



Capitol Connection



Week Six - April 13, 2013

CHILDREN'S WEEK; BUDGETS APPROVED BY BOTH CHAMBERS, NOW HEAD TO CONFERENCE

As the strings of paper hands were strung throughout the rotunda, groups of visiting children and youth from across the state roamed the halls, engaging members and offering their refreshing perspectives on a wide range of issues. Week six was Children's Week at the capitol and was, as always, one of the highlights of the year.

Budget

In other news, budgets were at the forefront this week and were heard on the floors of both chambers. Following the lead of the Senate, the House met on Friday to finalize its \$74.4 billion budget. Unlike the Senate, whose budget passed with total bipartisan support, the House plan was opposed by 16 Democrats and one Republican, Rep. John Tobia (R-Melbourne Beach). Democrats have been critical of the budget due to the lack of funding for a viable alternative to Medicaid expansion. The passage of the budget will allow the two sides to begin conference next week. The Senate has scheduled conference meetings beginning Tuesday evening. A list of all the Senate conferees was released and can be found below, while their House counterparts will be designated soon.

Below are some budget highlights of children's programs:

| Program | Senate Total (SB 1500) | House Total (HB 5001) | Difference |
|--|---------------------------|--------------------------|------------|
| School Readiness | 581,134,629 | 581,134,629 | 0 |
| VPK | 404,927,801 | 404,927,801 | 0 |
| Total Base Student Allocation (BSA) | 2,383 | 2,383 | 0 |
| TEACH | 3,000,000 | 3,000,000 | 0 |
| Healthy Families | 18,100,000 | 18,100,000 | 0 |
| Healthy Kids | 239,156,746 | 239,156,746 | 0 |

| | | | |
|--|-------------|-------------|-----------|
| CMS | 129,589,442 | 129,589,441 | 1 |
| Medikids | 55,933,374 | 55,933,375 | 1 |
| | | | |
| Healthy Start | 23,641,947 | 23,641,947 | 0 |
| Early and Periodic Screenings for Children | 354,166,322 | 354,166,322 | 0 |
| | | | |
| Child Protection | 32,112,844 | 32,362,844 | 250,000 |
| Independent Living | 6,531,793 | 6,181,793 | 350,000 |
| | | | |
| Juvenile Justice Prevention | | | |
| CINS/FINS | 32,790,974 | 32,340,974 | 450,000 |
| Guardian ad Litem | 36,057,248 | 32,457,305 | 3,599,943 |
| PACE | 12,743,599 | 12,075,781 | 667,818 |

Early Steps

The Early Steps program is fully funded at last year's level in both the Senate and House budgets, but does not include an additional \$5.6 million requested in funding to ensure the program has the capacity to serve a growing birth to three Early Steps population with significant developmental challenges, including dramatic increases in children with autism.

2013 Senate Budget Conferees Announced

Appropriations Conference Committee on Criminal and Civil Justice

Rob Bradley, Chair, Jeff Clemens, Miguel Diaz de la Portilla, Rene Garcia, and Arthenia Joyner.

Appropriations Conference Committee on Education

Bill Galvano, Chair, Dwight Bullard, Nancy Detert, John Legg, Bill Montford, Maria Sachs, and John Thrasher.

Appropriations Conference Committee on Finance and Tax

Dorothy Hukill, Chair, Joseph Abruzzo, Thad Altman, Jeff Brandes, Greg Evers, Jeremy Ring, and David Simmons.

Appropriations Conference Committee on General Government

Alan Hays, Chair, Oscar Braynon, Charlie Dean, Wilton Simpson, Darren Soto, and Kelli Stargel.

Appropriations Conference Committee on Health and Human Services

Denise Grimsley, Chair, Aaron Bean, Anitere Flores, Audrey Gibson, and Eleanor Sobel.

Appropriations Conference Committee on Transportation, Tourism, and Economic Development

Andy Gardiner, Chair, Jack Latvala, Tom Lee, Gwen Margolis, and Geraldine Thompson.

EARLY LEARNING

Early Learning Bill Released

After many weeks of debate and drafting, the House Education Committee released a bill addressing comprehensive early learning reform this week. [HB 7165](#) by Chair Marlene O'Toole (R-Lady Lake) will replace EDC2 and other unnumbered drafts, which have been circulating amongst advocates and stakeholders the past few weeks. The bill has been referred to only one committee: Appropriations.

Some basic components of the bill include:

- Moves the Office of Early Learning to the Florida Department of Education (DOE) and will be headed by an executive.
- Accomplishes the vision of the House Education Committee related to transparency and prevention of fraud.
- Transfers many of the current law responsibilities and duties of DOE related to the VPK program to the Office of Early Learning.
- Includes provisions for standardized provider agreements and monitoring tools for compliance. This will ensure providers have clarity for contractual expectations related to School Readiness and VPK.
- Provides accessible online information related to the Division and coalition activities, as well as data on children and providers in the School Readiness and VPK programs. This will not only bring transparency to the early learning system, but also make accessible critical data elements for all stakeholders and partners.

Notable amendments and added language to this draft include:

- Requires private pre-kindergarten providers to maintain a minimum level of liability insurance consistent with private preschool providers.
- Revises the duties of the Early Learning Advisory Council by requiring the Advisory Council to provide recommendations on the most effective and efficient use of funds, professional development, training and best practices.
- Allows providers to serve siblings in the summer before they enter kindergarten through sixth grade, provided that they attempt use local revenues first.
- Prohibits the office and coalitions from requiring providers to complete a pre/post-assessment.
- Phases in caps on administrative expenditures, starting at 22% for 2013-2014, 20% for 2014-2015, and 18% for 2015-2016. Early Learning Coalitions have said too restrictive a cap will prevent them from implementing certain quality measures.
- Requires toddlers and infants to receive language, reading, and music exposure to stimulate brain development due to an amendment by Rep. Joe Saunders (D-Orlando).

Testimony was offered by:

- Ted Granger, from the United Way of Florida, who thanked the committee for their open-door policy and facilitating teamwork among the stakeholders.
- Fely Curva, from Florida Impact, who thanked the committee and staff for a section of the bill that would allow nonprofits, parks and recreation departments, and faith-based organizations to provide suppers to youths and bring in millions of dollars of federal funds.
- Brittany Birken, CEO of the Florida Children's Council, who thanked the committee and staff for improving educational provisions in the bill.
- Susanne Gellens, from the Florida Association for the Education of Young Children, who expressed concerns that the bill removed the term "nationally" from appearing before accrediting standards.

The Senate companion for Rep. O'Toole's early learning bill, [SB 1722](#) by Sen. John Legg (R-Lutz), was supposed to be heard on Thursday in the Education Appropriations Subcommittee, but was temporarily postponed without discussion. Though no reason was given publicly, it is suspected that the short turnaround time between the House's introduction of their PCB left the Senate staff with too little time to complete the strike-all amendment that will conform Sen. Legg's bill to Rep. O'Toole's. It is already on the agenda to be heard this coming Wednesday at 8:30 a.m.

In other early learning news, while presenting the education component of the House budget on

Thursday, Rep. Eric Fresen (R-Miami) was asked if it was possible to allocate additional money to reduce the School Readiness program waitlist. Rep. Fresen responded that the Early Learning Information System (ELIS) would soon be fully functional, thus creating a future mechanism to more accurately determine the number of children waiting for services and corresponding need for additional funding.

HEALTHY CHILDREN

The House Presents its Long-Awaited Alternative to Medicaid Expansion: The Health Choices Plus Program

Nearly one month after voting to reject Medicaid expansion, the House of Representatives put forward an alternate proposal for providing attainable health coverage this past week. Closely resembling the "Bean Plan," [PCB SPPACA 13-03](#) by Rep. Richard Corcoran (R-Land O'Lakes), would create "CARE accounts" that enrollees would use to purchase coverage in an insurance marketplace, as well as to pay premiums, copays, and other fees. Participants in the program will be required to put at least \$25 into the account, while the state will contribute \$2,000 - far more than Sen. Aaron Bean's (R-Fernandina Beach) plan proposed. Enrollees' employers or the enrollees themselves may make deposits into the account to purchase more desirable plans. Like Sen. Bean's proposal, the program will operate out of the Florida Health Choices Program and also require the enrollee to be employed at least part time. Unlike the plan by Sen. Joe Negron (R-Stuart), the Health Choices Plus Program will only be available to Floridians at or below 100% of the federal poverty level and will be funded solely with state revenues. Though no staff analysis has been released yet, a report released by the House Majority Office reports that the bill will have "a total annualized cost of \$237 million to serve all 145,000 adults (with 115,700 actually enrolling)." The Governor's office quickly released a statement condemning the proposal for double taxing Floridians by requiring significant state general revenue and failing to bring back federal funds to the state. The bill will be discussed during the next meeting of the House Select Committee on PPACA on Monday at 1 p.m.

And in breaking news, according to a *Health News Florida* article published late yesterday, there could be an additional \$430 million in annual savings if Florida accepts federal dollars available through the Affordable Care Act. Based on a report issued by the Agency for Health Care Administration, the savings will come from the Obama administration's recent pledge to pay the full cost of "Medically Needy" recipients each year. These are patients with serious illnesses who can't afford to pay their medical bills. It will be important to see what impact this will have on the debate with three weeks to go in the legislative session.

Florida KidCare Program

A press conference was held by advocates this week to draw attention to the need for removing the five-year waiting period that prevents legal immigrant children from receiving healthcare. The bill sponsors, Sen. Rene Garcia (R-Hialeah) and Rep. Jose Felix Diaz (R-Miami), were joined by a number of legislators, including Sen. Anitere Flores (R-Miami), Sen. Oscar Braynon (D-Miami Gardens), Rep. Manny Diaz Jr. (R-Hialeah) and Rep. Jose Javier Rodriguez (D-Miami), as well as affected children, parents and advocates. Parents shared touching stories of how the ban has affected their ability to provide adequate healthcare for their children and pled with the Legislature to remove the outdated provision.

Specifically, Sen. Rene Garcia's [SB 704](#) would remove a five-year prohibition and allow legally residing immigrant children in the state to be eligible for KidCare as 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, is currently awaiting a hearing in the House Healthy Families Subcommittee. Neither bill has been heard, but a grossly inflated fiscal analysis provided by the Agency for Health Care Administration was recently reduced.

[SB 548](#) by Sen. Nancy Detert (R-Venice Beach) passed unanimously out of its first committee two

weeks ago. This bill, and its companion, 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. The bill will next be heard in the Appropriations Subcommittee on Health and Human Services. Its companion, [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. For proponents of the bills, it is important to contact members, including Senate President Don Gaetz (R-Niceville) and House Speaker Will Weatherford (R-Wesley Chapel), to help get the bills heard.

Other bills affecting children's health and safety:

Infant Death

A bill that would revise autopsy requirements performed by medical examiners is still waiting to be heard on the House floor. [HB 83](#) by Rep. David Santiago (R-Deltona) passed favorably out of its final committee weeks ago with an amendment that extended the time by which an autopsy must be conducted to 72 hours. The bill's companion, [SB 56](#) by Sen. Alan Hays (R-Umatilla), passed in the Senate a week ago with a unanimous vote and provides birth center clients with education on safe sleep habits.

Texting While Driving

A bill banning texting while driving, [SB 52](#) by Sen. Nancy Detert (R-Venice Beach), passed out of its final committee this week and will now go to the Senate floor. After being stuck in the Senate Judiciary Committee for one month, Chair Tom Lee (R-Brandon) at last agreed to hear the bill, which passed unanimously on Monday. Also called the "distracted driving" law, Sen. Detert noted that the bill was a compromise bill in that texting while driving will be a secondary offense, but that it was still a significant step. Its companion, [HB 13](#) by Rep. Doug Holder (R-Sarasota), passed out of House Economic Affairs on April 3 and has been placed on the calendar to be heard on the floor of the House.

Victims of Human Trafficking

[SB 1644](#) by Sen. Anitere Flores (R-Miami) passed unanimously out of the Senate Judiciary Committee on Monday. It has no more committee stops and will now go to the floor. The bill provides for the expungement of a criminal history record for a victim of human trafficking. Its companion, [HB 1325](#) by Rep. Ross Spano (R-Riverview), also passed unanimously out of the House Justice Appropriations Committee this week. It now goes to its final committee, Judiciary, before going to the floor.

Disability Awareness

After being temporarily postponed during its first hearing, [SB 226](#) by Sen. Jeremy Ring (D-Margate) passed out of the Senate Children, Families, and Elder Affairs Committee on Monday. The bill requires district school boards to provide disability history and awareness instruction in all K-12 public schools. An amendment that removed the advisory council component was withdrawn by the amendment's sponsor. The bill will now head to the Senate Education Appropriations Committee. Its companion, [HB 129](#) by Rep. Richard Stark (D-Weston), is currently in the House K-12 Subcommittee, but that committee has no more scheduled meetings.

Children's Initiatives

[SB 1322](#) by Sen. Audrey Gibson (D-Jacksonville) passed in the Senate Community Affairs Committee this past week. The bill will be heard next in Senate Appropriations, its final committee of reference. Its companion, [HB 411](#), passed unanimously out of the House Health Care Appropriations Subcommittee nearly two weeks ago. Rep. Reggie Fullwood's (D-Jacksonville) bill would establish the "New Town Success Zone" in Duval County and "Parramore Kidz Zone" in Orange County, modeled after the successful Harlem Children's Zone and Miami Children's Initiative, which allows projects to be managed by non-profit corporations that are not subject to control, supervision or direction by any

department of state. Its final stop is the House Health and Human Services Committee.

CHILD WELFARE

Cross-over Youth

[SB 1834](#), formerly [PCB 7134](#), by Children, Families, and Elder Affairs will be heard for the first time this week in the Senate Criminal Justice Committee on Monday at 3:30 pm. Its companion, [HB 7103](#) by Rep. Gayle Harrell (R-Stuart) awaits a hearing on the floor after having passed all of its committees. This PCB from the Healthy Families Subcommittee would create a pilot project addressing the needs of the most difficult and vulnerable children in the state's dependency system. This joint collaboration between the Florida Department of Juvenile Justice (DJJ) and Florida Department of Children and Families (DCF) would seek proposals from organizations in the pilot area to provide training, intervention programs and security measures at the pilot homes. Proposals will need to be innovative and suggest a solution that meets the unique needs of this population, including wrap-around services to address behavioral issues. Rep. Harrell estimated that approximately 600-900 children would qualify for this program, although it would begin as a small pilot program. She has said that many providers have already expressed interest in participating. The bill seeks to use existing resources within DCF and DJJ and will have no fiscal impact.

Foster Children

Independent Living

[SB 1036](#) by Sen. Nancy Detert (R-Venice Beach) passed unanimously out of the Senate Health and Human Services Appropriations Committee on Thursday and now heads to its final committee in Appropriations. The bill 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. Sen. Detert said passing this bill was a "happy, awesome chore," and cited a statistic that approximately a quarter of all foster care youth end up homeless soon after leaving the system. Its companion, [HB 1315](#) by Rep. Keith Perry (R-Gainesville), also passed out of House Health Care Appropriations Subcommittee and now goes to Health and Human Services, its final stop before going to the floor.

Children in Foster Care

The Governor signed a bill referred to as the "Normalcy" bill, or Quality Parenting for Children in Foster Care Act, into law this week. [HB 215](#) by Rep. Ben Albritton, which was substituted for [SB 164](#) by Sen. Nancy Detert (R-Venice Beach), was sent to the Governor for final approval just last week. This bill 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, and allows children in out-of-home care to participate in normal activities and more.

JUVENILE JUSTICE

Relating to Juvenile Justice Education

[HB 441](#) by Rep. Janet Adkins (R-Fernandina Beach) is awaiting a hearing on the floor after being passed unanimously out of the House Education Committee last week. 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 companion, [SB 1406](#) by Sen. Aaron Bean (R-Fernandina Beach), remains in the Senate Education Committee.

Relating to Juvenile Justice Circuit Advisory Boards and Juvenile Justice County Councils
[HB 617](#) by Rep. Ray Pilon (R-Sarasota) passed unanimously out of the House Judiciary Committee on April 3, but has not yet been heard on the floor. The bill 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. The House companion, [SB 676](#) by Sen. Greg Evers (R-Pensacola), is still in Appropriations, its final committee.

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