

Notice of Proposed Rule

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-11.004 Crisis Determination Procedure

PURPOSE AND EFFECT: To conform the rule to the changes made by Chapter 2026-129, L.O.F., to Section 393.063, F.S., regarding "Tatton-Brown-Rahman syndrome."

SUMMARY: The proposed changes amend the rule to add Tatton-Brown-Rahman syndrome to the list of conditions that constitute a developmental disability. The proposed changes also organize the list of conditions by alphabetical order, and update references to statutory authority.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Agency has determined that the proposed rule is not expected to require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 393.065(13), 393.501(1) FS.

LAW IMPLEMENTED: 393.065 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leslie Bryson, Rules Attorney, Leslie.Bryson@apdcares.org, (850)922-4464, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, FL 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

65G-11.004 Crisis Determination Procedure.

(1) No change.

(2) The applicant or applicant's representative shall request crisis enrollment through the Agency. The Agency may not enroll an applicant on the waiver unless the Agency has determined that the applicant has a developmental disability, as defined in Section 393.063, F.S., meets the level of care requirements set forth in section 393.065(5), F.S., the eligibility requirements of Chapter 65G-4, F.A.C. and:

(a) No change.

(b) The recipient's IQ is 60-70 inclusive and the recipient has a secondary handicapping condition that includes:

1. Autism, Cerebral palsy, Down syndrome, epilepsy, Phelan-McDermid syndrome, spina bifida, Prader-Willi syndrome, spina bifida, Tatton-Brown-Rahman syndrome; epilepsy, autism, Down syndrome, Phelan McDermid syndrome or

2. Ambulation, sensory, chronic health, and behavioral problems.;

(c) No change.

(d) The recipient is eligible under a primary disability of autism, Ceerebral palsy, spina bifida, Prader-Willi syndrome, Down syndrome, Phelan-McDermid syndrome, Prader-Willi syndrome, spina bifida, or Tatton-Brown-Rahman syndrome, and the condition results in substantial functional limitations in three or more major life activities listed in paragraph (c), above.

(3) through (5) No change.

Rulemaking Authority 393.065(13), 393.501(1), ~~393.065(12)~~ FS. Law Implemented 393.065 History—New 9-19-07, Formerly 65G-1.046, Amended 6-5-25,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Meghan Torres

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Bob Asztalos

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 2, 2026