

By the Committee on Children, Families, and Elder Affairs

586-02207-15

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1 A bill to be entitled
2 An act relating to developmental disabilities;
3 amending s. 393.065, F.S.; requiring the Agency for
4 Persons with Disabilities to revise the priority order
5 for the waiver services for specified children which
6 are otherwise not available to them; establishing
7 requirements for children and certain young adults
8 with a category 2 priority; removing an obsolete
9 provision; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (5) of section 393.065, Florida
14 Statutes, is amended to read:

15 393.065 Application and eligibility determination.—

16 (5) Except as otherwise directed by law, ~~beginning July 1,~~
17 ~~2010,~~ the agency shall assign and provide priority to clients
18 waiting for waiver services in the following order:

19 (a) Category 1, which includes clients deemed to be in
20 crisis as described in rule.

21 (b) Category 2, which includes children on the wait list
22 who are from the child welfare system. The agency shall provide
23 to children in category 2 waiver services that are not otherwise
24 available to them through the child welfare system's related
25 services as defined in s. 409.986 or the state Medicaid plan. In
26 addition, the agency shall provide residential habilitation
27 services, such as supervision and training to assist the
28 individual improve skills related to activities of daily living,
29 to young adults in the child welfare system ages 18 to 21.

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30 Children in category 2 must be those with an open case in the
31 Department of Children and Families' statewide automated child
32 welfare information system and who are:

33 1. Transitioning out of the child welfare system at the
34 finalization of an adoption, a reunification with family
35 members, a permanent placement with a relative, or a
36 guardianship with a nonrelative; or

37 2. Determined to be 18 to 21 years of age.

38 (c) Category 3, which includes, but is not required to be
39 limited to, clients:

40 1. Whose caregiver has a documented condition that is
41 expected to render the caregiver unable to provide care within
42 the next 12 months and for whom a caregiver is required but no
43 alternate caregiver is available;

44 2. At substantial risk of incarceration or court commitment
45 without supports;

46 3. Whose documented behaviors or physical needs place them
47 or their caregiver at risk of serious harm and other supports
48 are not currently available to alleviate the situation; or

49 4. Who are identified as ready for discharge within the
50 next year from a state mental health hospital or skilled nursing
51 facility and who require a caregiver but for whom no caregiver
52 is available.

53 (d) Category 4, which includes, but is not required to be
54 limited to, clients whose caregivers are 70 years of age or
55 older and for whom a caregiver is required but no alternate
56 caregiver is available.

57 (e) Category 5, which includes, but is not required to be
58 limited to, clients who are expected to graduate within the next

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59 12 months from secondary school and need support to obtain or
60 maintain competitive employment, or to pursue an accredited
61 program of postsecondary education to which they have been
62 accepted.

63 (f) Category 6, which includes clients 21 years of age or
64 older who do not meet the criteria for category 1, category 2,
65 category 3, category 4, or category 5.

66 (g) Category 7, which includes clients younger than 21
67 years of age who do not meet the criteria for category 1,
68 category 2, category 3, or category 4.

69
70 Within categories 3, 4, 5, 6, and 7, the agency shall maintain a
71 wait list of clients placed in the order of the date that the
72 client is determined eligible for waiver services.

73 Section 2. This act shall take effect July 1, 2015.