2) of section 413.407, Florida
1725 Statutes, are amended to read:

1726 413.407 Assistive Technology Advisory Council.—There is
1727 created the Assistive Technology Advisory Council, responsible
1728 for ensuring consumer involvement in the creation, application,
1729 and distribution of technology-related assistance to and for
1730 persons who have disabilities. The council shall fulfill its
1731 responsibilities through statewide policy development, state and
1732 federal legislative initiatives, advocacy at the state and
1733 federal levels, planning of statewide resource allocations,
1734 policy-level management, and reviews of consumer responsiveness
1735 and the adequacy of program service delivery and by performing
1736 the functions listed in this section.

1737 (1)(a) The council shall be composed of:

1738 1. Persons who have disabilities and who are assistive
1739 technology consumers or family members or guardians of those
1740 persons.

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- 1741 2. A representative of a consumer organization concerned
1742 with assistive technology.
- 1743 3. A representative of business and industry, including the
1744 insurance industry, concerned with assistive technology.
- 1745 4. A representative of the Division of Vocational
1746 Rehabilitation.
- 1747 5. A representative of the Division of Blind Services.
- 1748 6. A representative of a center for independent living.
- 1749 7. A representative of CareerSource Florida, Inc.
- 1750 8. A representative of the agency ~~Department of Education~~.
- 1751 9. A representative of any other state agency that provides
1752 or coordinates services for persons with disabilities, if
1753 requested by a majority vote of the council members.
- 1754 (b) Members of the council shall be appointed by the
1755 secretary of the agency ~~Commissioner of Education~~ from a list of
1756 candidates proposed by the division director. However, a member
1757 who is a representative of a state agency shall be appointed by
1758 the head of that state agency.
- 1759 (2) In addition to the other functions specified in this
1760 section, the council shall:
- 1761 (a) Act as the board of directors of a not-for-profit
1762 corporation created by the division. Through the corporation,
1763 the council shall provide direction to the Florida Alliance for
1764 Assistive Services and Technology, a project sponsored by the
1765 agency ~~department~~ for the coordination and delivery of
1766 appropriate, cost-effective, state-of-the-art assistive
1767 technology services and devices.
- 1768 Section 41. Subsection (1) of section 413.445, Florida
1769 Statutes, is amended to read:

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1770 413.445 Recovery of third-party payments for vocational
1771 rehabilitation and related services.—

1772 (1) As used in this section, "vocational rehabilitation and
1773 related services" means any services that are provided or paid
1774 for by the Division of Vocational Rehabilitation of the agency
1775 ~~Department of Education~~.

1776 Section 42. Subsection (2), paragraph (a) of subsection
1777 (4), subsection (5), paragraph (a) of subsection (8), and
1778 subsection (12) of section 413.615, Florida Statutes, are
1779 amended to read:

1780 413.615 Florida Endowment for Vocational Rehabilitation.—

1781 (2) DEFINITIONS.—For the purposes of this section:

1782 (a) "Board" means the board of directors of the Florida
1783 Endowment Foundation for the Division of Vocational
1784 Rehabilitation within the agency ~~Department of Education~~.

1785 (b) "Endowment fund" means an account established within
1786 the Florida Endowment Foundation for the Division of Vocational
1787 Rehabilitation within the agency ~~Department of Education~~ to
1788 provide a continuing and growing source of revenue for
1789 vocational rehabilitation efforts.

1790 (c) "Foundation" means the Florida Endowment Foundation for
1791 the Division of Vocational Rehabilitation within the agency
1792 ~~Department of Education~~.

1793 (d) "Operating account" means an account established under
1794 paragraph (4)(c) to carry out the purposes provided in
1795 subsection (10).

1796 (4) REVENUE FOR THE ENDOWMENT FUND.—

1797 (a) The endowment fund of the Florida Endowment for the
1798 Division of Vocational Rehabilitation within the agency

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1799 ~~Department of Education~~ is created as a long-term, stable, and
 1800 growing source of revenue to be administered, in accordance with
 1801 rules adopted ~~promulgated~~ by the division, by the foundation as
 1802 a direct-support organization of the Division of Vocational
 1803 Rehabilitation within the agency ~~Department of Education~~.

1804 (5) THE FLORIDA ENDOWMENT FOUNDATION FOR VOCATIONAL
 1805 REHABILITATION.—The Florida Endowment Foundation for Vocational
 1806 Rehabilitation is hereby created as a direct-support
 1807 organization of the Division of Vocational Rehabilitation within
 1808 the agency ~~Department of Education~~, to encourage public and
 1809 private support to enhance vocational rehabilitation and
 1810 employment of citizens who are disabled. As a direct-support
 1811 organization, the foundation shall operate under contract with
 1812 the division and shall:

1813 (a) Be a Florida corporation not for profit incorporated
 1814 under the provisions of chapter 617 and approved by the
 1815 Department of State.

1816 (b) Be organized and operated exclusively to raise funds;
 1817 to submit requests and receive grants from the Federal
 1818 Government, the state, private foundations, and individuals; to
 1819 receive, hold, and administer property; and to make expenditures
 1820 to or for the benefit of the rehabilitation programs approved by
 1821 the board of directors of the foundation.

1822 (c) Be approved by the division to be operating for the
 1823 benefit and best interest of the state.

1824 (8) BOARD OF DIRECTORS.—The foundation shall be
 1825 administered by a board of directors, as follows:

1826 (a) *Membership*.—The board of directors shall consist of the
 1827 director of the Division of Vocational Rehabilitation within the

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1828 agency ~~Department of Education~~, or his or her designee, who
1829 shall serve as an ex officio member, and nine other members who
1830 have an interest in service to persons with disabilities and
1831 who:

1832 1. Have skills in foundation work or other fundraising
1833 activities, financial consulting, or investment banking or other
1834 related experience; or

1835 2. Have experience in policymaking or management-level
1836 positions or have otherwise distinguished themselves in the
1837 field of business, industry, or rehabilitation.

1838
1839 Disabled individuals who meet the above criteria shall be given
1840 special consideration for appointment.

1841 (12) ANNUAL REPORT.—The board shall issue a report to the
1842 Governor, the President of the Senate, the Speaker of the House
1843 of Representatives, and the secretary of the agency ~~Commissioner~~
1844 ~~of Education~~ by December 30 each year summarizing the
1845 performance of the endowment fund for the previous fiscal year,
1846 summarizing the foundation's fundraising activities and
1847 performance, and detailing those activities and programs
1848 supported by the endowment principal or earnings on the
1849 endowment principal and those activities and programs supported
1850 by private sources, bequests, gifts, grants, donations, and
1851 other valued goods and services received. The report must ~~shall~~
1852 also include:

1853 (a) Financial data, by service type, including expenditures
1854 for administration and the provision of services.

1855 (b) The amount of funds spent on administrative expenses
1856 and fundraising and the amount of funds raised from private

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1857 sources.

1858 (c) Outcome data, including the number of individuals
1859 served and employment outcomes.

1860 Section 43. Paragraphs (a) and (b) of subsection (4) of
1861 section 413.80, Florida Statutes, are amended to read:

1862 413.80 Employment First Act.—

1863 (4) INTERAGENCY COOPERATIVE AGREEMENT.—The following state
1864 agencies and organizations, and others, as appropriate, shall
1865 develop an interagency cooperative agreement to implement this
1866 act:

1867 (a) The Division of Vocational Rehabilitation within ~~of~~ the
1868 Agency for Persons with Disabilities ~~Department of Education~~.

1869 (b) The Division of Blind Services within ~~of~~ the Agency for
1870 Persons with Disabilities ~~Department of Education~~.

1871 Section 44. Subsection (1) of section 413.801, Florida
1872 Statutes, is amended to read:

1873 413.801 Florida Unique Abilities Partner Program.—

1874 (1) CREATION AND PURPOSE.—The Agency for Persons with
1875 Disabilities shall establish the Florida Unique Abilities
1876 Partner Program to designate a business entity as a Florida
1877 Unique Abilities Partner if the business entity demonstrates
1878 commitment, through employment or support, to the independence
1879 of individuals who have a disability. The agency shall consult
1880 with the Department of Commerce, ~~the Division of Vocational~~
1881 ~~Rehabilitation of the Department of Education, the Division of~~
1882 ~~Blind Services of the Department of Education,~~ and CareerSource
1883 Florida, Inc., in creating the program.

1884 Section 45. Paragraph (b) of subsection (1) of section
1885 427.012, Florida Statutes, is amended, and paragraph (g) is

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1886 added to that subsection, to read:

1887 427.012 The Commission for the Transportation
1888 Disadvantaged.—There is created the Commission for the
1889 Transportation Disadvantaged in the Department of
1890 Transportation.

1891 (1) The commission shall be composed of 11 members, all of
1892 whom shall be appointed by the Governor, in accordance with the
1893 requirements of s. 20.052, as follows:

1894 (b) The secretary ~~director~~ of the Agency for Persons with
1895 Disabilities or his or her designee.

1896 (g) The Secretary of Transportation, the Secretary of
1897 Children and Families, the Secretary of Commerce, the executive
1898 director of the Department of Veterans' Affairs, the Secretary
1899 of Elderly Affairs, the Secretary of Health Care Administration,
1900 the secretary of the Agency for Persons with Disabilities, and a
1901 county manager or administrator who is appointed by the
1902 Governor, or a senior management-level representative of each,
1903 shall serve as ex officio, nonvoting advisors to the commission.

1904 Section 46. Paragraph (b) of subsection (6) of section
1905 943.0585, Florida Statutes, is amended to read:

1906 943.0585 Court-ordered expunction of criminal history
1907 records.—

1908 (6) EFFECT OF EXPUNCTION ORDER.—

1909 (b) The person who is the subject of a criminal history
1910 record that is expunged under this section or under other
1911 provisions of law, including former ss. 893.14, 901.33, and
1912 943.058, may lawfully deny or fail to acknowledge the arrests
1913 covered by the expunged record, except when the subject of the
1914 record:

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- 1915 1. Is a candidate for employment with a criminal justice
1916 agency;
- 1917 2. Is a defendant in a criminal prosecution;
- 1918 3. Concurrently or subsequently petitions for relief under
1919 this section, s. 943.0583, or s. 943.059;
- 1920 4. Is a candidate for admission to The Florida Bar;
- 1921 5. Is seeking to be employed or licensed by or to contract
1922 with the Department of Children and Families, the Division of
1923 Vocational Rehabilitation within the Agency for Persons with
1924 Disabilities ~~Department of Education~~, the Agency for Health Care
1925 Administration, the Agency for Persons with Disabilities, the
1926 Department of Health, the Department of Elderly Affairs, or the
1927 Department of Juvenile Justice or to be employed or used by such
1928 contractor or licensee in a sensitive position having direct
1929 contact with children, the disabled, or the elderly;
- 1930 6.a. Is seeking to be employed or licensed by, or contract
1931 with, the Department of Education, any district unit under s.
1932 1001.30, any special district unit under s. 1011.24, the Florida
1933 School for the Deaf and the Blind under s. 1002.36, the Florida
1934 Virtual School under s. 1002.37, any virtual instruction program
1935 under s. 1002.45, any charter school under s. 1002.33, any hope
1936 operator under s. 1002.333, any alternative school under s.
1937 1008.341, any private or parochial school, or any local
1938 governmental entity that licenses child care facilities;
- 1939 b. Is seeking to be employed or used by a contractor or
1940 licensee under sub-subparagraph a.; or
- 1941 c. Is a person screened under s. 1012.467;
- 1942 7. Is seeking to be licensed by the Division of Insurance
1943 Agent and Agency Services within the Department of Financial

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1944 Services; or

1945 8. Is seeking to be appointed as a guardian pursuant to s.
1946 744.3125.

1947 Section 47. Paragraph (b) of subsection (6) of section
1948 943.059, Florida Statutes, is amended to read:

1949 943.059 Court-ordered sealing of criminal history records.—

1950 (6) EFFECT OF ORDER.—

1951 (b) The subject of the criminal history record sealed under
1952 this section or under other provisions of law, including former
1953 ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to
1954 acknowledge the arrests covered by the sealed record, except
1955 when the subject of the record:

1956 1. Is a candidate for employment with a criminal justice
1957 agency;

1958 2. Is a defendant in a criminal prosecution;

1959 3. Concurrently or subsequently petitions for relief under
1960 this section, s. 943.0583, or s. 943.0585;

1961 4. Is a candidate for admission to The Florida Bar;

1962 5. Is seeking to be employed or licensed by or to contract
1963 with the Department of Children and Families, the Division of
1964 Vocational Rehabilitation within the Agency for Persons with
1965 Disabilities ~~Department of Education~~, the Agency for Health Care
1966 Administration, the Agency for Persons with Disabilities, the
1967 Department of Health, the Department of Elderly Affairs, or the
1968 Department of Juvenile Justice or to be employed or used by such
1969 contractor or licensee in a sensitive position having direct
1970 contact with children, the disabled, or the elderly;

1971 6.a. Is seeking to be employed or licensed by, or contract
1972 with, the Department of Education, a district unit under s.

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1973 1001.30, a special district unit under s. 1011.24, the Florida
 1974 School for the Deaf and the Blind under s. 1002.36, the Florida
 1975 Virtual School under s. 1002.37, a virtual instruction program
 1976 under s. 1002.45, a charter school under s. 1002.33, a hope
 1977 operator under s. 1002.333, an alternative school under s.
 1978 1008.341, a private or parochial school, or a local governmental
 1979 entity that licenses child care facilities;

1980 b. Is seeking to be employed or used by a contractor or
 1981 licensee under sub-subparagraph a.; or

1982 c. Is a person screened under s. 1012.467;

1983 7. Is attempting to purchase a firearm from a licensed
 1984 importer, licensed manufacturer, or licensed dealer and is
 1985 subject to a criminal history check under state or federal law;

1986 8. Is seeking to be licensed by the Division of Insurance
 1987 Agent and Agency Services within the Department of Financial
 1988 Services;

1989 9. Is seeking to be appointed as a guardian pursuant to s.
 1990 744.3125; or

1991 10. Is seeking to be licensed by the Bureau of License
 1992 Issuance of the Division of Licensing within the Department of
 1993 Agriculture and Consumer Services to carry a concealed weapon or
 1994 concealed firearm. This subparagraph applies only in the
 1995 determination of an applicant's eligibility under s. 790.06.

1996 Section 48. Paragraph (e) of subsection (2) of section
 1997 1002.394, Florida Statutes, is amended to read:

1998 1002.394 The Family Empowerment Scholarship Program.—

1999 (2) DEFINITIONS.—As used in this section, the term:

2000 (e) "Disability" means, for a 3- or 4-year-old child or for
 2001 a student in kindergarten to grade 12, autism spectrum disorder,

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2002 as defined in the Diagnostic and Statistical Manual of Mental
 2003 Disorders, Fifth Edition, published by the American Psychiatric
 2004 Association; cerebral palsy, as defined in s. 393.063; Down
 2005 syndrome, as defined in s. 393.063; an intellectual disability,
 2006 as defined in s. 393.063; a speech impairment; a language
 2007 impairment; an orthopedic impairment; any other health
 2008 impairment; an emotional or a behavioral disability; a specific
 2009 learning disability, including, but not limited to, dyslexia,
 2010 dyscalculia, or developmental aphasia; Phelan-McDermid syndrome,
 2011 as defined in s. 393.063; Prader-Willi syndrome, as defined in
 2012 s. 393.063; spina bifida, as defined in s. 393.063; being a
 2013 high-risk child, as defined in s. 393.063(23)(a) ~~s.~~
 2014 ~~393.063(22)(a)~~; muscular dystrophy; Williams syndrome; rare
 2015 diseases which affect patient populations of fewer than 200,000
 2016 individuals in the United States, as defined by the National
 2017 Organization for Rare Disorders; anaphylaxis; a hearing
 2018 impairment, including deafness; a visual impairment, including
 2019 blindness; traumatic brain injury; hospital or homebound; or
 2020 identification as dual sensory impaired, as defined by rules of
 2021 the State Board of Education and evidenced by reports from local
 2022 school districts. The term "hospital or homebound" includes a
 2023 student who has a medically diagnosed physical or psychiatric
 2024 condition or illness, as defined by the state board in rule, and
 2025 who is confined to the home or hospital for more than 6 months.

2026 Section 49. Present subsection (3) of section 1003.575,
 2027 Florida Statutes, is redesignated as subsection (4), a new
 2028 subsection (3) is added to that section, and subsection (2) of
 2029 that section is amended, to read:

2030 1003.575 Assistive technology devices; findings;

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2031 interagency agreements.—Accessibility, utilization, and
2032 coordination of appropriate assistive technology devices and
2033 services are essential as a young person with disabilities moves
2034 from early intervention to preschool, from preschool to school,
2035 from one school to another, from school to employment or
2036 independent living, and from school to home and community. If an
2037 individual education plan team makes a recommendation in
2038 accordance with State Board of Education rule for a student with
2039 a disability, as defined in s. 1003.01(9), to receive an
2040 assistive technology assessment, that assessment must be
2041 completed within 60 school days after the team's recommendation.
2042 To ensure that an assistive technology device issued to a young
2043 person as part of his or her individualized family support plan,
2044 individual support plan, individualized plan for employment, or
2045 individual education plan remains with the individual through
2046 such transitions, the following agencies shall enter into
2047 interagency agreements, as appropriate, to ensure the
2048 transaction of assistive technology devices:

2049 (2) ~~The Division of Blind Services, the Bureau of~~
2050 ~~Exceptional Education and Student Services,~~ and the Office of
2051 ~~Independent Education and Parental Choice,~~ and the Division of
2052 ~~Vocational Rehabilitation~~ of the Department of Education.

2053 (3) The Division of Blind Services and the Division of
2054 Vocational Rehabilitation of the Agency for Persons with
2055 Disabilities.

2056
2057 Interagency agreements entered into pursuant to this section
2058 shall provide a framework for ensuring that young persons with
2059 disabilities and their families, educators, and employers are

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2060 informed about the utilization and coordination of assistive
2061 technology devices and services that may assist in meeting
2062 transition needs, and shall establish a mechanism by which a
2063 young person or his or her parent may request that an assistive
2064 technology device remain with the young person as he or she
2065 moves through the continuum from home to school to postschool.

2066 Section 50. Paragraph (c) of subsection (4) of section
2067 1004.6495, Florida Statutes, is amended to read:

2068 1004.6495 Florida Postsecondary Comprehensive Transition
2069 Program and Florida Center for Students with Unique Abilities.-

2070 (4) STUDENT ELIGIBILITY.-To be eligible to enroll in an
2071 FPCTP at an eligible institution, a student must, as determined
2072 by the institution, based on guidelines established by the
2073 center:

2074 (c) Submit to the eligible institution documentation
2075 regarding his or her intellectual disability. Such documentation
2076 may include, but need not be limited to, a current
2077 individualized plan for employment associated with a review
2078 completed pursuant to s. 413.20 ~~s. 413.20(3)~~ or a diagnosis from
2079 a physician who is licensed under chapter 458 or chapter 459 or
2080 a psychologist licensed under chapter 490.

2081 Section 51. Subsection (2) of section 1012.582, Florida
2082 Statutes, is amended to read:

2083 1012.582 Continuing education and inservice training for
2084 teaching students with developmental and emotional or behavioral
2085 disabilities.-

2086 (2) In developing the recommendations, the commissioner
2087 shall consult with the State Surgeon General, the secretary
2088 ~~Director~~ of the Agency for Persons with Disabilities,

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2089 representatives from the education community in the state, and
2090 representatives from entities that promote awareness about
2091 autism spectrum disorder, Down syndrome, other developmental
2092 disabilities, and emotional or behavioral disabilities and
2093 provide programs and services to persons with disabilities,
2094 including, but not limited to, regional autism centers pursuant
2095 to s. 1004.55.

2096 Section 52. This act shall take effect July 1, 2025.