



*State of Florida*

agency for persons with disabilities

*Office of Legislative Affairs*



*2012 Session*  
*Legislative Wrap-Up Report*

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The following bills were passed by the Legislature and will be sent to the Governor for his action. All information is as of April 27, 2012.  
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## **SUBSTANTIVE BILLS**

***The following is an overview of substantive bills of interest to the Agency for Persons with Disabilities passed by the Florida Legislature during the 2012 Session.***  
**[Click on the bill number to view bill language](#)**

**[HB 0099](#) – Sexual Exploitation  
[Ch. 2012-105](#) Laws of Florida  
**Approved by the Governor on April 13, 2012****

The bill amends statutory language by:

- Citing the act as the "Florida Safe Harbor Act";
- Providing legislative findings and intent and establishes legislative goals relating to the status and treatment of sexually exploited children in the dependency system;
- Amending the definitions of the terms "child who is found to be dependent" and "sexual abuse of a child" to reference sexual exploitation;
- Authorizing the delivery of children alleged to be dependent and sexually exploited to short-term safe houses;
- Providing a process for the assessment and placement of sexually exploited children in a safe house, if available;
- Providing for placement updates to the court during judicial review hearings;
- Providing for data collection relating to these placements by the Department of Children and Family Services (DCF);
- Requiring the circuits of DCF to address the child welfare service needs of sexually exploited children in its master plans;
- Providing the duties, responsibilities, and requirements for safe houses and their operators;
- Providing for the training of law enforcement officials who are likely to encounter sexually exploited children;
- Increasing the civil penalty for crimes related to prostitution from \$500 to \$5,000 and specifies that the difference in the increase, to be paid to the department, be used to fund safe houses as well as short-term safe houses; and
- Providing that a victim of child sexual exploitation shall not be ineligible for victim compensation.

**Effective Date: January 1, 2013**

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**SB 0226 – Disabled Parking Permits  
Ch. 2012-157 Laws of Florida  
Approved by the Governor on April 27, 2012**

The bill amends statutory language by:

- Expanding the type of officials who may waive citations for disability permit parking violations by including the parking enforcement specialist or agency that issued the citation;
- Revising the requirements for the renewal or replacement of a disabled parking permit;
- Prohibiting a person from applying for a new disabled parking permit for four years upon a second finding of guilt or plea of nolo contendere to the unlawful use of such permit;
- Requiring the Department of Highway Safety and Motor Vehicles to randomly review disabled parking permit holders; and
- Requiring the Department of Highway Safety and Motor Vehicles to develop and implement a system to allow the reporting of abuses of disabled parking permits.

**Effective Date: July 1, 2012**

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**HB 0473 – Alzheimer’s Disease  
Ch. 2012-172 Laws of Florida  
Approved by the Governor on April 27, 2012**

The bill amends statutory language by:

- Establishing the Purple Ribbon Task Force within the Department of Elderly Affairs;
- Providing for membership of the task force, which shall consist of eighteen culturally diverse members appointed by the Governor, the President of the Senate, and the Speaker of the House of Representatives;
- Providing that members shall serve without compensation or reimbursement for per diem or travel expenses;
- Requiring the task force to submit an interim study by January 30, 2013, to the Governor and the Legislature regarding state trends with respect to persons having Alzheimer's disease or a related form of dementia;
- Providing duties of the task force, which shall be to assess the current and future impact of Alzheimer’s disease on Florida;
- Authorizing the task force to hold meetings by teleconference or other electronic means, or in person without compensation or reimbursement for per diem or travel expenses; and
- Requiring the task force to submit a report by August 1, 2013, outlining recommendations for an Alzheimer’s disease state strategy to the Governor and the Legislature.

**Effective Date: July 1, 2012**

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**[HB 0509](#) – Pharmacy  
[Ch. 2012-060](#) Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Revising and expanding the types of vaccines that pharmacists may administer to include the influenza and pneumococcal vaccines;
- Authorizing pharmacists to administer the shingles vaccine pursuant to a prescription issued by a licensed physician;
- Authorizing pharmacists to administer epinephrine auto-injections within the framework of established protocol; and
- Requiring each pharmacist certified to administer a vaccine or epinephrine auto-injection to complete a three-hour continuing education course on safe and effective administration as part of the biennial relicensure or recertification process.

**Effective Date: July 1, 2012**

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**[HB 0653](#) – Health Care Fraud  
[Ch. 2012-064](#) Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Revising the grounds under which the Department of Health (DOH) or corresponding board is required to refuse to admit a candidate to examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner;
- Providing that all persons who were denied renewal of licensure, certification, or registration under s. 456.0635(3), F.S., may regain licensure, certification, or registration only by completing the application process for initial licensure; and
- Providing an exception that these provisions do not apply to applicants for initial licensure who were enrolled in an educational program recognized by DOH on or before July 1, 2009, and who applied for licensure after July 1, 2012.

**Effective Date: July 1, 2012**

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**SB 0694 – Adult Day Care Centers  
Ch. 2012-043 Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Citing the act as the “Specialized Alzheimer's Services Adult Day Care Act”;
- Prohibiting an adult day care center from claiming to be licensed or designated as a specialized Alzheimer’s services adult day care center unless the center has the proper licensure designation;
- Providing educational and experience requirements for the operator of an adult day care center seeking licensure designation as a specialized Alzheimer’s services adult day care center;
- Requiring that dementia-specific services in a participant’s file be medically documented and signed by a licensed physician; and
- Requiring that the center coordinate and execute discharge procedures with a participant who has a documented diagnosis of Alzheimer’s disease or a dementia-related disorder and the caregiver if the participant’s enrollment in the center is involuntarily terminated.

**Effective Date: July 1, 2012**

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**SB 0730 – Medicaid Managed Care Plans  
Ch. 2012-044 Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Specifying which health plan entities are subject to the subscriber assistance program;
- Authorizing the Agency for Health Care Administration (AHCA) to extend or modify, prior to October 1, 2014, certain contracts with behavioral health care providers that are reimbursed through a capitated, prepaid arrangement;
- Directing AHCA to calculate a medical loss ratio for managed care plans under the existing Medicaid reform pilot program and the new statewide Medicaid managed care program, if required as a condition of a Medicaid waiver; and
- Specifying that contracts necessary to administer the Medicaid program are not rules and are not subject to s. 120, F.S., the Administrative Procedure Act.

**Effective Date: July 1, 2012 (except sections 1, 11, 12, and 13, which take effect May 12, 2012)**

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**HB 0787 – Health Care Facilities  
Ch. 2012-160 Laws of Florida  
Approved by the Governor on April 27, 2012**

The bill amends statutory language by:

- Revising provisions relating to other needed services provided by licensed nursing home facilities, including respite care, therapeutic spa, and adult day services;
- Revising provisions for facilities that are eligible to share programming and staff;
- Providing that provisions concerning internal risk management are simplified to require that nursing homes submit a report to the Agency for Health Care Administration (AHCA) within 15 calendar days after an adverse event occurs;
- Providing for the rights of persons receiving respite care in nursing home facilities;
- Requiring that a prospective respite care recipient provide medical documentation to a nursing home facility;
- Providing an exemption from certain certificate-of-need requirements to provide for the creation of a pilot project in any of the specified AHCA subdistricts;
- Requiring a nursing home to be affiliated with an accredited nursing school that offers certain degree programs;
- Defining the term “day” for the purposes of day care services provided to adults who are not residents;
- Providing a funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care, services;
- Authorizing certain sharing of areas, services, and staff between such sheltered beds and nursing home beds in those facilities; and
- Redefining “geriatric outpatient clinic” and “resident care plan” and defining “therapeutic spa services” applicable to regulation of nursing home facilities.

**Effective Date: July 1, 2012**

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**HB 0803 – Child Protection  
Ch. 2012-178 Laws of Florida  
Approved by the Governor on April 27, 2012**

The bill amends statutory language by:

- Revising the provisions relating to criminal history records checks on persons considered for child placement;
- Amending the central abuse hotline procedures to provide that the hotline may accept a call from a parent or legal custodian seeking assistance for themselves when the call does not meet the statutory requirement of abuse, abandonment, or neglect;
- Allowing the Department of Children and Families (DCF) to discontinue an investigation if it is determined that a false report of abuse, abandonment, or neglect has been filed;
- Requiring DCF to maintain one electronic child welfare case file for each child;



- Eliminating the current bifurcated investigative process and providing for a single procedure for every case accepted for investigation;
- Revising the child protective injunction process to prevent child abuse and to mirror language in the civil injunction process in chapter 741, F.S.;
- Requiring a home study report if a child has been removed from the home and will be remaining with the parent;
- Amending requirements relating to criminal background and records checks for individuals being considered for placement of a child; and
- Providing that the Children and Youth Cabinet shall meet at least four times but no more than six times each year.

**Effective Date: July 1, 2012**

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**[HB 0943](#) – Background Screening  
[Ch. 2012-073](#) Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Revising the exemptions from background screening requirements for certain mental health personnel working in a facility licensed under chapter 395, F.S.;
- Revising the exemptions from background screening requirements for certain law enforcement officers if they are working or volunteering in a capacity that would otherwise require them to be screened;
- Establishing a rescreening schedule for individuals who have been screened and qualified to work by the Agency for Health Care Administration (AHCA);
- Creating a definition of the term “specified agency” for the purposes of conducting background screening. These agencies include the Department of Health (DOH), the Department of Children and Family Services (DCF), the Agency for Health Care Administration (AHCA), the Department of Elder Affairs (DOEA), the Department of Juvenile Justice (DJJ), the Agency for Persons with Disabilities (APD), and the Division of Vocational Rehabilitation (VR);
- Revising the provisions related to background screening for persons rendering care in the consumer-directed care program by transferring the duties from APD to AHCA;
- Specifying that employers of direct service providers previously qualified for employment or volunteer work under Level 1 screening standards, and individuals required to be screened according to the Level 2 screening standards, shall be rescreened every five years, except in cases where fingerprints are electronically retained;
- Providing that the cost of screening shall be borne by the provider or person being screened;
- Providing the conditions for the denial, suspension, termination, or revocation of a registration or other agreements;
- Including a person who has access to a client's personal identification information within the definition of the term “direct service provider”;
- Exempting certain professionals licensed by DOH, attorneys in good standing, relatives of clients, and certain volunteers from level 2 background screening;

- Authorizing an employer to hire an employee to a position that otherwise requires background screening before the completion of a screening process for the purpose of training an employee;
- Prohibiting an employee from having direct contact with vulnerable persons until the screening process is complete;
- Creating the Care Provider Background Screening Clearinghouse under AHCA, in consultation with FDLE, to be implemented to the fullest extent possible by September 30, 2013;
- Providing for “specified agencies” to share the results of criminal history checks;
- Providing the exemption for certain employees who have undergone a criminal history check before the clearinghouse is operational;
- Requiring an applicant to pay the costs of fingerprint processing;
- Providing for requirements relating to fingerprinting including who may take the prints, standards for vendors, and fee collection;
- Providing procedures for the submission of fingerprints by private vendors, private entities, and public agencies; and
- Specifying the standards for the electronic submission of fingerprints.

**Effective Date: Upon Becoming Law**

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**[HB 1097](#) – Sexually Violent Predators  
[Ch. 2012-079](#) Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Requiring the Department of Children and Families (DCF) to prioritize written assessments and recommendations for a person scheduled or up for review for release within one year;
- Extending the deadline to the next working day thereafter that the department’s multidisciplinary team is required to complete its assessment to the state attorney;
- Allowing a sexually violent predator, who has a deportation detainer and is released from confinement, to be taken into custody by the federal government rather than be immediately committed to the custody of DCF; and
- Making it a third-degree felony for a person to knowingly and intentionally bring, send, take, or attempt to take any intoxicating beverage, controlled substance, firearm, or weapon into a facility providing secure confinement and treatment under the Jimmy Ryce Act.

**Effective Date: July 1, 2012**

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**[HB 1163](#) – Adoption  
[Ch. 2012-081](#) Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Requiring the Department of Children and Families (DCF) to inform the parents of a child of the availability of private placement of the child with an adoption entity;
- Requiring the use of an adoption entity for all adoptions of minor children, unless the adoption is by a relative or stepparent;
- Revising the provisions relating to scientific testing to determine the paternity or maternity of a minor;
- Revising the obligations and responsibilities of an unmarried biological father seeking to assert his parental rights with regard to his child;
- Prohibiting a court from increasing contact between an adopted child and siblings, birth parents, or other relatives without the consent of the adoptive parents;
- Requiring a court to advise the biological parent who is party to the dependency proceeding of the right to participate in a private adoption; and
- Placing restrictions on advertisements offering a minor for adoption or seeking a minor for adoption and establishes criminal penalties for violations of the advertising restrictions.

**Effective Date: July 1, 2012**

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**[HB 1205](#) – Drug-Free Workplace  
[Ch. 2012-008](#) Laws of Florida  
Approved by the Governor on March 20, 2012**

The bill amends statutory language by:

- Requiring that drug testing be conducted within each state agency's appropriation;
- Authorizing agencies within state government to require employees to submit to periodic random drug testing;
- Revising the provisions relating to discharging or disciplining certain employees;
- Authorizing an agency to refer an employee, at the employee's expense, to an employee assistance program or alcohol and drug rehabilitation program, if they are not discharged;
- Requiring an employer to transfer an employee to a job assignment he or she can perform safely and effectively while participating in an employee assistance program or alcohol and drug rehabilitation program; or place that employee on leave status if such a position is unavailable;
- Authorizing an employee to use accumulated leave credits before being placed on leave without pay;
- Providing that an employer remains qualified for an insurer rate plan that discounts rates for workers' compensation and employer's liability insurance policies if that

- employer maintains a drug-free workplace program that is broader in scope than that provided for by standards and procedures established in this act;
- Authorizing a public employer to conduct random drug tests of certain employees under specified conditions; and
  - Providing requirements for a public sector employer when assigning the public sector employee to a position other than the mandatory-testing position.

**Effective Date: July 1, 2012**

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**HB 1229 – Reorganization of the Department of Children and Family Services**

**Ch. 2012-084 Laws of Florida**

**Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Changing the name of the Department of Children and Family Services to the Department of Children and Families (DCF);
- Authorizing DCF to restructure its organizational units to establish circuits, which are aligned geographically with judicial circuits, and regions, which include multiple circuits in geographical proximity to each other;
- Removing obsolete language related to service districts and a prototype region;
- Revising the mission of DCF;
- Providing for the appointment of a Director for Substance Abuse and Mental Health to head the state's Substance Abuse and Mental Health Program Office; and
- Deleting the authority of the Governor to appoint an executive director of the State Office on Homelessness;

**Effective Date: July 1, 2012**

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**HB 1263 – Department of Health**

**Ch. 2012-184 Laws of Florida**

**Approved by the Governor on April 27, 2012**

The bill amends statutory language by:

- Revising the purpose of the Department of Health (DOH) to reflect organizational changes that were recommended as a result of the DOH review required by the 2010 Legislature in HB 5311;
- Revising the duties of the State Surgeon General;
- Defining the term “Down syndrome” and the term “Developmental Disability” as delineated in s. 393.063(9);
- Providing that two or more counties may combine for the operation of a county health department by an agreement that meets certain criteria;
- Requiring DOH to be responsible for the state public health system;
- Requiring DOH to provide leadership for a partnership involving federal, state, and local government and the private sector to accomplish public health goals;

- Allowing counties to enact health regulations and ordinances consistent with state public health laws and rules;
- Requiring DOH to establish rules for the conditions and procedures for imposing and releasing quarantine;
- Providing that the rules established under this section of law supersede all rules enacted by other state agencies, boards, or political subdivisions;
- Requiring a health care practitioner to provide certain information when a developmental disability is diagnosed based on the results of a prenatal test and establishing an advisory council to assist DOH to develop an information clearinghouse related to developmental disabilities;
- Revising eligibility requirements of the Children’s Medical Services (CMS) program so that a child must have a diagnosis of one or more chronic and serious medical conditions, the family has a need for specialized services, and the child is enrolled in Medicaid;
- Requiring a physician who performs liposuction procedures in an office setting where more than 1,000 cubic centimeters of supernatant fat is removed to register the office with DOH; and
- Providing that the violation of rules established under this section, a quarantine, or a requirement adopted pursuant to a declared public health emergency is a second-degree misdemeanor.

**Effective Date: Upon becoming law, except as otherwise provided**

**[HB 1351](#) – Homeless Youth  
[Ch. 2012-186](#) Laws of Florida**

**Approved by the Governor on April 27, 2012**

The bill amends statutory language by:

- Defining the term “certified homeless youth”;
- Providing that a minor 16 years of age or older may petition a court for removal of the disabilities of nonage;
- Allowing the minor to avoid having to prepay court costs and fees when filing the petition;
- Allowing a certified homeless youth or a minor who has had disabilities of nonage removed through marriage or by a judicial process may obtain a certified copy of his or her birth certificate; and
- Requiring the court to advance these cases on the calendar.

**Effective Date: July 1, 2012**

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**HB 5301 – Medicaid Services  
Ch. 2012-033 Laws of Florida  
Approved by the Governor on May 29, 2012**

The bill amends statutory language by:

- Removing the prohibition against subsidized Kidcare coverage for children of public employees who are eligible for state group health insurance;
- Directs the Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA), subject to an appropriation, to develop a new system of eligibility for Medicaid and Kidcare, consistent with requirements of federal and state laws;
- Limiting payment for emergency room services for a nonpregnant Medicaid recipient 21 years of age or older to six visits per year;
- Eliminating Medicaid optional coverage for chiropractic services and podiatric services for a Medicaid recipient 21 years of age or older;
- Revising the timeline and parameters for AHCA to develop a plan to transfer the state's hospital payments to a diagnosis related group (DRG) system, with a target implementation date of July 1, 2013;
- Updating statutes relating to the disproportionate share hospital (DSH) program so the program uses the proper data to calculate the distribution of dollars. Also repeals two sections of statutes for two perennially unfunded DSH programs;
- Expanding the scope of the home health agency monitoring pilot project and the comprehensive care management pilot project;
- Authorizing AHCA to contract with certain organizations in order to provide services under the federal Program of All-inclusive Care for the Elderly (PACE) in Manatee, Sarasota, De Soto, and Broward counties; and
- Expanding a statewide pilot project for the delivery of Medicaid services for persons diagnosed with HIV/AIDS.

**Effective Date: July 1, 2012**

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**HB 5303 – Department of Children and Family Services  
Ch. 2012-136 Laws of Florida  
Approved by the Governor on April 20, 2012**

The bill amends statutory language by:

- Revising the age limit requirements for young adults eligible for independent living services.

**Effective Date: July 1, 2012**

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**HB 7093 – Domestic Violence  
Ch. 2012-147 Laws of Florida  
Approved by the Governor on April 20, 2012**

The bill amends statutory language by:

- Defining the term “coalition” as it relates to domestic violence;
- Limiting the Department of Children and Families’ (DCF) role in the certification of domestic violence shelters to the initial certification, suspension, and revocation. Ongoing certification of domestic violence shelters will be performed by the Florida Coalition Against Domestic Violence (FCADV);
- Requiring DCF to partner with FCADV to coordinate and administer the statewide activities related to the prevention of domestic violence;
- Requiring DCF to contract with the FCADV for the delivery and management of services for the state’s domestic violence program;
- Providing duties for FCADV as it manages delivery of services to the state's domestic violence program; and
- Eliminating the certification of batterers’ intervention programs as well as the authority for DCF to collect fees associated with the certification program.

**Effective Date: July 1, 2012**

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## **APPROPRIATIONS UPDATE**

*The following is an overview of the budget for the Agency for Persons with Disabilities passed by the Florida Legislature during the 2012 Session.*

### **HB 5001 – General Appropriations Act**

#### **Ch. 2012-118 Laws of Florida**

**Approved by the Governor on April 17, 2012, with Line Item Vetos**

#### **Major funding decisions:**

- The funding for the Agency for Persons with Disabilities (APD) totals \$1.074 billion.
- Appropriation for the Home and Community-Based Services (HCBS) waiver was increased from \$810,437,372 for FY 11-12 to \$877,061,351 for FY 12-13. In addition, \$20.5 million in general revenue was provided to cover a portion of the deficit for FY 11-12.
- The agency is required to submit monthly surplus/deficit reports projecting the total Medicaid waiver program expenditures along with any corrective action plans necessary to align program expenditures with annual appropriations.
- The agency, in consultation with the Agency for Health Care Administration, is directed to develop a plan to implement a transition program to transfer eligible beneficiaries from Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) to community-based alternatives.
- The Room and Board category was reduced by \$309,672 or 8.15%.
- The Individual and Family Supports (IFS) category was reduced by \$400,000 or 2.38%.
- Administration in area offices and Central Office was reduced by 67 Full-Time Equivalent (FTEs) and \$4,975,362 or 7.14%.
- Developmental disability training programs within the IFS and HCBS waiver categories require a 12.5% match from local sources.
- There are eight special member projects included in the agency's appropriation:
  - \$1,000,000 in nonrecurring funds was provided for the Loveland Center, Inc., in Sarasota County.
  - \$650,000 in nonrecurring funds was provided for Quest Kids.
  - \$35,000 in nonrecurring funds was provided for the ARC of Martin County.
  - \$2,000,000 in nonrecurring funds was provided for the ARC of Florida.
  - \$1,000,000 in nonrecurring funds was provided for the Brevard Achievement Center.
  - ~~\$500,000 in nonrecurring funds was provided for the Dan Marino Foundation Florida Vocational College in Broward County. **VETOED**~~
  - \$121,668 in nonrecurring funds was provided for the Scott Center for Autism at the Florida Institute of Technology.
  - \$500,000 in recurring funds was provided for the Special Olympics Healthy Athletes Program.
- ~~\$500,000 in Fixed Capital Outlay funds were provided for renovations and restorations to the William J. (Billy Joe) Rish Recreational Park. **VETOED**~~

**Effective Date: July 1, 2012, except as otherwise provided**



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**[HB 5003](#) – Implementing the General Appropriations Act  
[Ch. 2012-119](#) Laws of Florida  
Approved by the Governor on April 17, 2012**

- This bill provides for the implementation of the General Appropriations Act.

**Effective Date: Upon becoming law, except as otherwise provided**

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Agency for Persons with Disabilities FY 2012-13

			FY 2011-12		HB 5001 FY 2012-2013	
Budget Entity Code	Budget Entity Title	Appropriation Category Title	FTE	ALL FUNDS	FTE	ALL FUNDS
67100100	HOME & COMMUNITY SERVICES		313.50		280.50	
		SALARIES AND BENEFITS		14,145,389		12,569,575
		OTHER PERSONAL SERVICES		4,723,252		3,942,276
		EXPENSES		2,221,143		2,214,329
		OPERATING CAPITAL OUTLAY		35,394		35,394
		G/A-INDIVIDUAL & FAMILY		16,836,771		16,436,771
		ROOM AND BOARD PAYMENTS		3,800,000		3,490,328
		CONTRACTED SERVICES		154,701		139,231
		G/A-CONTRACTED SERVICES		735,346		6,394,944
		HOME/COMM SERVICES WAIVER		810,437,372		811,944,457
		RISK MANAGEMENT INSURANCE		227,831		227,831
		TR/DMS/HR SVCS/STW CONTRCT		105,810		105,810
		HCBS WAIVER RESTRUCTURING				65,116,894
67100100 Total			313.50	853,423,009	280.50	922,617,840
67100200	PROGRAM MGT & COMPLIANCE		316.00		322.00	
		SALARIES AND BENEFITS		18,471,253		19,554,098
		OTHER PERSONAL SERVICES		751,071		674,855
		EXPENSES		2,971,437		3,147,238
		OPERATING CAPITAL OUTLAY		29,792		27,774
		TRANS TO DIV ADM HEARINGS		173,028		81,812
		CONTRACTED SERVICES		239,033		381,575
		G/A-CONTRACTED SERVICES		2,356,598		2,013,289
		G/A-CONTRACT PROF SERVICES		93,558		3,874
		RISK MANAGEMENT INSURANCE		373,224		373,224
		HOME & COMM SERV ADMIN		7,352,503		6,617,252
		TR/DMS/HR SVCS/STW CONTRCT		120,477		134,717
		DCF DATA CENTER		302,438		302,438
		SOUTHWOOD SHARED RESOURCES		315,819		118,233
		NORTHWOOD SRC (NSRC)		440,655		178,655
		NORTHWEST REGIONAL DATA CENTER				88,324
		TRFR SSRC - EMAIL SERVICES				
67100200 Total			316.00	33,990,886	322.00	33,697,358
67100300	DEV DISAB PUBLIC FACIL		2,345.50		2,305.50	
		SALARIES AND BENEFITS		95,753,273		92,074,766
		OTHER PERSONAL SERVICES		1,940,596		1,833,206
		EXPENSES		6,906,001		6,282,828
		OPERATING CAPITAL OUTLAY		349,706		261,020
		FOOD PRODUCTS		2,472,992		2,363,848
		APD/FCO NEEDS/CEN MGD FACS				
		CONTRACTED SERVICES		2,087,963		1,951,178
		G/A-CONTRACT PROF SERVICES		3,421,574		5,016,410
		PRESCRIBED MEDICINE/DRUGS		1,145,923		1,145,923
		RISK MANAGEMENT INSURANCE		6,360,822		5,379,582
		SALARY INCENTIVE PAYMENTS		18,751		18,751
		TR/DMS/HR SVCS/STW CONTRCT		909,588		959,939
		FIXED CAPITAL OUTLAY				500,000
67100300 Total			2,345.50	121,367,189	2,305.50	117,787,451
Grand Total			2,975.00	1,008,781,084	2,908.00	1,074,102,649

## **ADMINISTRATIVE BILLS**

***The following is an overview of the major administrative bills of interest to the Agency for Persons with Disabilities passed by the Florida Legislature during the 2012 Session.***

**[Click on the bill number to view bill language](#)**

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**[HB 0541](#) – Administrative Procedures  
[Ch. 2012-063](#) Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Providing that if an agency determines a proposed action will impact small businesses, the agency must send written notice of the rule to the rules ombudsman in the Executive Office of the Governor at least 28 days before the intended action – rather than provide notice to the Department of Economic Opportunity;
- Renaming the “Florida Administrative Weekly” as the “Florida Administrative Register”;
- Allowing the Department of State to contract with a publisher to provide printed publications of the Florida Administrative Code and the Florida Administrative Register;
- Providing that the electronic version of the code is the official compilation of administrative rules of the state;
- Requiring that adopted rules and material incorporated by reference be filed in an electronic format;
- Requiring the continuous revision and publication of the Florida Administrative Register on an Internet website managed by the Department of State; and
- Removing the requirement that the Department of State provide printed copies of the Florida Administrative Register to certain federal and state entities.

**Effective Date: October 1, 2012**

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**[SB 0608](#) – Florida Healthy Kids Corporation  
[Ch. 2012-042](#) Laws of Florida  
Approved by the Governor on April 6, 2012**

The bill amends statutory language by:

- Revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor.

**Effective Date: Upon Becoming Law**

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**[HB 0629](#) – Public Records  
[Ch. 2012-149](#) Laws of Florida  
Approved by the Governor on April 24, 2012**

The bill amends statutory language by:

- Including dates of birth within the types of personal identifying information of specified agency personnel and spouses and children of such personnel that are exempt from public records requirements for specified agency personnel;
- Clarifying the exemption for personal identifying information of active or former law enforcement personnel and spouses and children;
- Revising the exemption for personal identifying and location information applicable to the judiciary, to include former Supreme Court justices, district court of appeal judges, circuit court judges, and county court judges, and spouses and children;
- Defining the term “telephone numbers” to include home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices;
- Specifying that the exemptions apply to information held before, on, or after the effective date of the exemptions; and
- Providing for the future legislative review and repeal of exemptions.

**Effective Date: October 1, 2012**

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**[SB 1958](#) – Department of Health  
[Ch. 2012-122](#) Laws of Florida  
Approved by the Governor on April 20, 2012**

The bill amends statutory language by:

- Assigning, for administrative purposes, the Correctional Medical Authority (CMA) to the Executive Office of the Governor, rather than the Department of Health; and
- Transferring all powers, duties, and functions of the CMA and its seven-member governing board to the Executive Office of the Governor.

**Effective Date: July 1, 2012**

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**[HB 5005](#) – Retirement  
[Ch. 2012-146](#) Laws of Florida  
Approved by the Governor on April 20, 2012**

The bill amends statutory language by:

- Revising the employer contributions for members of the Florida Retirement System (FRS) who are employees of public community colleges or charter technical career centers sponsored by public community colleges;
- Revising the employer contributions for members of Senior Management Service Class of FRS;
- Reducing the employer contribution rates into the State University System Optional Retirement Program;
- Revising the required employer retirement contribution rates for members of each membership class and subclass of FRS;
- Revising the allocations from the FRS Contributions Clearing Trust Fund to investment plan member accounts; and
- Reducing the employer contribution rates into the Community College System Optional Retirement Program.

**Effective Date: July 1, 2012**

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**[HB 5007](#) – State Employees  
[Ch. 2012-132](#) Laws of Florida  
Approved by the Governor on April 20, 2012**

The bill amends statutory language by:

- Providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees.

**Effective Date: July 1, 2012**

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**HB 5009 – Health Insurance Benefits for State Employees**

**2012 Laws of Florida**

**VETOED**

The bill amends statutory language by:

- ~~Authorizing the University of Florida (UF) Board of Trustees to provide or arrange for the provision of health and other self-insurance or insurance programs;~~
- ~~Requiring the UF Board of Trustees to offer programs to all employees retiring from the University of Florida after January 1, 2013;~~
- ~~Prohibiting programs from commencing before January 1, 2013;~~
- ~~Providing that state funding for the insurance programs for active employees paid from Education and General Activity funds be determined based on the insurance premium rates established in HB 5001, the General Appropriations Act;~~
- ~~Providing for the state's monthly contribution for employees under the state group insurance program;~~
- ~~Revising the conditions under which pharmacies are provided reimbursement for prescription medicines that are dispensed to members of the state group health insurance plan under the state employees' prescription drug program; and~~
- ~~Authorizing the Department of Management Services (DMS) to implement a 90-day supply limit program for certain maintenance drugs.~~

**Effective Date: July 1, 2012**

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**HB 5011 - State Information Technology**

**2012 Laws of Florida**

**VETOED**

The bill amends statutory language by:

- ~~Creating the Agency for State Technology (AST) within the Executive Office of the Governor under the Governor and Cabinet;~~
- ~~Eliminating the Agency for Enterprise Information Technology and transferring all resources and records to the newly created Agency for State Technology;~~
- ~~Revising provisions for the consolidation of computing facilities into primary data centers;~~
- ~~Transferring the management oversight responsibility of the Northwood and Southwood Shared Resource Centers from a board of trustees to the AST; and~~
- ~~Repealing email as a state enterprise activity.~~

**Effective Date: July 1, 2011**

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**[HB 5509](#) – State Data Center System  
[Ch. 2012-132](#) Laws of Florida  
Approved by the Governor on April 20, 2012**

The bill amends statutory language by:

- Revising the duties of the Agency for Enterprise Information Technology and state agencies relating to the consolidation of agency data centers into primary data centers;
- Amending the schedule for agency data center consolidations and exempting the Florida Department of Law Enforcement, Department of Lottery, Systems Design and Development in the Office of Policy and Budget, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, Florida Clerks of Court Operations Corporation, Florida Housing Finance Corporation, and the State Board of Administration from consolidation to a primary data center;
- Amending the duties and responsibilities of a primary data center by requiring an inventory of contracts and agreements and requiring all resources to be requested in the Legislative Budget Request; and
- Providing that certain administrative overhead costs require a specific appropriation in HB 5001, the General Appropriations Act.

**Effective Date: July 1, 2012**

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**[HB 7055](#) – Administrative Authority  
[Ch. 2012-116](#) Laws of Florida  
Approved by the Governor on April 13, 2012**

The bill amends statutory language by:

- Affirming that Executive Orders 11-72 and 11-211 are consistent with law and public policy of Florida;
- Providing that gubernatorial appointees are generally subject to oversight, direction, and control of the Governor;
- Specifying that an agency head who is appointed by and serves at the pleasure of the Governor remains subject to the supervision, direction, and control of the Governor;
- Specifying that certain acts of an agency head who serves at the pleasure of an appointing authority are official acts, notwithstanding the authority of an appointing authority to direct and supervise an agency head;
- Providing for the removal of duplicative, redundant, or unused rulemaking authority as part of the reviser's bill process;
- Repealing various statutory provisions granting rulemaking authority.

**Effective Date: July 1, 2012**

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If you have questions, please contact:

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This information is available on the agency's website: [www.apdcares.org/news](http://www.apdcares.org/news)

More information about the bills referenced in this document and the legislative process can be found on the Legislative website: [www.leg.state.fl.us/Welcome/index.cfm](http://www.leg.state.fl.us/Welcome/index.cfm). You may also visit the Governor's bill action website: [www.flgov.com/bill-action](http://www.flgov.com/bill-action).