

By Senator Burton

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1 A bill to be entitled
2 An act relating to health insurance coverage for
3 individuals with developmental disabilities; amending
4 ss. 627.6686 and 641.31098, F.S.; revising the
5 definitions of the terms "autism spectrum disorder"
6 and "eligible individual"; reenacting ss. 409.906(26)
7 and 943.1727, F.S., relating to optional Medicaid
8 services and continued employment training relating to
9 autism spectrum disorder, respectively, to incorporate
10 the amendment made to s. 627.6686, F.S., in references
11 thereto; providing an effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
14

15 Section 1. Paragraphs (b) and (c) of subsection (2) of
16 section 627.6686, Florida Statutes, are amended to read:

17 627.6686 Coverage for individuals with autism spectrum
18 disorder required; exception.—

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

20 (b) "Autism spectrum disorder" has the same meaning as
21 ~~means any of the following disorders as~~ defined in the most
22 recent edition of the Diagnostic and Statistical Manual of
23 Mental Disorders of the American Psychiatric Association~~;~~

24 1. ~~Autistic disorder.~~

25 2. ~~Asperger's syndrome.~~

26 3. ~~Pervasive developmental disorder not otherwise~~
27 specified.

28 (c) "Eligible individual" means an individual ~~under 18~~
29 ~~years of age or an individual 18 years of age or older who is in~~

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30 ~~high school~~ who has been diagnosed as having a developmental
31 disability ~~at 8 years of age or younger.~~

32 Section 2. Paragraphs (b) and (c) of subsection (2) of
33 section 641.31098, Florida Statutes, are amended to read:

34 641.31098 Coverage for individuals with developmental
35 disabilities.—

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

37 (b) "Autism spectrum disorder" has the same meaning as
38 ~~means any of the following disorders as~~ defined in the most
39 recent edition of the Diagnostic and Statistical Manual of
40 Mental Disorders of the American Psychiatric Association~~;~~

41 ~~1. Autistic disorder.~~

42 ~~2. Asperger's syndrome.~~

43 ~~3. Pervasive developmental disorder not otherwise~~
44 ~~specified.~~

45 (c) "Eligible individual" means an individual ~~under 18~~
46 ~~years of age or an individual 18 years of age or older who is in~~
47 ~~high school~~ who has been diagnosed as having a developmental
48 disability ~~at 8 years of age or younger.~~

49 Section 3. For the purpose of incorporating the amendment
50 made by this act to section 627.6686, Florida Statutes, in a
51 reference thereto, subsection (26) of section 409.906, Florida
52 Statutes, is reenacted to read:

53 409.906 Optional Medicaid services.—Subject to specific
54 appropriations, the agency may make payments for services which
55 are optional to the state under Title XIX of the Social Security
56 Act and are furnished by Medicaid providers to recipients who
57 are determined to be eligible on the dates on which the services
58 were provided. Any optional service that is provided shall be

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59 provided only when medically necessary and in accordance with
60 state and federal law. Optional services rendered by providers
61 in mobile units to Medicaid recipients may be restricted or
62 prohibited by the agency. Nothing in this section shall be
63 construed to prevent or limit the agency from adjusting fees,
64 reimbursement rates, lengths of stay, number of visits, or
65 number of services, or making any other adjustments necessary to
66 comply with the availability of moneys and any limitations or
67 directions provided for in the General Appropriations Act or
68 chapter 216. If necessary to safeguard the state's systems of
69 providing services to elderly and disabled persons and subject
70 to the notice and review provisions of s. 216.177, the Governor
71 may direct the Agency for Health Care Administration to amend
72 the Medicaid state plan to delete the optional Medicaid service
73 known as "Intermediate Care Facilities for the Developmentally
74 Disabled." Optional services may include:

75 (26) HOME AND COMMUNITY-BASED SERVICES FOR AUTISM SPECTRUM
76 DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.—The agency is
77 authorized to seek federal approval through a Medicaid waiver or
78 a state plan amendment for the provision of occupational
79 therapy, speech therapy, physical therapy, behavior analysis,
80 and behavior assistant services to individuals who are 5 years
81 of age and under and have a diagnosed developmental disability
82 as defined in s. 393.063, autism spectrum disorder as defined in
83 s. 627.6686, or Down syndrome, a genetic disorder caused by the
84 presence of extra chromosomal material on chromosome 21. Causes
85 of the syndrome may include Trisomy 21, Mosaicism, Robertsonian
86 Translocation, and other duplications of a portion of chromosome
87 21. Coverage for such services shall be limited to \$36,000

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88 annually and may not exceed \$108,000 in total lifetime benefits.
89 The agency shall submit an annual report on January 1 to the
90 President of the Senate, the Speaker of the House of
91 Representatives, and the relevant committees of the Senate and
92 the House of Representatives regarding progress on obtaining
93 federal approval and recommendations for the implementation of
94 these home and community-based services. The agency may not
95 implement this subsection without prior legislative approval.

96 Section 4. For the purpose of incorporating the amendment
97 made by this act to section 627.6686, Florida Statutes, in a
98 reference thereto, section 943.1727, Florida Statutes, is
99 reenacted to read:

100 943.1727 Continued employment training relating to autism
101 spectrum disorder.—The department shall establish a continued
102 employment training component relating to autism spectrum
103 disorder as defined in s. 627.6686. The training component shall
104 include, but need not be limited to, instruction on the
105 recognition of the symptoms and characteristics of an individual
106 on the autism disorder spectrum and appropriate responses to an
107 individual exhibiting such symptoms and characteristics.
108 Completion of the training component may count toward the 40
109 hours of instruction for continued employment or appointment as
110 a law enforcement officer required under s. 943.135.

111 Section 5. This act shall take effect July 1, 2025.