

1 A bill to be entitled
2 An act relating to prenatal services and early
3 childhood development; amending s. 383.141, F.S.;
4 revising the requirements for the Department of Health
5 to maintain a clearinghouse of information for parents
6 and health care providers and to increase public
7 awareness on developmental evaluation and early
8 intervention programs; requiring the clearinghouse to
9 use a specified term; revising the information to be
10 included in the clearinghouse; amending s. 391.025,
11 F.S.; renaming the "Infants and Toddlers Early
12 Intervention Program" as the "Early Steps Program";
13 revising the components of the Children's Medical
14 Services program; amending s. 391.026, F.S.; requiring
15 the department to serve as the lead agency in
16 administering the Early Steps Program; amending s.
17 391.301, F.S.; establishing the Early Steps Program
18 within the department; deleting provisions relating to
19 legislative findings; authorizing the program to
20 include certain screening and referral services for
21 specified purposes; providing requirements and
22 responsibilities for the program; amending s. 391.302,
23 F.S.; defining terms; revising the definitions of
24 certain terms; amending s. 391.308, F.S.; renaming the
25 "Infants and Toddlers Early Intervention Program" as
26 the "Early Steps Program"; requiring, rather than

27 | authorizing, the department to implement and
28 | administer the program; requiring the department to
29 | ensure that the program follows specified performance
30 | standards; providing requirements of the program to
31 | meet such performance standards; revising the duties
32 | of the department; requiring the department to apply
33 | specified eligibility criteria for the program;
34 | providing duties for local program offices; requiring
35 | the development of an individualized family support
36 | plan for each child served in the program; requiring
37 | referral for services by a local program office under
38 | certain circumstances; requiring the local program
39 | office to negotiate and maintain agreements with
40 | specified providers and managed care entities;
41 | requiring the local program office to coordinate with
42 | managed care plans; requiring the department to submit
43 | an annual report, subject to certain requirements, to
44 | the Governor, the Legislature, and the Florida
45 | Interagency Coordinating Council for Infants and
46 | Toddlers by a specified date; designating the Florida
47 | Interagency Coordinating Council for Infants and
48 | Toddlers as the state interagency coordinating council
49 | required by federal rule subject to certain
50 | requirements; providing requirements for the local
51 | program office and local school district to prepare
52 | certain children for the transition to school under

53 certain circumstances; amending ss. 413.092 and
54 1003.575, F.S.; conforming provisions to changes made
55 by the act; repealing ss. 391.303, 391.304, 391.305,
56 391.306, and 391.307, F.S., relating to requirements
57 for the Children's Medical Services program, program
58 coordination, program standards, program funding and
59 contracts, and program review, respectively; providing
60 an effective date.

61
62 Be It Enacted by the Legislature of the State of Florida:

63
64 Section 1. Subsections (2) and (3) of section 383.141,
65 Florida Statutes, are amended, and subsection (4) is added to
66 that section, to read:

67 383.141 Prenatally diagnosed conditions; patient to be
68 provided information; definitions; information clearinghouse;
69 advisory council.—

70 (2) When a developmental disability is diagnosed based on
71 the results of a prenatal test, the health care provider who
72 ordered the prenatal test, or his or her designee, shall provide
73 the patient with current information about the nature of the
74 developmental disability, the accuracy of the prenatal test, and
75 resources for obtaining relevant support services, including
76 hotlines, resource centers, and information clearinghouses
77 related to Down syndrome or other prenatally diagnosed
78 developmental disabilities; support programs for parents and

79 families; and developmental evaluation and intervention services
80 under this part ~~s. 391.303~~.

81 (3) The Department of Health shall develop and implement a
82 comprehensive information clearinghouse to educate health care
83 providers, inform parents, and increase public awareness
84 regarding brain development, developmental disabilities and
85 delays, and all services, resources, and interventions available
86 to mitigate the effects of impaired development among children.
87 The clearinghouse must use the term "unique abilities" as much
88 as possible when identifying infants or children with
89 developmental disabilities and delays. The clearinghouse must
90 provide:

91 (a) Health information on conditions that may lead to
92 impaired development of physical, learning, language, or
93 behavioral skills.

94 (b) Education and information to support parents whose
95 unborn children have been prenatally diagnosed with
96 developmental disabilities or whose children have diagnosed or
97 suspected developmental delays.

98 (c) Education and training for health care providers to
99 recognize and respond appropriately to developmental
100 disabilities, delays, and conditions related to disabilities or
101 delays. Specific information approved by the advisory council
102 shall be made available to health care providers for use in
103 counseling parents whose unborn children have been prenatally
104 diagnosed with developmental disabilities or whose children have

105 diagnosed or suspected developmental delays.

106 (d) Promotion of public awareness of availability of
107 supportive services, such as resource centers, educational
108 programs, other support programs for parents and families, and
109 developmental evaluation and intervention services.

110 (e) Hotlines specific to Down syndrome and other
111 prenatally diagnosed developmental disabilities. The hotlines
112 and the department's clearinghouse must provide information to
113 parents and families or other caregivers regarding the Early
114 Steps Program under s. 391.301, the Florida Diagnostic Learning
115 and Resource System, the Early Learning program, Healthy Start,
116 Help Me Grow, and any other intervention programs. Information
117 offered must include directions on how to obtain early
118 intervention, rehabilitative, and habilitative services and
119 devices ~~establish on its Internet website a clearinghouse of~~
120 ~~information related to developmental disabilities concerning~~
121 ~~providers of supportive services, information hotlines specific~~
122 ~~to Down syndrome and other prenatally diagnosed developmental~~
123 ~~disabilities, resource centers, educational programs, other~~
124 ~~support programs for parents and families, and developmental~~
125 ~~evaluation and intervention services under s. 391.303. Such~~
126 ~~information shall be made available to health care providers for~~
127 ~~use in counseling pregnant women whose unborn children have been~~
128 ~~prenatally diagnosed with developmental disabilities.~~

129 (4) (a) There is established an advisory council within the
130 Department of Health which consists of health care providers and

131 caregivers who perform health care services for persons who have
132 developmental disabilities, including Down syndrome and autism.
133 This group shall consist of nine members as follows:

- 134 1. Three members appointed by the Governor;
- 135 2. Three members appointed by the President of the Senate;
- 136 and
- 137 3. Three members appointed by the Speaker of the House of
138 Representatives.

139 (b) The advisory council shall provide technical
140 assistance to the Department of Health in the establishment of
141 the information clearinghouse and give the department the
142 benefit of the council members' knowledge and experience
143 relating to the needs of patients and families of patients with
144 developmental disabilities and available support services.

145 (c) Members of the council shall elect a chairperson and a
146 vice chairperson. The elected chairperson and vice chairperson
147 shall serve in these roles until their terms of appointment on
148 the council expire.

149 (d) The advisory council shall meet quarterly to review
150 this clearinghouse of information, and may meet more often at
151 the call of the chairperson or as determined by a majority of
152 members.

153 (e) The council members shall be appointed to 4-year
154 terms, except that, to provide for staggered terms, one initial
155 appointee each from the Governor, the President of the Senate,
156 and the Speaker of the House of Representatives shall be

157 appointed to a 2-year term, one appointee each from these
 158 officials shall be appointed to a 3-year term, and the remaining
 159 initial appointees shall be appointed to 4-year terms. All
 160 subsequent appointments shall be for 4-year terms. A vacancy
 161 shall be filled for the remainder of the unexpired term in the
 162 same manner as the original appointment.

163 (f) Members of the council shall serve without
 164 compensation. Meetings of the council may be held in person,
 165 without reimbursement for travel expenses, or by teleconference
 166 or other electronic means.

167 (g) The Department of Health shall provide administrative
 168 support for the advisory council.

169 Section 2. Paragraph (c) of subsection (1) of section
 170 391.025, Florida Statutes, is amended to read:

171 391.025 Applicability and scope.—

172 (1) The Children's Medical Services program consists of
 173 the following components:

174 (c) The developmental evaluation and intervention program,
 175 including the Early Steps ~~Florida Infants and Toddlers Early~~
 176 ~~Intervention~~ Program.

177 Section 3. Subsection (19) is added to section 391.026,
 178 Florida Statutes, to read:

179 391.026 Powers and duties of the department.—The
 180 department shall have the following powers, duties, and
 181 responsibilities:

182 (19) To serve as the lead agency in administering the

183 Early Steps Program pursuant to part C of the federal
184 Individuals with Disabilities Education Act and part III of this
185 chapter.

186 Section 4. Section 391.301, Florida Statutes, is amended
187 to read:

188 391.301 Early Steps Program; establishment and goals
189 ~~Developmental evaluation and intervention programs; legislative~~
190 ~~findings and intent.—~~

191 (1) The Early Steps Program is established within the
192 department to serve infants and toddlers who are at risk of
193 developmental disabilities and infants and toddlers with
194 developmental delays by providing developmental evaluation and
195 early intervention and by providing families with training and
196 support services in a variety of home and community settings ~~The~~
197 ~~Legislature finds that the high-risk and disabled newborn~~
198 ~~infants in this state need in-hospital and outpatient~~
199 ~~developmental evaluation and intervention and that their~~
200 ~~families need training and support services. The Legislature~~
201 ~~further finds that there is an identifiable and increasing~~
202 ~~number of infants who need developmental evaluation and~~
203 ~~intervention and family support due to the fact that increased~~
204 ~~numbers of low-birthweight and sick full-term newborn infants~~
205 ~~are now surviving because of the advances in neonatal intensive~~
206 ~~care medicine; increased numbers of medically involved infants~~
207 ~~are remaining inappropriately in hospitals because their parents~~
208 ~~lack the confidence or skills to care for these infants without~~

209 ~~support; and increased numbers of infants are at risk due to~~
 210 ~~parent risk factors, such as substance abuse, teenage pregnancy,~~
 211 ~~and other high risk conditions.~~

212 (2) The program may include screening and referral ~~It is~~
 213 ~~the intent of the Legislature to establish developmental~~
 214 ~~evaluation and intervention services at all hospitals providing~~
 215 ~~Level II or Level III neonatal intensive care services, in order~~
 216 to promptly identify newborns with disabilities or with
 217 conditions associated with risks of developmental delays so that
 218 ~~families with high risk or disabled infants~~ may gain as early as
 219 possible ~~the services and skills they need to support their~~
 220 infants' development ~~infants.~~

221 (3) The program must ~~It is the intent of the Legislature~~
 222 ~~that a methodology be developed to integrate information and~~
 223 coordinate services on infants with potentially disabling
 224 ~~conditions~~ with other early intervention programs, including,
 225 but not limited to, Part C of Pub. L. No. 105-17 and the Healthy
 226 Start program, the newborn screening program, and the Blind
 227 Babies Program.

228 (4) The program must:

229 (a) Provide services to enhance the development of infants
 230 and toddlers with disabilities and delays.

231 (b) Expand the recognition by health care providers,
 232 families, and the public of the significant brain development
 233 that occurs during a child's first 3 years of life.

234 (c) Maintain the importance of the family in all areas of

235 the child's development and support the family's participation
236 in early intervention services and decisions affecting the
237 child.

238 (d) Operate a comprehensive, coordinated interagency
239 system of early intervention services and supports in accordance
240 with part C of the federal Individuals with Disabilities
241 Education Act.

242 (e) Ensure timely evaluation, individual planning, and
243 early intervention services necessary to meet the unique needs
244 of eligible infants and toddlers.

245 (f) Build the service capacity and enhance the
246 competencies of health care providers serving infants and
247 toddlers with unique needs and abilities.

248 (g) Ensure programmatic and fiscal accountability through
249 establishment of a high-capacity data system, active monitoring
250 of performance indicators, and ongoing quality improvement.

251 Section 5. Section 391.302, Florida Statutes, is amended
252 to read:

253 391.302 Definitions.—As used in ss. 391.301-391.308 ~~ss.~~
254 ~~391.301-391.307~~, the term:

255 (1) "Developmental delay" means a condition, identified
256 and measured through appropriate instruments and procedures,
257 which may delay physical, cognitive, communication,
258 social/emotional, or adaptive development.

259 (2) "Developmental disability" means a condition,
260 identified and measured through appropriate instruments and

261 procedures, which may impair physical, cognitive, communication,
 262 social/emotional, or adaptive development.

263 (3) "Developmental intervention" or "early intervention"
 264 means individual and group ~~individualized~~ therapies and services
 265 needed to enhance both the infant's or toddler's growth and
 266 development and family functioning. The term includes
 267 habilitative services and assistive technology devices,
 268 rehabilitative services and assistive technology devices, and
 269 parent support and training.

270 (4) "Habilitative services and devices" means health care
 271 services and devices that help a child maintain, learn, or
 272 improve skills and functioning for daily living.

273 (5)-(2) "Infant or toddler" or "child" means a child from
 274 birth until the child's third birthday.

275 (6)-(3) "In-hospital intervention services" means the
 276 provision of assessments; the provision of individual
 277 ~~individualized~~ services; ~~monitoring and modifying the delivery~~
 278 ~~of medical interventions;~~ and enhancing the environment for the
 279 high-risk, developmentally disabled, or medically involved
 280 infant or toddler in order to achieve optimum growth and
 281 development.

282 (7) "Local program office" means an office that
 283 administers the Early Steps Program within a municipality,
 284 county, or region.

285 (8)-(4) "Parent support and training" means a range of
 286 services to families of high-risk, developmentally disabled, or

287 medically involved infants or toddlers, including family
 288 counseling; ~~financial planning;~~ agency referral; development of
 289 parent-to-parent support groups; education concerning growth,
 290 development, and developmental intervention and objective
 291 measurable skills, including abuse avoidance skills; and
 292 training of parents to advocate for their child; ~~and bereavement~~
 293 ~~counseling.~~

294 (9) "Rehabilitative services and devices" means
 295 restorative and remedial services that maintain or enhance the
 296 current level of functioning of a child if there is a
 297 possibility of improvement or reversal of impairment.

298 Section 6. Section 391.308, Florida Statutes, is amended
 299 to read:

300 391.308 Early Steps ~~Infants and Toddlers Early~~
 301 ~~Intervention~~ Program.—The department shall ~~Department of Health~~
 302 ~~may~~ implement and administer part C of the federal Individuals
 303 with Disabilities Education Act (IDEA), which shall be known as
 304 the "Early Steps ~~"Florida Infants and Toddlers Early~~
 305 ~~Intervention~~ Program."

306 (1) PERFORMANCE STANDARDS.—The department shall ensure
 307 that the Early Steps Program complies with the following
 308 performance standards:

309 (a) The program must provide services from referral
 310 through transition in a family-centered manner that recognizes
 311 and responds to unique circumstances and needs of infants and
 312 toddlers and their families as measured by a variety of

313 qualitative data, including satisfaction surveys, interviews,
314 focus groups, and input from stakeholders.

315 (b) The program must provide individualized family support
316 plans that are understandable and usable by families, health
317 care providers, and payors and that identify the current level
318 of functioning of the infant or toddler, family supports and
319 resources, expected outcomes, and specific early intervention
320 services needed to achieve the expected outcomes, as measured by
321 periodic system independent evaluation.

322 (c) The program must help each family to use available
323 resources in a way that maximizes the child's access to services
324 necessary to achieve the outcomes of the individualized family
325 support plan, as measured by family feedback and by independent
326 assessments of services used by each child.

327 (d) The program must offer families access to quality
328 services that effectively enable infants and toddlers with
329 developmental disabilities and developmental delays to achieve
330 optimal functional levels as measured by an independent
331 evaluation of outcome indicators in social/emotional skills,
332 communication, and adaptive behaviors.

333 (2) DUTIES OF THE DEPARTMENT.—The department shall:7

334 (a) Jointly with the Department of Education, shall
335 Annually prepare a grant application to the United States
336 Department of Education for funding early intervention services
337 for infants and toddlers with disabilities, from birth through
338 36 months of age, and their families pursuant to part C of the

339 federal Individuals with Disabilities Education Act.

340 (b)(2) ~~The department,~~ Jointly with the Department of
341 Education, provide ~~shall include~~ a reading initiative as an
342 early intervention service for infants and toddlers.

343 (c) Annually develop a state plan for the Early Steps
344 Program.

345 1. The plan must assess the need for early intervention
346 services, evaluate the extent of the statewide need that is met
347 by the program, identify barriers to fully meeting the need, and
348 recommend specific action steps to improve program performance.

349 2. The plan must be developed through an inclusive process
350 that involves families, local program offices, health care
351 providers, and other stakeholders.

352 (d) Ensure the provision of developmental evaluation and
353 intervention services in each hospital that provides Level II
354 and Level III neonatal intensive care services to an infant or a
355 toddler identified as being at risk for developmental
356 disabilities who along with his or her family, would benefit
357 from early intervention services.

358 (e) Establish standards and qualifications for
359 developmental evaluation and early intervention service
360 providers, including standards for determining the adequacy of
361 provider networks in each local program office service area.

362 (f) Establish statewide uniform protocols and procedures
363 to determine eligibility for developmental evaluation and early
364 intervention services.

365 (g) Establish a consistent, statewide format and procedure
366 for preparing and completing an individualized family support
367 plan.

368 (h) Promote interagency cooperation and coordination, with
369 the Medicaid program, the Department of Education program
370 pursuant to part B of the federal Individuals with Disabilities
371 Education Act, and programs providing child screening such as
372 the Florida Diagnostic Learning and Resource System, the Early
373 Learning program, Healthy Start, and Help Me Grow program.

374 1. Coordination with the Medicaid program shall be
375 developed and maintained through written agreements with the
376 Agency for Health Care Administration and Medicaid managed care
377 entities as well as through active and ongoing communication
378 with these entities. The department shall assist local program
379 offices to negotiate agreements with Medicaid managed care
380 entities in the service areas of the local program offices. Such
381 agreements may be formal or informal.

382 2. Coordination with education programs pursuant to part B
383 of the federal Individuals with Disabilities Education Act shall
384 be developed and maintained through written agreements with the
385 Department of Education. The department shall assist local
386 program offices to negotiate agreements with school districts in
387 the service areas of the local program offices.

388 (i) Develop and disseminate the knowledge and methods
389 necessary to effectively coordinate benefits among various payor
390 types.

391 (j) Provide an appeals process under chapter 120 for
392 applicants found ineligible for developmental evaluation or
393 early intervention services or denied financial support for such
394 services.

395 (k) Competitively procure local program offices to provide
396 services throughout the state in accordance with chapter 287.
397 The department shall specify the requirements and qualifications
398 for local program offices in the procurement document.

399 (l) Establish performance standards and other metrics for
400 evaluation of local program offices, including standards for
401 measuring timeliness of services, outcomes of early intervention
402 services, and administrative efficiency. Performance standards
403 and metrics shall be developed in consultation with local
404 program offices.

405 (m) Provide technical assistance to the local program
406 offices.

407 (3) ELIGIBILITY.—The department shall apply the following
408 eligibility criteria as authorized in the General Appropriations
409 Act.

410 (a) All infants and toddlers in this state are eligible
411 for an evaluation to determine the presence of a developmental
412 disability or conditions that cause or increase the risk of
413 developmental delays.

414 (b) All infants and toddlers determined to have a
415 developmental disability based on an established condition or
416 determined to be at risk of developmental delays based on an

417 informed clinical opinion are eligible for Early Steps Program
418 services.

419 (c) A child is eligible for Early Steps Program services
420 if the application of a standardized evaluation instrument
421 results in a score that is 1.5 standard deviations from the mean
422 in two or more of the following domains: physical, cognitive,
423 communication, social or emotional, and adaptive.

424 (d) A child is eligible for Early Steps Program services
425 if the application of a standardized evaluation instrument
426 results in a score that is 2.0 standard deviations from the mean
427 in one of the following domains: physical, cognitive,
428 communication, social or emotional, and adaptive.

429 (e) A child is eligible for Early Steps Program services
430 if diagnosed with a physical or mental condition that has a high
431 probability of resulting in a developmental delay.

432 (4) DUTIES OF THE LOCAL PROGRAM OFFICES.—A local program
433 office shall:

434 (a) Evaluate a child to determine eligibility within 45
435 calendar days after the child is referred to the program.

436 (b) Notify the parent or legal guardian of his or her
437 child's eligibility status initially and at least annually
438 thereafter. If a child is determined not to be eligible, the
439 local program office must provide the parent or legal guardian
440 with written information on the right to an appeal and the
441 process for making such an appeal.

442 (c) Secure and maintain interagency agreements or

443 contracts with local school districts and the Medicaid managed
444 care plans in a local service area.

445 (d) Provide services directly or procure services from
446 health care providers that meet or exceed the minimum
447 qualifications established for service providers. The local
448 program office must become a Medicaid provider if it provides
449 services directly.

450 (e) Provide directly or procure services that are, to the
451 extent possible, delivered in a child's natural environment,
452 such as in the child's home or community setting. The inability
453 to provide services in the natural environment is not a
454 sufficient reason to deny services.

455 (f) Develop an individualized family support plan for each
456 child served. The plan must:

457 1. Be completed within 45 calendar days after referral in
458 the program;

459 2. Be developed in conjunction with the child's parent or
460 legal guardian who provides written consent for the services
461 included in the plan;

462 3. Be reviewed at least every 6 months with the parent or
463 legal guardian and updated if needed; and

464 4. Include steps to transition to school or other future
465 services by the child's third birthday.

466 (g) Assess the progress of the child and his or her family
467 in meeting the goals of the individualized family support plan.

468 (h) For each service required by the individualized family

469 support plan, refer the child to an appropriate service provider
470 or work with Medicaid managed care entities or private insurers
471 to secure the needed services.

472 (i) Provide service coordination services, including
473 contacting the appropriate service provider to determine whether
474 the provider can timely deliver the service, providing the
475 parent or legal guardian with the name and location of the
476 service and the date of any appointment made on behalf of the
477 child, and contacting the parent or legal guardian after the
478 service is provided to ensure that the service is delivered
479 timely and to determine whether the family requests additional
480 services.

481 (j) Negotiate and maintain agreements with Medicaid
482 providers and Medicaid managed care entities in its area.

483 1. With the parent's or legal guardian's permission, the
484 services in the child's approved individualized family support
485 plan shall be communicated to the Medicaid managed care entity.
486 Services that cannot be funded by Medicaid must be specifically
487 identified and explained to the family.

488 2. The agreement between the local program office and
489 Medicaid managed care entities must establish methods of
490 communication and procedures for the timely approval of services
491 covered by Medicaid.

492 (k) Develop agreements and arrangements with private
493 insurers in order to coordinate benefits and services for any
494 mutual enrollee.

495 1. The child's approved individualized family support plan
496 may be communicated to the child's insurer with the parent's or
497 legal guardian's permission.

498 2. The local program office and private insurers shall
499 establish methods of communication and procedures for the timely
500 approval of services covered by the child's insurer, if
501 appropriate and approved by the child's parent or legal
502 guardian.

503 (1) Provide to the department data necessary for an
504 evaluation of the local program office performance.

505 (5) ACCOUNTABILITY REPORTING.—By December 1 of each year,
506 the department shall prepare and submit a report that assesses
507 the performance of the Early Steps Program to the Governor, the
508 President of the Senate, the Speaker of the House of
509 Representatives, and the Florida Interagency Coordinating
510 Council for Infants and Toddlers. The department must address
511 the performance standards in subsection (1) and report actual
512 performance compared to the standards for the prior fiscal year.
513 The data used to compile the report must be submitted by each
514 local program office in the state. The department shall report
515 on all of the following measures:

516 (a) Number and percentage of infants and toddlers served
517 with an individualized family support plan.

518 (b) Number and percentage of infants and toddlers
519 demonstrating improved social/emotional skills after the
520 program.

521 (c) Number and percentage of infants and toddlers
522 demonstrating improved use of knowledge and cognitive skills
523 after the program.

524 (d) Number and percentage of families reporting positive
525 outcomes in their infant's and toddler's development as a result
526 of early intervention services.

527 (e) Progress toward meeting the goals of individualized
528 family support plans.

529 (f) Any additional measures established by the department.

530 (6) STATE INTERAGENCY COORDINATING COUNCIL.—The Florida
531 Interagency Coordinating Council for Infants and Toddlers shall
532 serve as the state interagency coordinating council required by
533 34 C.F.R. s. 303.600. The council shall be housed for
534 administrative purposes in the department, and the department
535 shall provide administrative support to the council.

536 (7) TRANSITION TO EDUCATION.—

537 (a) At least 90 days before a child reaches 3 years of
538 age, the local program office shall initiate transition planning
539 to ensure the child's successful transition from the Early Steps
540 Program to a school district program for children with
541 disabilities or to another program as part of an individual
542 family support plan.

543 (b) At least 3 months before a child reaches 3 years of
544 age, the local program office shall:

545 1. Notify the local school district in which the child
546 resides and the Department of Education that the child may be

547 eligible for special education or related services as determined
548 by the local school district pursuant to ss. 1003.21 and
549 1003.57, unless the child's parent or legal guardian has opted
550 out of such notification; and

551 2. Upon approval by the child's parent or legal guardian,
552 convene a transition conference that includes participation of a
553 local school district representative and the parent or legal
554 guardian to discuss options for and availability of services.

555 (c) The local school district shall evaluate and determine
556 a child's eligibility to receive special education or related
557 services pursuant to part B of the federal Individuals with
558 Disabilities Education Act and ss. 1003.21 and 1003.57.

559 (d) The local program office, in conjunction with the
560 local school district, shall modify a child's individual family
561 support plan or, if applicable, the local school district shall
562 develop an individual education plan for the child pursuant to
563 ss. 1003.57, 1003.571, and 1003.5715, which identifies special
564 education or related services that the child will receive and
565 the providers or agencies that will provide such services.

566 (e) If a child is determined to be ineligible for school
567 district program services, the local program office and the
568 local school district shall provide the child's parent or legal
569 guardian with written information on other available services or
570 community resources.

571 (f) The local program office shall negotiate and maintain
572 an interagency agreement with each local school district in its

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573 service area pursuant to the Individuals with Disabilities
574 Education Act, 20 U.S.C. s. 1435(a)(10)(F). Each interagency
575 agreement must be reviewed at least annually and updated upon
576 review, if needed.

577 Section 7. Subsections (1) and (2) of section 413.092,
578 Florida Statutes, are amended to read:

579 413.092 Blind Babies Program.—

580 (1) The Blind Babies Program is created within the
581 Division of Blind Services of the Department of Education to
582 provide community-based early-intervention education to children
583 from birth through 5 years of age who are blind or visually
584 impaired, and to their parents, families, and caregivers,
585 through community-based provider organizations. The division
586 shall enlist parents, ophthalmologists, pediatricians, schools,
587 the Early Steps Program ~~Infant and Toddlers Early Intervention~~
588 ~~Programs~~, and therapists to help identify and enroll blind and
589 visually impaired children, as well as their parents, families,
590 and caregivers, in these educational programs.

591 (2) The program is not an entitlement but shall promote
592 early development with a special emphasis on vision skills to
593 minimize developmental delays. The education shall lay the
594 groundwork for future learning by helping a child progress
595 through normal developmental stages. It shall teach children to
596 discover and make the best use of their skills for future
597 success in school. It shall seek to ensure that visually
598 impaired and blind children enter school as ready to learn as

599 their sighted classmates. The program shall seek to link these
600 children, and their parents, families, and caregivers, to other
601 available services, training, education, and employment programs
602 that could assist these families in the future. This linkage may
603 include referrals to the school districts and the Early Steps
604 ~~Infants and Toddlers Early Intervention~~ Program for assessments
605 to identify any additional services needed which are not
606 provided by the Blind Babies Program. The division shall develop
607 a formula for eligibility based on financial means and may
608 create a means-based matrix to set a copayment fee for families
609 having sufficient financial means.

610 Section 8. Subsection (1) of section 1003.575, Florida
611 Statutes, is amended to read:

612 1003.575 Assistive technology devices; findings;
613 interagency agreements.—Accessibility, utilization, and
614 coordination of appropriate assistive technology devices and
615 services are essential as a young person with disabilities moves
616 from early intervention to preschool, from preschool to school,
617 from one school to another, and from school to employment or
618 independent living. If an individual education plan team makes a
619 recommendation in accordance with State Board of Education rule
620 for a student with a disability, as defined in s. 1003.01(3), to
621 receive an assistive technology assessment, that assessment must
622 be completed within 60 school days after the team's
623 recommendation. To ensure that an assistive technology device
624 issued to a young person as part of his or her individualized

625 family support plan, individual support plan, or an individual
626 education plan remains with the individual through such
627 transitions, the following agencies shall enter into interagency
628 agreements, as appropriate, to ensure the transaction of
629 assistive technology devices:

630 (1) The Early Steps ~~Florida Infants and Toddlers Early~~
631 ~~Intervention~~ Program in the Division of Children's Medical
632 Services of the Department of Health.

633
634 Interagency agreements entered into pursuant to this section
635 shall provide a framework for ensuring that young persons with
636 disabilities and their families, educators, and employers are
637 informed about the utilization and coordination of assistive
638 technology devices and services that may assist in meeting
639 transition needs, and shall establish a mechanism by which a
640 young person or his or her parent may request that an assistive
641 technology device remain with the young person as he or she
642 moves through the continuum from home to school to postschool.

643 Section 9. Section 391.303, Florida Statutes, is repealed.

644 Section 10. Section 391.304, Florida Statutes, is
645 repealed.

646 Section 11. Section 391.305, Florida Statutes, is
647 repealed.

648 Section 12. Section 391.306, Florida Statutes, is
649 repealed.

650 Section 13. Section 391.307, Florida Statutes, is

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651 | repealed.

652 | Section 14. This act shall take effect July 1, 2016.