



Capitol Connection



Week Eight - April 28, 2013

ONE WEEK TO GO - BUDGET CONFERENCE WRAPPING UP; TIME RUNNING OUT FOR HEALTHCARE EXPANSION DEAL

With only one week to go until the end of session, late Tuesday, unresolved budget conference issues from last weekend were "bumped up" to the full budget chairs, Sen. Joe Negron (R-Stuart) and Rep. Seth McKeel (R-Lakeland), who are now leading the negotiations. All remaining open items will be further bumped to the Senate President and House Speaker later this weekend for final resolution. This will allow the budget to go to print by Tuesday, April 30, and be sent to members in time to observe the 72 hour cooling off period before being voted on prior to the end of session. Meanwhile, bills dealing with early learning, healthcare expansion and other issues affecting children are racing towards the finish line. However, with little time remaining, the final outcomes are unknown.

Some notable bump items going into the weekend include School Readiness equity reallocation and Early Steps program funding increases:

Early Learning/Education (line number)	Senate Final Offer	House Offer #3 (4/22/13)	Difference
School Readiness (28)	547,481,686	552,527,228	5,045,542
Healthy Children (line number)	Senate Offer #3	House Offer #3	
Early Steps - Additional Funding (344b)	3,000,000	0	3,000,000
Juvenile Justice Prevention (line number)	Senate Bump Offer #1	House Bump Offer	
Guardian ad Litem Volunteer Recruitment (253)	5,400,000	2,700,000	2,700,000
Reduce Funding for the Redirection Program (137)	-6,725,308	-6,000,000	725,308

Boys and Girls Clubs (143)	1,816,276	500,000	1,316,276
Big Brothers and Big Sisters (144)	500,000	100,000	400,000
Expand PACE Center for Girls (151)	2,000,000	1,157,848	842,152

Much progress is occurring on these issues as this report goes to print. Stay tuned for the wrap-up report next week.

EARLY LEARNING

House Early Learning Bill Passes; Senate Companion Bill Heads to the Floor

A bill that will bring sweeping changes to the governance structure of the state's Office of Early Learning (OEL) was passed unanimously by the full House this week on a 114:0 vote. [HB 7165](#) by Rep. Marlene O'Toole (R-Lady Lake) and the House Education Committee was created following many weeks of workshop discussion. The bill's companion, [SB 1722](#) by Sen. John Legg (R-Lutz), passed unanimously out of the Senate Appropriations Committee and will now head to the floor tomorrow. The bill is nearly identical to HB 7165, except for two significant differences. The House bill moves the Office of Early Learning to the Florida Department of Education (DOE) as a "stand alone" office, while the Senate version moves OEL into the Office of Independent Education and Parental Choice (OIEDPC) in DOE. It is currently unknown how this will work bureaucratically, given the greater size of OEL to OIEDPC. The second difference between the two bills relates to caps on non-direct, quality dollars. Rep. O'Toole's bill will start the cap at 22% for 2013-2014, and transition it to 20% for 2014-15, and finally settle at 18% for 2015-16. On the other hand, the Senate bill sets the cap immediately at 22%. It remains to be seen how the Senate and House will sort out these differences, but it will likely occur early this coming week.

HEALTHY CHILDREN

House Rejects Amendment Conforming to Senate's Medicaid Expansion Bill and Passes Controversial Florida Health Choices Plus Plan; Senate Alternatives Head to the Floor

House Republicans united again to defend a healthcare plan championed by leadership during a debate, which continued for many hours this past Thursday. For the second time in as many weeks, the majority party rejected a strike-all amendment by Rep. Mike Fasano (R-New Port Richey) that would have conformed the House's proposed low income health insurance plan, [HB 7169](#), to the Senate's Medicaid expansion vehicle by Sen. Joe Negron (R-Stuart) and the Senate. Rep. Fasano, a former Senator, often reminded his colleagues that his idea was proposed by a Republican, who also shared their fears of unsustainable costs down the road, but saw healthcare reform as too important an issue. He once again reiterated his belief that the high deductibles and copayments being proposed by the House would make their plan unaffordable to the people it sought to serve. Nearly every Democrat spoke in support of the Senate type amendment, with many sharing personal stories of the hardships of being without affordable healthcare coverage.

In defense of the original bill, Chair Richard Corcoran (R-Land O'Lakes) and other Republicans continued to assert that Medicaid is a fundamentally broken program, and that it would be fiscally irresponsible to further expand it. Referring to Medicaid as an inferior healthcare delivery system (to private insurance), Chair Corcoran stated it would be better for the long-term good of the state to cover half of the proposed population that Medicaid expansion or the Negron Plan would serve, but to provide more effective services and have less people dependent on the state. Many Republican Representatives praised Rep. Corcoran for developing a true alternative to Medicaid and "thinking outside of the box." Rep. Matt Hudson (R-Naples) reminded his fellow Representatives that although the federal government will be paying most of the cost of healthcare expansion now, their children and grandchildren would be paying for it later when the national debt becomes unsustainable. During the forceful and impassioned argument for his proposal, Rep. Corcoran also reiterated the difficulty in covering childless adults, citing earlier discussions on that population's fiscal unpredictability. The

strike-all was voted down along party lines, with Rep. Fasano being the only Republican in favor of the amendment. The bill was then taken up on Friday on Third Reading and passed largely on party lines with a 71:45 vote. The bill now heads over to the Senate for their consideration along with a hearing on the Senate plans.

Earlier in the week, both Senate alternatives came before the Appropriations Committee. SB 1816 by the Senate Appropriations Committee and Sen. Joe Negrón (R-Stuart) was heard and passed with little discussion. The plan, which would take advantage of federal funding and provide health insurance to more than one million low-income Floridians, appears to have little support in the House at this time. Sen. Negrón's proposal does have the support of many organizations, including hospitals, the business community and unions, some of whom have launched a media campaign criticizing Speaker Will Weatherford (R-Wesley Chapel) for his opposition to accepting more than \$50 billion in federal funding.

The Senate Appropriations Committee also passed [SB 1844](#) by Sen. Aaron Bean (R-Fernandina Beach), which is the more similar to the House plan, as it does not accept federal funding and will also be utilizing the Florida Health Choices Network. At Sen. Bean's request, the plan was passed to give the Senate more flexibility in negotiating a possible compromise in the future. Both bills will now head to floor for a final vote. It remains unknown, how the House and Senate will ultimately reconcile the vast differences between their two proposals at this point. If the sides are unable to negotiate a compromise, House and Senate leadership and the Governor may have to decide whether to call a special session to arrive at an agreement.

Comparison of Medicaid Expansion Alternatives: Healthy Florida vs. Florida Health Choices Plus+ vs. Health Choice Plus

	Healthy Florida (Senate Bill 1816 by Negrón, Appropriations)	Florida Health Choices Plus+ (House Bill 7169 by Corcoran, PPACA)	Health Choice Plus (Senate Bill 1844 by Bean, Health Policy)
Eligible Floridians	Uninsured, non-elderly adults with family incomes at or below 133% of the poverty level and who are not eligible for Medicaid under current rules	Uninsured non-elderly working parents and disabled adults only with family incomes at or below 100% of the federal poverty level and who are not eligible for Medicaid under current rules	Uninsured non-elderly adults with family incomes at or below 100% of the federal poverty level and who are not eligible for Medicaid under current rules
Expected Number of Participants	1,010,000	115,700	60,000
Federal Investment: 10-year total	\$51.3 Billion	\$0 Billion	\$0 Billion
Required State Investment: Max 10-year total	\$2.7 - \$3.1 Billion	\$2.1 - \$2.3 Billion	\$70 - 130 Million

Source: Florida Center for Fiscal and Economic Policy 4/17/13

Florida KidCare Program

Despite being championed by members and advocates earlier in session, several bills that would have

expanded healthcare through the Florida KidCare program appear to have largely been overshadowed by the greater healthcare debate surrounding Medicaid expansion. [SB 704](#) Sen. Rene Garcia (R-Hialeah) and [HB 4023](#) by Rep. Jose Felix Diaz (R-Miami) 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. Stakeholders are still engaged, but should these bills ultimately fail, sponsors pledged to sponsor the bills again next year. It should also be noted that plans for Medicaid expansion for children up to 138% Federal Poverty Level are on track.

[SB 548](#) by Sen. Nancy Detert (R-Venice Beach) and [HB 689](#) by Rep. Gayle Harrell (R-Stuart) would have allowed 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. Regardless of the outcomes of these bills, hospitals will have the prerogative to implement presumptive eligibility in 2014 under PPACA.

Other bills affecting children's health and safety:

Texting While Driving

A bill banning texting while driving, [SB 52](#) by Sen. Nancy Detert (R-Venice Beach), is still in Messages after passing unanimously out of the Senate on April 16. 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), is still on the calendar awaiting a Second Reading after passing out of the House Economic Affairs Committee on April 3.

Victims of Human Trafficking

[SB 1644](#) by Sen. Anitere Flores (R-Miami) was passed by the Senate Appropriations Committee this week, and is now back on the Special Order Calendar. 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), will soon likely be placed on Third Reading after being heard before the full chamber in the House this past week.

Children's Initiatives

[HB 411](#) was approved by the full House this week on a 113:2 vote. 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 companion, [SB 1322](#) by Sen. Audrey Gibson (D-Jacksonville), is still stuck in Senate Appropriations, its final committee of reference.

CHILD WELFARE

Cross-over Youth

[HB 7103](#) by Rep. Gayle Harrell (R-Stuart) passed out of the House this week with a vote of 116:1. This PCB from the House 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. The bill's companion, [SB 1834](#), by the Senate Children, Families, and Elder Affairs Committee is still stuck in Senate Appropriations, its final committee.

Foster Children

Independent Living

[SB 1036](#) by Sen. Nancy Detert (R-Venice Beach) has now been placed on Third Reading and appears likely to be approved by the full Senate. 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. Its House companion, [HB 1315](#) by Rep. Keith Perry (R-Gainesville), was read for the second time this week and now also awaits a final vote by the full chamber.

Appointment of an Attorney for a Dependent Child with Disabilities

[SB 1468](#) by Sen. Tom Lee (R-Brandon) is on the Special Order Calendar. This bill 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 services. Its companion, [HB 1241](#) by Rep. Neil Combee (R-Polk City), died in the House Justice Appropriations Subcommittee.

JUVENILE JUSTICE

Relating to Juvenile Justice Education

[SB 1406](#) by Sen. Aaron Bean (R-Fernandina Beach) was passed unanimously by the Senate Education Committee this past Monday, but still has a final committee stop, Rules. 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, [HB 441](#) by Rep. Janet Adkins (R-Fernandina Beach) is still in Messages to the Senate after passing unanimously out of the full House on April 17.

Relating to Juvenile Justice Circuit Advisory Boards and Juvenile Justice County Councils

[SB 676](#) by Sen. Greg Evers (R-Pensacola) was temporarily postponed on the floor during its Second Reading on Thursday. 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, [HB 617](#) by Rep. Ray Pilon (R-Sarasota), passed unanimously out of the House on Third Reading on April 17.

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