



State of Florida

agency for persons with disabilities

Office of Legislative Affairs



2015 Session
Legislative Wrap-Up Report

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The following bills were passed by the Legislature and will be sent to the Governor for his action. All information is as of July 16, 2015.

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SUBSTANTIVE BILLS

The following is an overview of substantive bills of interest to the Agency for Persons with Disabilities passed by the Florida Legislature during the 2015 Regular Legislative Session.

[Click on the bill number to view bill language](#)

**[HB 0005](#) – Guardianship Proceedings
[Ch. 2015-83](#) Laws of Florida
Approved by the Governor on June 2, 2015**

The bill amends statutory language by:

- Requiring a filing of a motion in the termination or suspension of power of attorney in incapacity or guardianship proceedings
- Authorizing a court to appoint the office of criminal conflict and civil regional counsel as the court monitor in guardianship proceedings
- Authorizing a court to appoint a guardian ad litem to protect the minor's interests;
- Providing confidentiality in a settlement of a minor's claim
- Requiring a notification of an incapacitated person and an attorney before an appointment of an emergency temporary guardian
- Providing compensation of an examining committee if a petition for incapacity is dismissed
- Providing an appointment of an emergency temporary guardian
- Providing that a business entity may act as a guardian
- Requiring a reporting of incidents of abuse, neglect, and exploitation of a ward by a guardian

Effective Date: July 1, 2015

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**[HB 0021](#) – Substance Abuse Services
[Ch. 2015-100](#) Laws of Florida
Approved by the Governor on June 10, 2015**

The bill amends statutory language by:

- Requiring DCF to create a voluntary certification program for recovery residences
- Requiring DCF to approve credentialing entities to develop and administer a certification program
- Requiring background screening of recovery residence employees
- Providing for denial, suspension, or revocation of a certification
- Directing DCF to approve at least one credentialing entity by a specified date to develop and administer a certification program
- Requiring DCF to publish a list on its website



Effective Date: July 1, 2015

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**[HB 0071](#) – Service Animals
[Ch. 2015-131](#) Laws of Florida
Approved by the Governor on June 11, 2015**

The bill amends statutory language by:

- Requiring public accommodation to permit use of a service animal by an individual with disability
- Providing conditions for public accommodation to exclude or remove a service animal
- Revising penalties for certain persons or entities who interfere with the use of a service animal
- Providing a penalty for knowing and willful misrepresentation with respect to use or training of a service animal

Effective Date: July 1, 2015

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**[HB 0079](#) – Crisis Stabilization Services
[Ch. 2015-102](#) Laws of Florida
Approved by the Governor on June 12, 2015**

The bill amends statutory language by:

- Requiring DCF to develop standards and protocols for collection, storage, transmittal, and analysis of utilization data from public receiving facilities
- Requiring compliance by managing entities by a specified date;
- Requiring DCF to create a statewide database

Effective Date: Upon Becoming A Law

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**[SB 0132](#) – Disabled Parking Permits
[Ch. 2015-11](#) Laws of Florida
Approved by the Governor on May 14, 2015**

The bill amends statutory language by:

- Authorizing certain veterans to provide the Department of Highway Safety and Motor Vehicles alternative documentation for renewal or replacement of a disabled parking permit, etc.

Effective Date: July 1, 2015

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**[HB 0149](#) – Rights of Grandparents
[Ch. 2015-134](#) Laws of Florida
Approved by the Governor on June 12, 2015**

The bill amends statutory language by:

- Authorizing a grandparent of a minor child to petition a court for visitation
- Providing for application of Uniform Child Custody Jurisdiction and Enforcement Act
- Providing conditions under which a court may terminate grandparent visitation

Effective Date: July 1, 2015

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**[HB 0157](#) – Fraud
[Ch. 2015-166](#) Laws of Florida
Approved by the Governor on June 16, 2015**

The bill amends statutory language by:

- Defining "business entity"
- Providing for restitution for certain out-of-pocket costs of victims
- Requiring business entities to provide copies of business records of fraudulent transactions involving identity theft to victims and law enforcement agencies in certain circumstances
- Providing an exception
- Including counties and other political subdivisions in provisions prohibiting false marking of goods or packaging with location of origin
- Prohibiting fraudulent issuance of an indicia of membership interest in limited liability company
- Specifying that electronic statements are included in provisions prohibiting certain false representations
- Prohibiting sale of counterfeit security company signs or decals
- Increasing criminal penalties for fraudulently obtaining goods or services from health care provider
- Expanding specified identity theft offenses to include all persons rather than being limited to natural persons
- Prohibiting knowingly providing false information that becomes part of public record to facilitate or further commission of certain offenses

Effective Date: October 1, 2015

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**[HB 0335](#) – Psychiatric Nurses
[Ch. 2015-111](#) Laws of Florida
Approved by the Governor on June 10, 2015**

The bill amends statutory language by:

- Requiring psychiatric nurses to hold national advanced practice certification as a psychiatric mental health advanced practice nurse
- Authorizing such nurses to approve release of individuals from a receiving facility after involuntary examination under certain circumstances

Effective Date: July 1, 2015

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**[HB 0369](#) – Human Trafficking
[Ch. 2015-172](#) Laws of Florida
Approved by the Governor on June 12, 2015**

The bill amends statutory language by:

- Requiring the Department of Transportation, the Department of Health, and certain employers to display human trafficking public awareness signs at specified locations
- Providing public awareness sign requirements
- Authorizing a county commission to adopt an enforcement ordinance
- Providing a penalty, etc

Effective Date: January 1, 2016

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**[HB 0371](#) – Agency Inspectors General
[Ch. 2015-173](#) Laws of Florida
Approved by the Governor on June 16, 2015**

The bill amends statutory language by:

- Providing additional hiring requirements, employment qualifications, and terms of employment for Inspectors General and staff
- Establishing duty of specified persons and entities with respect to inspector general's duties
- Requiring contracts and other specified documents to contain certain statements regarding inspector general's duties
- Authorizing the Chief Inspector General to retain legal counsel and issue and enforce subpoenas

Effective Date: July 1, 2015

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HB 0437 – Guardians for Dependent Children who are Developmentally Disabled or Incapacitated
Ch. 2015-112 Laws of Florida
Approved by the Governor on June 10, 2015

The bill amends statutory language by:

- Citing this act as "The Regis Little Act to Protect Children with Special Needs"
- Requiring an updated case plan developed in a face-to-face conference with the child, if appropriate, and other specified persons
- Providing that the guardianship court has jurisdiction over proceedings for appointment of a guardian advocate if petitions are filed for certain minors who are subject to chapter 39, F.S., proceedings if such minors have attained a specified age

Effective Date: July 1, 2015

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HB 0441 – Regulation of Health Care Facilities and Services
Ch. 2015-33 Laws of Florida
Approved by the Governor on May 14, 2015

The bill amends statutory language by:

- Revising the information that a home health agency is required to submit to the Agency for Health Care Administration for license renewal
- Removing the requirement that a home health agency submit quarterly reports
- Providing an exemption from a certificate-of-need review for applicants that were previously licensed within a specified period as a health care facility or provider and that meet certain criteria
- Providing an exception for an applicant whose license expired during a specified time period to apply for an exemption from the review, etc

Effective Date: Upon Becoming A Law

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HB 0465 – Human Trafficking
Ch. 2015-145 Laws of Florida
Approved by the Governor on June 12, 2015

The bill amends statutory language by:

- Providing enhanced criminal penalties for soliciting another to commit prostitution and similar offenses
- Requiring persons convicted of such offenses to perform community service and pay for and attend education program
- Requiring court to impose minimum mandatory terms of incarceration for persons convicted two or more times of soliciting another to commit prostitution and similar offenses



- Providing for impoundment of a vehicle used in soliciting another to commit prostitution and similar offenses
- Allowing a vehicle owner to prevent impoundment or immobilization in certain circumstances
- Providing that any court in circuit in which the petitioner was arrested may expunge criminal history record of human trafficking victim
- Requiring judge to allow advocate to be present with in expunction hearing in certain circumstances

Effective Date: October 1, 2015

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**[HB 0471](#) – Disabled Parking
[Ch. 2015-114](#) Laws of Florida
Approved by the Governor on June 10, 2015**

The bill amends statutory language by:

- Revising provisions that allow counties and municipalities to charge fees for vehicles displaying disabled parking permit at certain timed parking facilities
- Excluding vehicles displaying "DV" license plate issued to certain disabled veterans from payment of such fees

Effective Date: July 1, 2015

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**[SB 0538](#) – Sexual Cyberharassment
[Ch. 2015-24](#) Laws of Florida
Approved by the Governor on May 14, 2015**

The bill amends statutory language by:

- Prohibiting a person from willfully and maliciously sexually cyberharassing another person
- Authorizing a law enforcement officer to arrest, without a warrant, any person that he or she has probable cause to believe has committed sexual cyberharassment
- Providing an exception to the prohibition on search warrants being issued to search private dwellings, etc.

Effective Date: October 1, 2015

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**SB 0642 – Individuals with Disabilities
Ch. 2015-56 Laws of Florida
Approved by the Governor on May 21, 2015**

The bill amends statutory language by:

- Creating the “Florida Achieving a Better Life Experience (ABLE) Act”
- Requiring the Florida Prepaid College Board to establish a direct-support organization known as “Florida ABLE, Inc.”
- Authorizing the organization to use certain services, property, and facilities of the Florida Prepaid College Board
- Requiring the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Children and Families, and the Department of Education to assist, cooperate, and coordinate with the organization in the provision of public information and outreach for the program, etc.

Effective Date: Upon Becoming A Law

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**SB 0644 – Florida ABLE Program Trust Fund/State Board of Administration
Ch. 2015-57 Laws of Florida
Approved by the Governor on May 21, 2015**

The bill amends statutory language by:

- Creating the Florida ABLE Trust Fund within the State Board of Administration; authorizing sources of funds
- Specifying the purpose of the trust fund and authorized uses of the assets
- Providing for future review and termination or re-creation of the trust fund, etc.

Effective Date: On the same date that SB 642 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

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**SB 0682 – Transitional Living Facilities
Ch. 2015-25 Laws of Florida
Approved by the Governor on May 14, 2015**

The bill amends statutory language by:

- Providing requirements for transitional living facility policies and procedures governing client admission, transfer, and discharge
- Prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or taking other retaliatory action under certain circumstances
- Providing a penalty for certain misuse of a client’s personal funds, property, or personal needs allowance



- Requiring the agency, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic information systems for certain purposes, etc.

Effective Date: July 1, 2015

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**[HB 0731](#) – Employee Health Care Plans
[Ch. 2015-121](#) Laws of Florida
 Approved by the Governor on June 10, 2015**

The bill amends statutory language by:

- Removing provisions requiring certain insurance carriers to provide semiannual reports to OIR
- Repealing requirements that certain insurance carriers must offer standard, basic, high deductible, and limited health benefit plans
- Removing requirement that CFO appoint health benefit plan committee to review such plans
- Removing provisions regarding minimum requirements for such plans
- Authorizing certain health benefit plans to use stop-loss insurance policy
- Making conforming changes

Effective Date: July 1, 2015

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**[SB 0904](#) – Home Health Services
[Ch. 2015-66](#) Laws of Florida
 Approved by the Governor on May 21, 2015**

The bill amends statutory language by:

- Allowing home health agencies to operate related offices inside of the main office’s health service planning district without an additional license
- Providing for the licensure of more than one nurse registry operational site within the same health service planning district
- Authorizing a licensed nurse registry to operate a satellite office
- Requiring a nurse registry operational site to keep all original records
- Requiring a nurse registry to provide notice and certain evidence before it relocates an operational site or opens a satellite office, etc.

Effective Date: July 1, 2015

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**[HB 1001](#) – Assisted Living Facilities
[Ch. 2015-126](#) Laws of Florida
Approved by the Governor on June 10, 2015**

The bill amends statutory language by:

- Providing respective responsibilities of Medicaid prepaid behavioral health plans and managing entities under contract with DCF for mental health residents residing in ALFs
- Requiring certain facilities licensed as ALFs to be licensed as extended congregate care facilities

Effective Date: Upon becoming a law

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**[HB 1055](#) – Child Protection
[Ch. 2015-177](#) Laws of Florida
Approved by the Governor on June 12, 2015**

The bill amends statutory language by:

- Providing requirements for representation of Children's Medical Services on multiagency teams investigating certain child deaths or other serious incidents
- Requiring Statewide Medical Director for Child Protection & district medical directors to hold certain qualifications
- Requiring DOH to approve a third-party credentialing entity
- Specifying that child protection team members are covered by state sovereign immunity provisions when carrying out their duties
- Providing that physician who holds expert witness certificate may provide expert testimony in criminal child abuse & neglect cases

Effective Date: July 1, 2015

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**[HB 7013](#) – Adoption and Foster Care
[Ch. 2015-130](#) Laws of Florida
Approved by the Governor on June 12, 2015**

The bill amends statutory language by:

- Revising requirements for agreements between the Department of Children and Families and specified entities for the provision of educational services
- Requiring the community-based care lead agency to contact by telephone the child's adoptive family within a specified period after the date that the adoption is finalized
- Authorizing a direct-support organization established by the Office of Adoption and Child Protection to accept donations of products or services from private sources to be given to the recipients of the adoption achievement awards



- Requiring licensed child-placing agencies that provide adoption services for inter-country adoptions to meet specified requirements

Effective Date: July 1, 2015

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**[SB 7018](#) – State Ombudsman Program
[Ch. 2015-31](#) Laws of Florida
 Approved by the Governor on May 14, 2015**

The bill amends statutory language by:

- Revising legislative intent with respect to citizen ombudsmen
- Deleting references to ombudsman councils and transferring their responsibilities to representatives of the State Long-Term Care Ombudsman Program
- Revising the duties and authority of the state ombudsman
- Requiring the state ombudsman to designate and direct program districts
- Providing conditions under which a representative of the program could be found to have a conflict of interest, etc.

Effective Date: July 1, 2015

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**[HB 7019](#) – Workforce Services
[Ch. 2015-98](#) Laws of Florida
 Approved by the Governor on June 2, 2015**

The bill amends statutory language by:

- Renaming Workforce Florida, Inc., as CareerSource Florida, Inc.
- Creating a task force on preparation for state's implementation of federal Workforce Innovation & Opportunity Act
- Providing membership and duties of task force
- Requiring a task force to submit report and recommendations for approval by CareerSource Florida, Inc.
- Requiring CareerSource Florida, Inc., to submit specified state plan to USDOL
- Providing for an abolishment of the task force

Effective Date: Upon Becoming A Law

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**[SB 7078](#) – Child Welfare
[Ch. 2015-79](#) Laws of Florida
Approved by the Governor on May 21, 2015**

The bill amends statutory language by:

- Authorizing critical incident rapid response teams to review cases of child deaths occurring during an open investigation
- Requiring case staffing when medical neglect is substantiated
- Requiring an epidemiological child abuse death assessment and prevention system
- Providing intent for the operation of and interaction between the state and local death review committees, etc

Effective Date: Upon Becoming A Law

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APPROPRIATIONS UPDATE

The following is an overview of the budget for the Agency for Persons with Disabilities passed by the Florida Legislature during the 2015 Legislative Special Session A.

SB 2500A – Appropriations Ch. 2015-232 Laws of Florida

Approved by the Governor on June 23, 2015, with Line Item Vetoes

Major funding decisions:

The funding for the Agency for Persons with Disabilities totals over \$1.2 billion.

- Transition approximately 2,000 customers from the Home and Community-Based Services (HCBS) Medicaid waiver waiting list to the HCBS Medicaid waiver – Increase of \$16.1 million in General Revenue, \$24.6 million in Trust Funds, \$40.7 million total funds.
- Support Coordinator rate increase (18%) in the HCBS waiver – Increase of \$3,186,825 in General Revenue, \$4,866,814 in Trust Funds, \$8.05 million total funds.
- Personal Supports provider rate increase (2.5%) in the HCBS Waiver - Increase of \$2,000,000 in General Revenue, \$3,054,334 in Trust Funds, \$5.05 million total funds.
- Client Data Management and Electronic Visit Verification System – \$1,359,742 in Trust Funds. Additionally, Back of Bill item: \$750,000 in nonrecurring General Revenue, \$750,000 in nonrecurring Trust Fund, \$1.5 million nonrecurring total funding.
- Employment and Internships Program (IFS category) –\$500,000 in nonrecurring General Revenue and \$500,000 in nonrecurring Social Services Block Grant for Employment Services, \$1 million total funds.
- Actuarial Services to analyze provider rates for live-in waiver services. \$200,000 Operations and Maintenance Trust Fund, \$200,000 Social Services Block Grant, \$400,000 nonrecurring total funds.
- There are 4 special projects included in the agency’s appropriation:
 - \$2 million in recurring General Revenue is provided for the Arc of Florida for dental services.
 - \$150,000 in nonrecurring funds is provided for the MAC town Fitness and Wellness Center for services to people with intellectual and developmental disabilities.
 - \$125,000 (\$100,000 in nonrecurring funds and \$25,000 in recurring funds) is provided to the Arc of Florida to provide training resources for service providers to people with intellectual and developmental disabilities.

- \$250,000 in nonrecurring fixed capital outlay funds is provided to the Arc of Broward Culinary Program.
- \$1.60 million in Fixed Capital Outlay is provided for repairs and maintenance to state facilities. \$840,000 is provided for Rish Park improvements and \$760,000 is provided for general repairs and maintenance to state facilities.
- Any unexpended balance in the HCBS Medicaid waiver category for FY 2014-15 will revert and be appropriated in FY 2015-16 in a Lump Sum category to be used for Medicaid Home and Community Based Waiver costs.
- The sum of \$24,414,352 from the General Revenue Fund provided to the Agency in Section 29 of chapter 2014-51, Laws of Florida, will revert and be appropriated in FY 2015-2016 in a Lump Sum category to be used for Medicaid Home and Community Based Waiver costs.
- The nonrecurring sum of \$2,273,500 from the General Revenue Fund is appropriated for the Fiscal Year 2015-2016 in the Lump Sum - Developmental Disability Centers category for operational costs at the Developmental Disability Centers.

Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2015, except that if an earlier effective date is specified herein for any section, that section shall operate retroactively to that date. If this act fails to become a law until after July 1, 2015, it shall take effect upon becoming a law and operate retroactively to July 1, 2015, etc.

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**SB 2502A – Implementing the General Appropriations Act
Ch. 2015-222 Laws of Florida
 Approved by the Governor on June 23, 2015**

Major funding decisions:

- Implements specific appropriations of the General Appropriations Act for the 2015-2016 fiscal year.

Section 20. (1) In order to implement Specific Appropriation 251 of the 2015-2016 General Appropriations Act, and notwithstanding s. 393.065(5), Florida Statutes, individuals on the Medicaid home and community-based waiver programs wait list shall be offered a slot in the waiver as follows:

(a) Individuals in category 1, which includes clients deemed to be in crisis as described in rule, shall be given first priority in moving from the wait list to the waiver.

(b) Category 2 shall include:

1. Individuals on the wait list who are from the child welfare system with an open case in the Department of Children and Families' statewide automated child welfare information system who are:

a. Individuals transitioning out of the child welfare system at the finalization of an adoption, a reunification with family members, a permanent placement with a relative, or a guardianship with a nonrelative; or

b. Individuals who are at least 18 years old but not yet 22 years old and who need both waiver services and extended foster care services.

2. Individuals on the wait list who are at least 18 years old but not yet 22 years old and who withdrew consent pursuant to s. 39.6251(5)(c), Florida Statutes, to remain in the extended foster care system.

For individuals who are at least 18 years old but not yet 22 years old and who are eligible under sub-subparagraph 1.b., the Agency for Persons with Disabilities shall provide waiver services, including residential habilitation, and the community-based care lead agency shall fund room and board at the rate established in s. 409.145(4), Florida Statutes, and provide case management and related services as defined in s. 409.986(3)(e), Florida Statutes. Individuals may receive both waiver services and services under s.39.6251, Florida Statutes. Services may not duplicate services available through the Medicaid state plan.

(c) In selecting individuals in category 3, category 4, or category 5, the Agency for Persons with Disabilities shall use the Agency for Persons with Disabilities Waitlist Prioritization Tool, dated March 15, 2013. Those individuals whose needs score highest on the Waitlist Prioritization Tool shall be moved to the waiver during the 2015-2016 fiscal year, to the extent funds are available.

(2) The agency shall allow an individual who meets the eligibility requirements under s. 393.065(1), Florida Statutes, to receive home and community-based services in this state if the individual's parent or legal guardian is an active-duty military service member and, at the time of the service member's transfer to this state, the individual was receiving home and community-based services in another state.

(3) Upon the placement of individuals on the waiver pursuant to subsection (1), individuals remaining on the wait list are deemed not to have been substantially affected by agency action and are, therefore, not entitled to a hearing under s. 393.125, Florida Statutes, or administrative proceeding under chapter 120, Florida Statutes. This section expires July 1, 2016.

Section 21. In order to implement Specific Appropriation 251 of the 2015-2016 General Appropriations Act:

1) Until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule pursuant to s. 393.0662, Florida Statutes:

Each client's iBudget in effect as of July 1, 2015, shall remain at its July 1, 2015, funding level.

(b) The Agency for Persons with Disabilities shall determine the iBudget for a client newly enrolled on the home and community-based services waiver on or after July 1, 2015, using the same allocation algorithm and methodology used for the iBudgets in effect as of July 1, 2015.

(2) After a new algorithm and methodology is adopted by final rule, a client's new iBudget shall be determined based on the new allocation algorithm and methodology and shall take effect as of the client's next support plan update.

(3) Funding allocated under subsections (1) and (2) may be increased pursuant to s. 393.0662(1)(b), Florida Statute. A client's funding allocation may also be increased if the client has a significant need for transportation services to a waiver-funded adult day training program or to a waiver-funded supported employment where such need cannot be accommodated within the funding authorized by the client's iBudget amount without affecting the health and safety of the client, where public transportation is not an option due to the unique needs of the client, and where no other transportation resources are reasonably available. However, such increases may not result in the total of all clients' projected annual iBudget expenditures exceeding the agency's appropriation for waiver services.

(4) This section expires July 1, 2016.

Section 23. In order to implement Specific Appropriation 251 of the 2015-2016 General Appropriations Act, subsection (15) of section 393.067, Florida Statutes, is amended to read:

393.067 Facility licensure.—

(15) The agency is not required to contract with new facilities licensed after October 1, 1989, pursuant to this chapter. ~~Pursuant to chapter 287, the agency shall continue to contract within~~



~~available resources for residential services with facilities licensed prior to October 1, 1989, if such facilities comply with the provisions of this chapter and all other applicable laws and regulations~~

Section 24. The amendment made by this act to s. 393.067(15), Florida Statutes, expires July 1, 2016, and the text of that subsection shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 25. In order to implement Specific Appropriation 251 of the 2015-2016 General Appropriations Act, subsections (4), (5), and (6) of section 393.18, Florida Statutes, are amended to read:

393.18 Comprehensive transitional education program.—A comprehensive transitional education program is a group of jointly operating centers or units, the collective purpose of which is to provide a sequential series of educational care, training, treatment, habilitation, and rehabilitation services to persons who have developmental disabilities and who have severe or moderate maladaptive behaviors. However, this section does not require such programs to provide services only to persons with developmental disabilities. All such services shall be temporary in nature and delivered in a structured residential setting, having the primary goal of incorporating the principle of self-determination in establishing permanent residence for persons with maladaptive behaviors in facilities that are not associated with the comprehensive transitional education program. The staff shall include behavior analysts and teachers, as appropriate, who shall be available to provide services in each component center or unit of the program. A behavior analyst must be certified pursuant to s. 393.17.

(4) For comprehensive transitional education programs, the total number of residents persons with maladaptive behaviors who are being provided with services in a comprehensive transitional education program may not in any instance exceed the licensed capacity of 120 residents and each residential unit within the component centers of the program authorized under this section may not in any instance exceed 15 residents. However, a program that was authorized to operate residential units with more than 15 residents before July 1, 2015, may continue to operate such units.

~~(5) Licensure is authorized for comprehensive transitional education programs which by July 1, 1989:~~

~~(a) Were in actual operation; or~~

~~(b) Owned a fee simple interest in real property for which a county or city government has approved zoning allowing for the placement of the facilities described in this subsection, and have registered an intent with the agency to operate a comprehensive transitional education program. However, nothing prohibits the assignment by such a registrant to another entity at a different site within the state, if there is compliance with the criteria of this and local zoning requirements and each residential facility within the component centers or units of the program authorized under this paragraph does not exceed a capacity of 15 persons.~~

~~(6) Notwithstanding subsection (5), in order to maximize federal revenues and provide for children needing special behavioral services, the agency may authorize the licensure of a facility that:~~

~~(a) Provides residential services for children who have developmental disabilities along with intensive behavioral problems as defined by the agency; and~~

~~(b) As of July 1, 2010, serve children who were served by the child welfare system and who have an open case in the automated child welfare system of the Department of Children and Families.~~

~~The facility must be in compliance with all program criteria and local zoning requirements and may not exceed a capacity of 15 children.~~

Section 26. The amendment made by this act to s. 393.18, Florida Statutes, expires July 1, 2016, and the text of that section shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2015, or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and operate retroactively to July 1, 2015

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Agency for Persons with Disabilities						
Budget_Entity	Budget Entity Title	Appropriation Category Title	FY 2014-2015		FY 2015-2016	
			FTE	ALL FUNDS	FTE	ALL FUNDS
67100100	HOME & COMMUNITY SERVICES	SALARIES AND BENEFITS	395.00	19,877,479	395.00	21,440,396
		OTHER PERSONAL SERVICES		4,323,955		4,063,955
		EXPENSES		2,947,151		2,947,151
		OPERATING CAPITAL OUTLAY		35,394		35,394
		INDIVIDUAL/FAMILY SUPPORT SERVICES		-		2,000,000
		G/A-INDIVIDUAL & FAMILY		15,186,771		13,686,771
		ROOM AND BOARD PAYMENTS		2,839,201		2,839,201
		CONTRACTED SERVICES		4,822,181		250,181
		G/A-CONTRACTED SERVICES		5,670,300		4,942,000
		HOME & COMMUNITY SERVICES WAIVER		938,623,341		994,793,906
		RISK MANAGEMENT INSURANCE		172,620		240,976
		TR/DMS/HR SVCS/STW CONTRACT		144,773		144,073
		ARC OF BROWARD		-		250,000
67100100 Total			395.00	994,643,166	395.00	1,047,634,004
67100200	PROGRAM MANAGEMENT & COMPLIANCE	SALARIES AND BENEFITS	165.00	13,936,221	165.00	13,800,161
		OTHER PERSONAL SERVICES		762,081		515,081
		EXPENSES		2,367,117		2,331,086
		OPERATING CAPITAL OUTLAY		27,774		27,774
		TRANS TO DIV ADM HEARINGS		111,453		149,627
		CONTRACTED SERVICES		497,251		607,751
		G/A-CONTRACTED SERVICES		2,790,078		2,672,565
		G/A-CONTRACT PROF SERVICES		3,874		3,874
		RISK MANAGEMENT INSURANCE		205,995		214,140
		HOME & COMM SERV ADMIN		7,172,076		7,273,186
		TR/DMS/HR SVCS/STW CONTRACT		70,875		70,533
		CLIENT DATA MANAGEMENT SYS		-		1,359,742
		STATE DATA CENTER (AST)		-		278,838
		SOUTHWOOD SRC		141,856		-
		NORTHWOOD SRC (NSRC)		136,774		-
67100200 Total			165.00	28,223,425	165.00	29,304,358
67100300	DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES	SALARIES AND BENEFITS	2,305.50	100,887,172	-	-
		OTHER PERSONAL SERVICES		1,929,050		-
		EXPENSES		6,822,108		-
		OPERATING CAPITAL OUTLAY		261,020		-
		FOOD PRODUCTS		2,363,848		-
		APD/FCO NEEDS/CEN MGD FACS		3,664,300		-
		CONTRACTED SERVICES		1,951,178		-
		G/A-CONTRACT PROF SERVICES		5,016,410		-
		PRESCRIBED MEDICINE/DRUGS		1,145,923		-
		RISK MANAGEMENT INSURANCE		5,709,106		-
		SALARY INCENTIVE PAYMENTS		18,751		-
		TR/DMS/HR SVCS/STW CONTRACT		859,725		-
67100300 Total			2,305.50	130,628,591	-	-
67100400	DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES - CIVIL	SALARIES AND BENEFITS		-	1,797.00	78,733,281
		OTHER PERSONAL SERVICES		-		1,649,205
		EXPENSES		-		5,572,364
		OPERATING CAPITAL OUTLAY		-		164,176
		FOOD PRODUCTS		-		2,087,619
		APD/FCO NEEDS/CEN MGD FACS		-		1,600,000
		CONTRACTED SERVICES		-		1,509,848
		G/A-CONTRACT PROF SERVICES		-		4,734,243
		PRESCRIBE MED/DRUG NON-MED		-		338,721
		RISK MANAGEMENT INSURANCE		-		4,673,044
		TR/DMS/HR SVCS/STW CONTRCT		-		712,422
67100400 Total				-	1,797.00	101,774,923
67100500	DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES - FORENSIC	SALARIES AND BENEFITS		-	508.50	23,218,978
		OTHER PERSONAL SERVICES		-		279,845
		EXPENSES		-		1,249,744
		OPERATING CAPITAL OUTLAY		-		96,844
		FOOD PRODUCTS		-		556,200
		CONTRACTED SERVICES		-		571,137
		G/A-CONTRACT PROF SERVICES		-		350,122
		PRESCRIBE MED/DRUG NON-MED		-		807,202
		RISK MANAGEMENT INSURANCE		-		650,889
		SALARY INCENTIVE PAYMENTS		-		18,751
		TR/DMS/HR SVCS/STW CONTRCT		-		143,144
67100500 Total				-	508.50	27,942,856
Grand Total			2,865.50	1,153,495,182	2,865.50	1,206,656,141

ADMINISTRATIVE BILLS

The following is an overview of administrative bills of interest to the Agency for Persons with Disabilities passed by the Florida Legislature during the 2015 Regular Legislative Session.

[Click on the bill number to view bill language](#)

**[HB 0007](#) – Legislature
[Ch. 2015-84](#) Laws of Florida
Approved by the Governor on June 2, 2015**

The bill amends statutory language by:

- Providing exemption from public records requirements for records relating to settlement of a claim on behalf of minor or ward
- Authorizing guardian ad litem, ward, minor, and minor's attorney to inspect guardianship reports and court records relating to settlement of a claim on behalf of a minor or ward, upon showing of good cause
- Authorizing court to direct disclosure and recording of an amendment to report or court records relating to settlement of claim on behalf of a minor or ward, in connection with real property or for other purposes
- Providing a statement of public necessity
- Providing for a contingent effect

Effective Date: On the same date that HB 5 or similar legislation takes effect

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**[SB 0144](#) – Public Records/Impaired Practitioner Consultants
[Ch. 2015-37](#) Laws of Florida
Approved by the Governor on May 21, 2015**

The bill amends statutory language by:

- Creating an exemption from public records requirements for certain identifying and location information of current or former impaired practitioner consultants retained by an agency or certain current or former employees of an impaired practitioner consultant and the spouses and children of such consultants or employees, under specified circumstances
- Providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act
- Providing a statement of public necessity, etc

Effective Date: Upon Becoming A Law

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**HB 0435 – Administrative Procedures
2015 Laws of Florida
VETOED**

The bill amends statutory language by:

- ~~Providing procedures for agencies to follow when initiating rulemaking after certain public hearings~~
- ~~Limiting reliance upon an unadopted rule in certain circumstances~~
- ~~Providing for publication of notices of rule development and of rules filed for adoption~~
- ~~Conforming proceedings that oppose agency action based on an invalid or unadopted rule to proceedings used for challenging rules, etc~~

Effective Date: July 1, 2015

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**HB 0467 – Pub. Rec./Human Trafficking Victims
Ch. 2015-146 Laws of Florida
Approved by the Governor on June 12, 2015**

The bill amends statutory language by:

- Revising exemption from public records requirements for certain criminal intelligence and investigative information to exempt information that reveals the identity of victims of certain human trafficking offenses
- Providing exemption from public records requirements for investigative information relating to criminal history records of human trafficking victims that have been ordered expunged
- Providing for future legislative review and repeal of exemption
- Providing a statement of public necessity
- Providing for a contingent effect

Effective Date: On the same date that HB 465 or similar legislation relating to human trafficking takes effect

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**HB 0469 – Pub. Rec./Residential Facilities Serving Victims of Sexual Exploitation
Ch. 2015-147 Laws of Florida
Approved by the Governor on June 12, 2015**

The bill amends statutory language by:

- Providing exemption from public records requirements for information about location of safe houses, safe foster homes, and other residential facilities serving victims of sexual exploitation held by an agency



- Providing exemption from public records requirements for information about location of residential facilities serving adult victims of human trafficking involving commercial sexual activity held by an agency
- Providing for future legislative review and repeal of exemptions
- Providing a statement of public necessity
- Providing a contingent effective date

Effective Date: On the same date that HB 465 or similar legislation relating to human trafficking takes effect

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[SB 0646](#) – Public Records/Information Held by the Florida Prepaid College Board, the Florida ABLE, Inc., and the Florida ABLE program
[Ch. 2015-58](#) Laws of Florida
Approved by the Governor on May 21, 2015

The bill amends statutory language by:

- Providing an exemption from public records requirements for certain personal financial and health information held by the Florida Prepaid College Board, Florida ABLE, Inc., the Florida ABLE program, or an agent or service provider thereof
- Authorizing the release of such information under specified circumstances
- Providing for future legislative review and repeal of the exemption
- Providing a statement of public necessity, etc.

Effective Date: On the same date that SB 642 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

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[SB 7016](#) – OGSR/Minor Identifying Information
[Ch. 2015-74](#) Laws of Florida
Approved by the Governor on May 21, 2015

The bill amends statutory language by:

- Amending provisions relating to an exemption from public record requirements for certain information that could identify a minor petitioning a court to waive parental notice requirements before terminating a pregnancy
- Saving the exemption from repeal under the Open Government Sunset Review Act, etc

Effective Date: October 1, 2015

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This report is available on the agency's website at:
www.apdcares.org/publications/legislative/index.htm

More information about the bills referenced in this document and the legislative process can be found through several websites which are provided below:

Florida House of Representatives:
<http://www.myfloridahouse.gov/>

Florida Senate:
<http://www.flsenate.gov/>

Online Sunshine:
<http://www.leg.state.fl.us/Welcome/index.cfm>

Florida Department of State, Laws of Florida:
<http://laws.flrules.org/node>

Governor of Florida:
<http://www.flgov.com/>