

Agency for Persons with Disabilities 2019-2020 Annual Regulatory Plan

Pursuant to s. 120.74(1), F.S., the Agency for Persons with Disabilities hereby submits the following Annual Regulatory Plan addressing the statutes amended that address the Agency and any rulemaking the Agency intends to partake in prior to July 1, 2020. Table 1, below, provides information required pursuant to s. 120.74(1)(a), F.S., regarding laws enacted or amended in the previous 12 months which creates or modifies the duties or authority of the agency. Table 2 provides information required pursuant to s. 120.74(1)(b), F.S.

**Table 1: Laws Enacted or Amended during the Previous 12 Months that Create or Modify the Duties
or Authority of the Agency**

| Law Enacted or Amended (last 12 months) | Section Title | 1. Must Agency Adopt Rule? (Yes/No) | 2.a. Notice of Development Published | 2.b. Expected Publication Date for NPRM | 3. If rulemaking not needed - concise explanation of why |
|--|--------------------------|--|---|--|---|
| n/a | n/a | no | n/a | n/a | n/a |

Table 2: Laws not listed in (1)(a) that the Agency Expects to Implement by Rulemaking before July 1, 2020

| Laws not listed in (1)(a) expected for implementation by rulemaking before July 1, 2020 | Section Title | Intended purpose for rulemaking | Rule Chapter | Description of Action to be Taken |
|--|---|--|---------------------|--|
| s. 393.065 | Application and Eligibility | Clarify and increase efficiency | 65G-4 | Amending rules to specify application procedures, criteria associated with waiting list categories, procedures for administering the waiting list, including tools for prioritizing waiver enrollment within categories, and eligibility criteria. |
| s. 393.0695 | In-Home Subsidies | Clarify, increase efficiency, and improve coordination | 65G-13 | Amending rules to improve administration of In-Home subsidies, including standards and procedures governing eligibility for services, selection of housing, selection of providers, planning for services, and requirements for ongoing monitoring |
| s. 393.066 | Individual and Family Supports | Improve coordination | 65G-13 | Amending the Rules to provide definitions, eligibility criteria, and procedures for the purchase of services. |
| s. 393.065(5) | Developmental Disabilities Home and Community-Based Waiver Waiting List | Simplify and clarify | 65G-11 | Amending the rules to update the prioritizing of the waiting list for enrollment on the Developmental Disabilities Home and Community-Based Services Waiver. |

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| s. 393.0651(1) | Support Plans | Improve coordination | 65G-13 | Amending the rules to specify core components of support plans. |
| ss. 393.066 and 393.063(45) | Supported Living Services | Improve coordination | 65G-5 | Amending rules to provide definitions, eligibility criteria, and procedures for the purchase of services. |
| s. 393.13(4)(h) | Reactive Strategies | Clarify and improve coordination with other agencies | 65G-8 | Updating language regarding reactive strategies to current industry standards |
| s. 393.13(4)(g)(3) | Behavior Analysis Services Oversight System | Clarify, increase efficiency, and improve coordination | 65G-4 | Amending rules to provide updated guidelines and procedures governing the design, approval, implementation, and monitoring of all behavioral programs involving clients, including statewide and local review by committees of professionals certified as behavior analysts pursuant to s. 393.17. |
| s. 393.066 | Provider Training | Clarify and simplify | 65G-10 | Creating rules to set forth the training process Waiver Providers must comply with to maintain a Waiver Support Agreement with the Agency |
| ss. 393.067 and 393.0673 | Licensure of Residential Facilities | Clarify and improve coordination between agencies | 65G-2 | Amending rules that establish minimum standards for facilities and programs licensed under 393.067, minimum standards of quality and adequacy of client care, incident reporting requirements, and criteria for evaluating |

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|-----------------------|---------------------------|----------------------|------------|---|
| | | | | the severity of violations and for determining the amount of fines imposed. |
| s. 393.067 | Video Taping Requirements | Clarify | 65G-2 | Clarify the requirements regarding videotaping clients |
| ch. 393 and s. 120.52 | Form Adoption | Clarify and simplify | All of 65G | Adopt updated forms for the Agency |

Updates to 2018-2019 Regulatory Plan

Table 3: 2018-2019 Laws enacted or Amended within the previous 12 months – NPRM Has Not Been Published

| Law | Notice of Rule Development Citation | If the Agency determined that rulemaking is unnecessary, explanation of reason why the law may be implemented without rulemaking. |
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| n/a | n/a | n/a |

Other Updates to 2019-2020 Annual Regulatory Plan: n/a

CERTIFICATION - s. 120.74(1)(d)

I, Barbara Palmer, Director, hereby certify that I have reviewed the Agency's annual regulatory plan and that all agency rules have been reviewed within the preceding 12 months to determine if the rules remain consistent with the Agency's rulemaking authority and laws implemented.

Signature: 
Barbara Palmer, Director

Date: October 28, 2019

I, Francis Carbone, General Counsel, hereby certify that I have reviewed the Agency's annual regulatory plan and that all agency rules have been reviewed within the preceding 12 months to determine if the rules remain consistent with the Agency's rulemaking authority and laws implemented.

Signature: 
Francis Carbone, General Counsel

Date: October 28th, 2019