



180258

LEGISLATIVE ACTION

Senate

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House

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Appropriations Subcommittee on Health and Human Services  
(Harrell) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 33 - 70

and insert:

of at least Level 4 and up to Level 6, or assessed using the  
criteria deemed appropriate by the Agency for Health Care  
Administration regarding the need for a specialized placement in  
an intermediate care facility for the developmentally disabled.

(c) The applicant has not had a facility license denied,  
revoked, or suspended within the 36 months preceding the request



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11 for exemption.

12 (d) The applicant must have at least 10 years of experience  
13 serving individuals with severe maladaptive behaviors in the  
14 state.

15 (e) The applicant must implement a state-approved staff  
16 training curriculum and monitoring requirements specific to the  
17 individuals whose behaviors require higher intensity, frequency,  
18 and duration of services.

19 (f) The applicant must make available medical and nursing  
20 services 24 hours per day, 7 days per week.

21 (g) The applicant must demonstrate a history of using  
22 interventions that are least restrictive and that follow a  
23 behavioral hierarchy.

24 (h) The applicant must maintain a policy prohibiting the  
25 use of mechanical restraints.

26 Section 2. Paragraph (o) is added to subsection (3) of  
27 section 408.036, Florida Statutes, to read:

28 408.036 Projects subject to review; exemptions.-

29 (3) EXEMPTIONS.—Upon request, the following projects are  
30 subject to exemption from subsection (1):

31 (o) For a new intermediate care facility for the  
32 developmentally disabled as defined in s. 408.032 which has a  
33 total of 24 beds, comprising three eight-bed homes, for use by  
34 individuals exhibiting severe maladaptive behaviors and co-  
35 occurring psychiatric diagnoses requiring increased levels of  
36 behavioral, medical, and therapeutic oversight. The applicant  
37 must not have had a license denied, revoked, or suspended within  
38 the 36 months preceding the request for exemption and must have  
39 at least 10 years of experience serving individuals with severe



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40 maladaptive behaviors in this state. The agency may not grant an  
41 exemption to an applicant that has been granted an exemption  
42 under this paragraph unless the facility awarded the exemption  
43 has been

44

45 ===== T I T L E A M E N D M E N T =====

46 And the title is amended as follows:

47       Delete line 10

48 and insert:

49       from granting an additional exemption to an applicant