

By the Appropriations Committee on Health and Human Services;
the Committee on Children, Families, and Elder Affairs; and
Senators Jones and Garcia

603-03212-26

2026794c2

1 A bill to be entitled
2 An act relating to the Agency for Persons with
3 Disabilities; amending s. 393.0655, F.S.; requiring
4 level 2 employment screening for all employees of
5 residential facilities and adult day training
6 programs; providing background screening requirements
7 for such employees; requiring the agency to contract
8 with a state university to develop and administer
9 certain surveys for a specified purpose; specifying
10 requirements for such surveys; requiring the state
11 university to submit a final report to the agency by a
12 specified date; requiring the agency to solicit input
13 and conduct publicly noticed hearings for a specified
14 purpose in each service region; requiring the agency
15 to conduct or contract for a gap analysis to make
16 certain assessments; requiring the agency to use
17 certain information to identify certain core
18 competencies and performance metrics and make
19 recommendations for standardizing assessments;
20 requiring the agency to submit a report of its
21 findings and recommendations to the Governor and the
22 Legislature by a specified date; amending s. 393.063,
23 F.S.; revising the definition of the term
24 "developmental disability"; defining the term "Tatton-
25 Brown-Rahman syndrome"; providing effective dates.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Subsection (1) of section 393.0655, Florida

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30 Statutes, is amended to read:

31 393.0655 Screening of direct service providers.—

32 (1) MINIMUM STANDARDS.—The agency shall require level 2
33 employment screening pursuant to chapter 435 for direct service
34 providers who are unrelated to their clients, including support
35 coordinators, and all employees ~~managers and supervisors~~ of
36 residential facilities or adult day training programs licensed
37 under this chapter and any other persons, including volunteers,
38 who provide care or services, who have access to a client's
39 living areas, or who have access to a client's funds or personal
40 property. Background screening for all employees must include
41 employment history checks as provided in s. 435.03(1) and local
42 criminal records checks through local law enforcement agencies.

43 (a) A volunteer who assists on an intermittent basis for
44 less than 10 hours per month does not have to be screened if a
45 person who meets the screening requirement of this section is
46 always present and has the volunteer within his or her line of
47 sight.

48 (b) Licensed physicians, nurses, or other professionals
49 licensed and regulated by the Department of Health are not
50 subject to background screening pursuant to this section if they
51 are providing a service that is within their scope of licensed
52 practice.

53 (c) A person selected by the family or the individual with
54 developmental disabilities and paid by the family or the
55 individual to provide supports or services is not required to
56 have a background screening under this section.

57 (d) Persons 12 years of age or older, including family
58 members, residing with a direct services provider who provides

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59 services to clients in his or her own place of residence are
60 subject to background screening; however, such persons who are
61 12 to 18 years of age shall be screened for delinquency records
62 only.

63 Section 2. (1) (a) For purposes of enhancing the quality,
64 capacity, and consistency of waiver support coordination
65 services, the Agency for Persons with Disabilities shall
66 contract with a state university to develop and administer
67 surveys regarding waiver support coordination services. The
68 university shall administer surveys to owners and operators of
69 all qualified organizations in this state; support coordinators
70 currently employed by a qualified organization; and iBudget
71 clients and their parents, caregivers, or legal guardians.

72 1. The surveys must, at a minimum, solicit data and input
73 regarding:

74 a. The quality, consistency, and accessibility of services
75 provided by support coordinators.

76 b. Attributes and behaviors that define high-quality
77 support coordination.

78 c. Best practices and areas for improvement.

79 d. Quantitative and qualitative metrics suitable for
80 assessing support coordinator performance.

81 e. Any other factors deemed pertinent by the university or
82 the agency to improve service delivery.

83 2. Surveys of qualified organizations must also
84 specifically address:

85 a. Professional and educational prerequisites established
86 by the organization for employment as a support coordinator.

87 b. Methods used to assess core competencies.

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88 c. The efficacy of the mentoring program required under s.
89 393.0663(2)(b), Florida Statutes.

90 d. Operational and systemic challenges with recruitment and
91 retention of qualified support coordinators.

92 3. Surveys of individual waiver support coordinators must
93 also specifically address:

94 a. Individual caseload ratios, capacity, and geographic
95 service areas.

96 b. The efficacy of the mentoring program required under s.
97 393.0663(2)(b), Florida Statutes.

98 c. Operational and systemic challenges to delivery of
99 effective support coordination.

100 4. Surveys of iBudget clients and their parents,
101 caregivers, or legal guardians must also specifically address
102 satisfaction with support coordination services.

103 (b) By October 1, 2026, the state university shall submit a
104 final report to the agency, including a compilation and analysis
105 of the survey results.

106 (2) The agency shall solicit input on enhancing support
107 coordinator quality, capacity, and consistency from the whole
108 community of waiver program stakeholders, and shall conduct at
109 least one publicly noticed hearing for this purpose in each
110 service region.

111 (3) The agency shall conduct or contract for a gap analysis
112 to assess the geographic distribution and caseload capacity of
113 waiver support coordinators across this state.

114 (4) Using the information gathered under this section, the
115 agency shall identify specific core competencies for waiver
116 support coordinators, identify specific performance metrics to

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117 assess those core competencies, and make recommendations on how
118 to standardize their assessment. By February 15, 2027, the
119 agency shall submit a report to the Governor, the President of
120 the Senate, and the Speaker of the House of Representatives on
121 its findings and recommendations, and include the full report
122 submitted by the state university under subsection (1).

123 (5) This section shall take effect upon this act becoming a
124 law.

125 Section 3. Present subsections (46) and (47) of section
126 393.063, Florida Statutes, are redesignated as subsections (47)
127 and (48), respectively, a new subsection (46) is added to that
128 section, and subsection (11) of that section is amended, to
129 read:

130 393.063 Definitions.—For the purposes of this chapter, the
131 term:

132 (11) "Developmental disability" means a disorder or
133 syndrome that is attributable to intellectual disability,
134 cerebral palsy, autism, spina bifida, Down syndrome, Phelan-
135 McDermid syndrome, ~~or~~ Prader-Willi syndrome, or Tatton-Brown-
136 Rahman syndrome; that manifests before the age of 18; and that
137 constitutes a substantial handicap that can reasonably be
138 expected to continue indefinitely.

139 (46) "Tatton-Brown-Rahman syndrome" means a disorder caused
140 by a mutation in the DNMT3A gene typified by mild to severe
141 intellectual disability; macrocephaly; stature and weight that
142 are greater than or equal to two or more standard deviations
143 above the mean for the person's age and sex; and any of the
144 following features presenting in infancy, childhood, or
145 adolescence:

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- 146 (a) Mild facial dysmorphism.
147 (b) Joint hypermobility.
148 (c) Hypotonia.
149 (d) Kyphoscoliosis.
150 (e) Seizures.
151 (f) Cryptorchidism.
152 (g) Deficits in behavior.
153 (h) Hematologic malignancies.

154 Section 4. Except as otherwise expressly provided in this
155 act and except for this section, which shall take effect upon
156 this act becoming a law, this act shall take effect July 1,
157 2026.