

Notice of Development of Rulemaking

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Agency for Persons with Disabilities**

RULE NOS.:RULE TITLES:

65G-4.0213 Definitions

65G-4.0215 General Provisions

PURPOSE AND EFFECT: The Agency is updating these rules to conform with the changes to the § 1915(c) Home and Community-Based Services Waiver agreement and the Developmental Disabilities Individual Budget Waiver Services Coverage and Limitations Handbook, adopted by reference in Rule 59G-13.070, Florida Administrative Code. A new service is being added to the Agency's Home and Community-Based Services Medicaid Waiver program ("iBudget Medicaid Waiver") called Life Skills Development Level 4 - Prevocational Services.

Prevocational services are services that provide learning and work experiences, including volunteer work, where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability in paid employment in integrated community settings. The Regional iBudget Provider Enrollment Application and the Provider Expansion Request forms are being amended to include Life Skills Development Level 4 as well as make general improvements to the usability of the forms.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the addition of Life Skills Development Level 4 - Prevocational Services and its inclusion within the Provider Enrollment Application and Provider Expansion Request forms.

RULEMAKING AUTHORITY: 393.501(1), 393.0662 F.S.

LAW IMPLEMENTED: 393.063, 393.0662, 409.906 F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Nathan Koch, Deputy General Counsel, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, FL 32399, (850)922-9512, Nathan.Koch@apdcares.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65G-4.0213 Definitions

(1) through (23) No change.

(24) "Service Families" means eight categories that group services related to: Life Skills Development, Supplies and Equipment, Personal Supports, Residential Services, Support Coordination, Therapeutic Supports and Wellness, Transportation and Dental Services. The Service Families include the following services:

(a) Life Skills Development, which includes:

1. Life Skills Development Level 1 (companion services),
2. Life Skills Development Level 2 (supported employment); ~~and~~
3. Life Skills Development Level 3 (adult day training); ~~and~~
4. Life Skills Development Level 4 (prevocational services).

(b) through (h) No change.

(25) through (34) No change.

*Rulemaking Authority 393.501(1), 393.0662 F.S. Law Implemented 393.063, 393.0662, 409.906 F.S. History—  
New 7-7-16, Amended 7-1-21, \_\_\_\_\_.*

65G-4.0215 General Provisions.

(1) through (3) No change.

(4) No change.

(a) through (b) No change.

(c) Clients enrolled in iBudget will have flexibility and choice to budget or adjust funding among the following services without requiring additional authorizations from the Agency, provided the client's overall iBudget Amount is not exceeded and all health and safety needs are met:

1. Life Skills Development 1,
  2. Life Skills Development 2,
  3. Life Skills Development 3, within the approved ratio,
  4. Life Skills Development 4, within the approved ratio,
  4. through 11. renumbered as 5. through 12.
- (5) No change.  
(6) No change.  
(a) No change.

(b) To enroll as a provider for iBudget Waiver services, the provider must first submit an application to the Agency or Persons with Disabilities using the Regional iBudget Provider Enrollment Application -- WSC -- APD Form 65G-4.0215 A, effective date 7-1-2021, for Waiver Support Coordinator applications, which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-12444>, or the Regional iBudget Provider Enrollment Application -- Non-WSC -- APD Form 65G-4.0215 B, effective date \_\_\_\_\_ ~~7-1-2021~~, for all other provider applications, which is available at \_\_\_\_\_ ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-12590~~. These forms are hereby incorporated by reference. The qualifications to provide services are identified in the Handbook.

(c) No change.

(d) If a Waiver provider wishes to, expand by providing additional services, expand services geographically, or expand from solo to agency, the provider must notify the Agency regional office by submitting a Provider Expansion Request form -- APD Form 65G-4.0215 C, effective date \_\_\_\_\_ ~~7-1-2021~~, which is hereby incorporated by reference and is available at \_\_\_\_\_ ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-12446~~. The Agency regional office must approve any expansion prior to the provision of expanded services. The qualifications to provide or expand services are identified in the Handbook.

(e) No change.

(7) through (8) No change.

*Rulemaking Authority 393.501(1), 393.0662 F.S. Law Implemented 393.063, 393.0662, 409.906 F.S. History--New 7-7-16, Amended 9-12-18, 7-1-21, \_\_\_\_\_.*