



Capitol Connection



Week Three - March 23, 2013

BUDGET ALLOCATIONS IN; MEDICAID EXPANSION ALTERNATIVE INTRODUCED

Legislators continued to hash out bills ahead of the Easter/Passover break next week. Budget allocations have been given to House and Senate Appropriations subcommittees. Although there is more available money in the budget than in recent years, advocates will be paying close attention to the details in the coming weeks in order to seek modest increases in historically underfunded areas or to protect funding for others, including better understanding an \$8 million reduction in VPK funding which appears to be the result of a reduced four-year-old population. Also this week, Sen. Joe Negron (R-Stuart) formerly introduced his alternative to Medicaid expansion in the Senate Appropriations Committee. With [SB 7038](#), Sen. Negron is essentially proposing a compromise between those who are strongly against expanding the entitlement program and those who want to take advantage of the Affordable Care Act's generous federal funding to extend coverage to nearly one million Floridians. More on health care may be found below.

STATE & LOCAL REVENUES

Special Districts

[SB 538](#) by Sen. Jeremy Ring (D-Palm Beach) and Sen. Joe Negron (R-Stuart) establishes a process for the administrative consolidation of independent districts (e.g. staffing/personnel, contracting and purchasing responsibilities, IT functions, facilities management, etc.). The bill also requires these districts to include an ex-officio, non-voting representative of the local general-purpose government as a member of the district board. The Children's Services Councils along with hospital districts are exempted from most of the provisions of the bill. The Senate Ethics & Elections Committee considered CS/SB 538, but ongoing concerns forced the bill to be temporarily deferred with no vote taken by the members. [HB 881](#) by Rep. Lake Ray (R-Jacksonville) awaits consideration by the House Local & Federal Affairs Committee.

Property Tax Proposals

The House and Senate Finance & Tax Committees workshopped proposed changes to the state's property tax laws. Some of the issues on the table for consideration this session include the following:

- Allowing counties to provide automatic renewal of the assessment reduction for living quarters built for and used by parents and grandparents ("granny flats").
- Clarifying that the Senior Homestead Exemption is permissible "up to" \$50,000.
- Repealing the recent expansion of the affordable housing exemption that allows limited partnerships to qualify for this exemption as long as their general partner is a 501(c)(3) organization. This repeal will increase local property tax revenues by \$23.4 million in FY

2013-2014.

- Permitting electronic transmission of property tax documents by property appraisers and value adjustment boards.
- Removing the unconstitutional provision in chapter 196.031, F.S., that requires the property owner to reside on the property in order to receive homestead exemption.

EARLY LEARNING

Early Learning Overhaul

Advocates finally received the much-anticipated House Education Committee's comprehensive early learning bill. Spanning 109 pages, the bill has not received a number, but was recently posted on the [Florida House of Representatives website](#) (starting on page 36 of this document). At the conclusion of Friday's committee meeting, Chair Marlene O'Toole (R-Lady Lake) asked that each member take a printed version of the language with them in preparation for the next meeting scheduled for this coming Wednesday. Advocates will use this time to complete analyses and be prepared for the discussion on Wednesday.

Relating to Voluntary Prekindergarten Education Programs

Sen. Rene Garcia (R-Hialeah) is sponsoring a bill relating to Voluntary Prekindergarten Education Programs, which would develop and adopt performance standards that address the age-appropriate progress of students in the development of student learning growth. [SB 1624](#) would also direct DOE to require that a school district administer the statewide kindergarten screening in a student's primary language. This bill still has not yet been heard, nor does it have a House companion. However, the Senate Education Appropriations Subcommittee released its preliminary 2013-2014 education funding plan, which included a VPK program reduction of \$8.3 million connected to the anticipated reduction in enrollment.

HEALTHY CHILDREN

Thursday, March 21 - Senator Negron presents Healthy Florida, an alternative to Medicaid expansion

Following last week's announcement by the Senate Select Committee on the Patient Protection and Affordable Care Act that they would not support expanding Medicaid, details of two alternatives began to emerge this week. Although time was running out during his Health Policy Committee and he was not able to fully discuss his plan, Sen. Aaron Bean (R-Fernandina Beach) briefly discussed his proposed alternative to Medicaid expansion. Most notably, his plan would not take advantage of any federal dollars and would utilize the existing Florida Health Choices program. Details were limited and Sen. Bean has yet to release a written plan or bill.

After stating last week that he was more interested in developing a "Florida Plan" rather than a "Washington Plan," Sen. Joe Negron unveiled his proposal [SB 7038](#) to create the "Healthy Florida" program within the existing Florida Healthy Kids Corporation. Instead of adding more than one million newly eligible Floridians to Medicaid, a program that Negron believes is broken and creates a system of dependence, eligible residents will be given premium assistance to purchase insurance in a private exchange. Participants in this program will be required to "have some skin in the game" by paying some portion of their premium and/or co-payments. Though specific details relating to how much they will be required to chip in were not available, Sen. Negron mentioned \$2 as a possible amount for a hospital visit. As opposed to the Bean Plan, Sen. Negron reiterated his intention to take advantage of the approximately \$55 billion in federal dollars. This bill also contains many provisions supported by healthcare advocates, including continuous eligibility, electronic eligibility determination, an acceptable Medical Loss Ratio and others.

Although some health care advocates still insist that Medicaid expansion is the best option for providing maximum coverage and ensuring quality of care, Sen. Negron's plan is beginning to garner broader support, most notably from a number of advocacy groups and the hospitals. Amendments are already emerging, including one offered by Sen. Eleanor Sobel (D-Hollywood) that would change the board of directors from a governor-appointed board to a more representative one. However, garnering support from the House of Representatives may be significantly more difficult. It is said that the House is currently leaning towards developing an alternative similar to Sen. Bean's proposal,

which would not include federal funds, during the summer.

Florida KidCare Program

[HB 689](#) by Rep. Gayle Harrell (R-Stuart) remains in the House Health Care Appropriations Subcommittee after being passed unanimously out of its first committee last week. This bill, and its companion [SB 548](#) by Sen. Nancy Detert (R-Venice Beach), would allow Federally Qualified Health Centers to presumptively enroll children deemed eligible in the Florida KidCare Program for a brief period of time (approximately 45 days) while their application is being formally processed. This service, which is already available for pregnant women, will allow children to receive critical immediate treatment and follow up care, including services and medication, and will also improve enrollment capacity. SB 548 has not yet been heard, and remains in the Children, Families, and Elder Affairs Committee.

Sen. Rene Garcia's (R-Hialeah) [SB 704](#) would remove a five-year prohibition and allow legally residing immigrant children in the United States to be eligible for KidCare since the federal government now provides a match for these children. This bill has been referred to the Senate Health Policy Committee, but has not been heard yet. The House companion for this bill, [HB 4023](#) by Rep. Jose Diaz (R-Miami), is currently awaiting a hearing in the House Healthy Families Subcommittee. Both bill sponsors have requested that their bills be placed on the agenda of the first committee of reference and are working hard to correct flawed assumptions used to generate inaccurate high fiscal impacts. For proponents of the bills, it is important to continue to seek co-sponsors and contact members to help get the bills heard.

A separate "take action" alert will be sent next week with specific steps to take.

Other bills affecting children's health and safety:

Infant Death

[SB 56](#) has passed through all of its committees, and was heard on first reading on the floor this week. The bill, by Sen. Alan Hays (R-Umatilla), provides birth center clients with education on safe sleep habits. Yesterday, the House companion, [HB 83](#) by Rep. David Santiago (R-Deltona), passed favorably out of its last committee, Health and Human Services, with an amendment that extended the time by which an autopsy must be conducted to 72 hours.

Texting While Driving

A bill banning texting while driving continues to move steadily through both houses. [SB 52](#) by Sen. Nancy Detert (R-Venice Beach) remains in its final committee, Senate Judiciary. At this time, the Chairman of the committee, Sen. Tom Lee (R-Brandon) refuses to hear the bill. [HB 13](#) by Rep. Doug Holder (R-Sarasota) is also in its last committee, House Economic Affairs. Sen. Detert noted that the bill was a compromise bill in that texting while driving will be a secondary offense, but that this was a significant step and that "a law is a law."

Victims of Human Trafficking

[SB 1644](#) by Sen. Anitere Flores (R-Miami) passed unanimously and is now headed to Judiciary, which is its last stop before the floor. Its companion, [HB 1325](#) by Rep. Ross Spano (R-Riverview) also passed unanimously out of the House Criminal Justice Subcommittee and is now in the Justice Appropriations Committee.

Disability Awareness

[SB 226](#) by Sen. Jeremy Ring (D-Margate) requires district school boards to provide disability history and awareness instruction in all K-12 public schools. A proposed amendment removes the advisory council component, which Sen. Maria Sachs (D-Delray Beach) compared to removing the engine from a car. Members had questions about who would develop, approve, implement, and ensure curriculum is taught. Sen. Sachs proposed that the bill be temporarily postponed. Its companion, [HB 129](#) by Rep. Richard Stark (D-Weston), is currently in the House K-12 Subcommittee, but has not yet been heard.

Children Who are Deaf or Hard of Hearing

[CS/SB 1240](#) by Sen. Garrett Richter (R-Naples) and Sen. Aaron Bean (R-Fernandina Beach) was passed on a vote of 8:1 in the Senate Health Policy Committee on Wednesday. The bill requires health care providers to provide an opportunity for a child's parent or legal guardian to provide contact information so that he or she may receive information, including that relating to cochlear implants

when a hearing loss is identified; requires the Florida Department of Health to register certain service providers and institutions; allows a parent or legal guardian to request services from a participating service provider; and, provides that the level of services received is based on the child's individualized education program or individual and family service plan. The House companion, [HB 1391](#) by Rep. MaryLynn Magar (R-Tequesta) is still in the House Health Quality Subcommittee waiting to be heard.

CHILD WELFARE

Foster Children

Independent Living

[HB 1315](#) by Rep. Keith Perry (R-Gainesville) would expand foster care to age 21; allow youth who stay in foster care to choose to stay in their foster home, group home or in another supervised environment such as a college dormitory, shared housing, apartment or another housing arrangement; focus on education for foster children and youth and on keeping them stable in school; provide supports to succeed in postsecondary education; and continue the Road to Independence stipend for students in colleges/universities. One young woman testified that although she had very supportive foster parents who taught her living skills including budgeting, she was still not ready to live alone at 19 and would be moving back in with her foster parents. Another young man testified that two of his foster brothers soon found themselves homeless after turning 18, but were not legally allowed to return to their foster home. Of about 3,000 children in the Independent Living Program, about 1,600 are working towards a GED according to the Florida Department of Children and Families. Rep. Shevrin Jones wanted to know how many were considering joining the military, for which GEDs are not adequate. Rep. Kathleen Peters commented that for too long, "we had let these children down" and set them up to fail. The bill sponsor received a standing ovation from the entire committee room for his efforts. Chair Gayle Harrell (R-Stuart) commented that this bill in combination with the "Normalcy" bill, showed how much the committee was doing to make a real difference in the lives of foster children. The bill passed unanimously and is now heading to the House Health Care Appropriations Subcommittee. Its companion, [SB 1036](#) by Sen. Nancy Detert (R-Venice Beach), is currently in the Senate Judiciary Committee, but has not yet been put on the agenda.

Children in Foster Care

[SB 164](#) by Sen. Nancy Detert (R-Venice Beach) was read on the floor of the Senate this past Tuesday and has now been placed on third reading. This bill and its House counterpart, [HB 215](#) by Rep. Ben Albritton (R-Bartow), are also referred to as the Quality Parenting for Children in Foster Care Act or the "Normalcy" bill. It recognizes the importance of providing the child with the most family-like living experience possible, encourages foster parents and other caregivers for children in foster care to allow their children to participate in activities at school and in the community, gives caregivers of children in out-of-home care the latitude to decide what is best for their children, allows children in out-of-home care to participate in normal activities and more. HB 215 passed unanimously out of the House last week with a 116 to 0 vote.

Appointment of an Attorney for a Dependent Child with Disabilities

[SB 1468](#) by Sen. Tom Lee (R-Brandon) and [HB 1241](#) Rep. Neil Combee (R-Polk City) both passed unanimously out of their respective committees this past Monday. These bills would require an attorney for a dependent child with disabilities to be appointed in writing, ensures that the appointment continues in effect until the attorney is permitted to withdraw or is discharged by court or until the case is terminated and provides that an attorney be adequately compensated for his or her service. SB 1468 is now in the Senate Children, Families, and Elder Affairs Committee, and HB 1241 is on its way to the House Justice Appropriations Subcommittee.

JUVENILE JUSTICE

Relating to Juvenile Justice Education

[SB 1406](#) by Sen. Aaron Bean (R-Fernandina Beach) passed unanimously out of committee this week. A strike all amendment removed its fiscal impact. During the meeting, Sen. Audrey Gibson (D-Jacksonville) had questions concerning how the 10-hour volunteer service requirement would be implemented, but was assured that districts would have the flexibility to tailor programs to their communities. If passed, the bill would enhance transition services by requiring that local school districts, Florida Department of Juvenile Justice reentry personnel and local workforce personnel be

part of a youth's transition planning. It would also require that school districts consider the needs of individual youth when they return to school and enhance career and technical training. This bill seeks to improve accountability, enhance access to virtual education, and require state and federal education dollars to follow the youth who generate them. Its next stop is the Senate Education Committee. Its companion, [HB 441](#) by Rep. Janet Adkins (R-Fernandina Beach), is currently in the House Appropriations Committee.

Relating to Juvenile Justice Circuit Advisory Boards and Juvenile Justice County Councils
[SB 676](#) by Sen. Greg Evers (R-Pensacola) seeks to streamline juvenile justice circuit boards and juvenile justice county councils by merging them into a single entity: juvenile justice circuit advisory boards, which are to be established in each of the 20 judicial circuits. Except in single-county circuits, each juvenile justice circuit advisory board shall have a county organization representing each of the counties in the circuit. The county organization shall report directly to the juvenile justice circuit advisory board on the juvenile justice needs of the county. The bill specifies that the purpose of each juvenile justice circuit advisory board is to provide advice and direction to the Florida Department of Juvenile Justice in the development and implementation of juvenile justice programs, and to work collaboratively with the department in seeking improvements and policy changes to address the emerging and changing needs of Florida's youth who are at risk of delinquency. Each member of the juvenile justice circuit advisory board must be approved by the secretary of the department, except for certain specified members. SB 676 is in the Senate Criminal and Civil Justice Appropriations Committee. After passing out of the House Criminal Justice Subcommittee last week, the House companion, [HB 617](#) by Rep. Ray Pilon (R-Sarasota), is still in the House Local & Federal Affairs Committee and has not yet been placed on the agenda.

Please contact Diana Ragbeer, Director of Public Policy and Communications at diana@thechildrenstrust.org should you need further information.