

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #:	CS/HB 715	FINAL HOUSE FLOOR ACTION:	
SPONSOR(S):	Health & Human Services Committee; Diaz, J	116 Y's	0 N's
COMPANION BILLS:	CS/SB 762	GOVERNOR'S ACTION:	Approved

SUMMARY ANALYSIS

CS/HB 715 passed the House on April 30, 2014, as CS/ SB 762.

The bill makes changes to Family Care Councils (FCCs) within the Agency for Persons with Disabilities (APD). FCCs are local councils that advise APD on the needs of self-advocates and their families. Consumers and their parents, guardians, and siblings may be members of FCCs.

The bill amends s. 393.502, F.S., to change membership eligibility of FCCs by allowing grandparents to be members. The bill specifies that before a grandparent can be appointed to an FCC, the grandchild's parent or guardian must consent to the appointment and report that consent to APD. The bill also clarifies that persons waiting to receive services may be members of FCCs.

The bill does not appear to have a fiscal impact on state or local government.

The bill was approved by the Governor on June 13, 2014, ch. 2014-87, L.O.F., and will become effective on July 1, 2014.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Current Situation

The Agency for Persons with Disabilities

The Agency for Persons with Disabilities (APD) was created to serve Floridians with developmental disabilities. APD works in partnership with local communities and private providers to assist people who have developmental disabilities and their families. Examples of services provided by APD include adult day training, personal care services, and specialized therapies.¹ APD serves more than 50,000 individuals with autism, cerebral palsy, spina bifida, intellectual disabilities, Down syndrome, and Prader-Willi syndrome.²

APD is unable to provide services to all individuals with developmental disabilities. Individuals who are eligible for APD services are prioritized according to need and some individuals are placed on a waiting list for services.³ As of February 2, 2014, 29,915 individuals were receiving services from APD and 21,290 individuals were on the waiting list to receive services.⁴

Family Care Councils

In 1993, the Florida Legislature established Family Care Councils (FCCs) to advise on policy issues relevant to the community and family support system in the local area.⁵ FCCs are located within each service area of APD, of which there are 15.⁶

The primary functions of the local FCCs are to:

- Assist in providing information and outreach to families;
- Review the effectiveness of service programs and make recommendations with respect to program implementation;
- Advise the agency with respect to policy issues relevant to the community and family support system in the local area; and
- Meet and share information with other local family care councils.⁷

Membership of Family Care Councils

Each local FCC must have between 10 and 15 members. Members of each FCC must be recommended by a majority vote of the local FCC and then appointed by the Governor. Each FCC must meet the following membership requirements:

- At least three of the members of the council must be consumers.⁸
 - One of these members must be a consumer who received services within the four years prior to the date of recommendation, or the legal guardian of such a consumer.
- The remainder of the council members must be parents, guardians, or siblings of persons with developmental disabilities who qualify for services pursuant to Ch. 393, F.S.⁹

¹ S. 393.006 (3), F.S.

² Agency for Persons with Disabilities, *About Us*, accessible at: <http://apd.myflorida.com/about/> (last accessed 2/12/14).

³ Agency for Persons with Disabilities, *Waiting List*, accessible at: <http://apd.myflorida.com/customers/waitlist/> (last accessed 2/12/14).

⁴ E-mail correspondence with Jared Torres, Legislative Affairs Director, Agency for Persons with Disabilities, 2/10/14.

⁵ S. 393.502 (7), F.S.

⁶ S. 393.502(1), F.S.

⁷ S. 393.502 (7), F.S.

⁸ The term "consumers" is not defined in ch. 393, F.S., but is used by APD to refer to individuals eligible for APD services per ch. 393, F.S. This includes both individuals receiving services and individuals on the waitlist to receive services.

⁹ S. 393.502(2)(a), F.S.

APD has experienced difficulty recruiting and retaining membership on the FCCs.¹⁰

Effect of Proposed Changes

The bill amends the membership eligibility for FCCs. The bill allows grandparents of persons with developmental disabilities who qualify for services pursuant to Ch. 393, F.S., to serve on FCCs. The bill specifies that before a grandparent can be appointed to an FCC, the child's parent or guardian must consent to the appointment and report that consent to APD.

The bill also clarifies that the consumer members of the FCCs can be persons currently receiving or waiting to receive services from APD.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill does not have a fiscal impact on state or local government.

¹⁰ APD legislative proposal, November 8, 2013, on file with committee staff.