

March 14, 2008  
Volume XVIII, Issue 2

# Legislative Link

A legislative update provided by the United Way of Florida, Inc.

## WHAT'S INSIDE:

### Page

State Budgets Hurting.....	2
Integrated Disaster Behavioral Health System For Florida .....	2
Proposed State Budget.....	3
Bills Heard This Week.....	5



United Way of Florida

United Way of Florida, Inc.  
307 E. Seventh Avenue  
Tallahassee, FL 32303  
850/488-8287

## STORM CLOUDS CONTINUE TO GROW

The forecast that came out of the Revenue Estimating Conference this week cast an additional pall over an already fiscally-stressed Legislature. The moribund economy continues to under-perform, resulting in a projection this week that general revenue collections will reach only \$24.6 billion next fiscal year, far less than the \$29.2 billion projected just a year ago. Consequently, Legislators are now considering having to cut an additional \$3 billion out of next year's budget. That's on top of the \$512 million they cut this week from this year's budget, and the \$1.1 billion they cut last Fall.

This *Legislative Link* highlights Governor Crist's proposed 2008-2009 state budget. It envisions far fewer cuts – “only” a few hundred million dollars – than what are being discussed in capital hallways. That's because, among others, it “sweeps” unbudgeted money out of trust funds, uses reserve funds and includes increased revenues from expanded gambling. It is premised on getting through this year and counting on next year to bring in the revenues needed to cover this year's shortfalls.

However, because their economists estimate that the economy will not rebound for at least another 18 months or so, neither House nor Senate leaders have expressed an appetite for taking the measures proposed by Governor Crist that they consider to be stop-gap efforts that could put the state in a deeper fiscal hole if the estimates are accurate. The only two alternatives are raising taxes, which has already been discounted as an option by both Houses and the Governor, and reducing the size and scope of government, including cutting services.

Over the next couple of weeks, committees will begin discussing where those cuts should be made.

### Medicaid Researcher: “Don't Expand Now”

There have been several preliminary studies concerning the Medicaid reform pilot projects in Broward County and Duval and surrounding counties, which kicked off 18 months ago, most notably by the Agency for Health Care Administration's Inspector General and by Georgetown University, sponsored by the Jessie Ball DuPont Fund. All of the studies have concluded that more time is needed to determine if the reforms are garnering the results – better services at lower cost - that the reforms were intended to generate.

Even so, Speaker Marco Rubio has stated that because the crisis in Medicaid is growing, the state needs to move aggressively forward with the reforms and expand into Miami-Dade County next year.

This week, professor Paul Duncan, chair of University of Florida Health Services Research, Management & Policy which has been retained by the state to conduct an evaluation of the reform sites, reiterated that there is not enough data to determine if expansion should take place. He surmised that preliminary data on patient satisfaction rates will be available in May, but no data on the quality of care will be available until at least late summer

## STATE BUDGETS HURTING

Florida Legislators who are considering how to cut about \$3 billion out of next year's budget have a lot of company across the nation. The Center on Budget and Policy Priorities reported late last year that among the 21 states that have already made estimates, 14 expect shortfalls totaling \$29 billion in the next fiscal year.

California faces \$5 billion in cuts, New York's shortfall is pegged at \$4 billion, and New Jersey which faces a \$3.5 billion shortfall.

### ***AN INTEGRATED DISASTER BEHAVIORAL HEALTH SYSTEM FOR FLORIDA***

Federal guidance requires that states plan for the provision of professional counseling services, including outreach, referral, psycho-education and short-term psychological first aid to survivors of major disasters. The Florida Crisis Consortium (FCC) was formed in 2005 to develop an integrated disaster behavioral health system for Florida. The FCC is a multi-agency alliance, with behavioral health experts from around Florida, including representatives from the Departments of Children & Families, Education and Health, Florida Crisis Response Teams, Florida Interfaith Networking In Disasters (FIND), Florida Volunteer Organizations Active in Disasters (VOAD), Community Crisis Support Teams, American Red Cross, universities, and other experienced behavioral health responders. For additional information, contact Judith Hartner, M.D., FCC Chair, Director, Lee County Health Department, and Region 6 Health & Medical Co-Chair, at [Judith\\_HartnerMD@doh.state.fl.us](mailto:Judith_HartnerMD@doh.state.fl.us) .(Issued 12-6-07 from *Lynne Drawdy, DOH Office of Public Health Preparedness 407/650-4031, ext. 235*)



College football wisdom....so to speak.....

"Football is only a game. Spiritual things are eternal. Nevertheless, Beat Texas." Seen on a church sign in Arkansas prior to the 1969 game.

"After you retire, there's only one big event left....and I ain't ready for that." Bobby Bowden / Florida State

"The man who complains about the way the ball bounces is likely to be the one who dropped it." Lou Holtz / Arkansas

"When you win, nothing hurts." Joe Namath / Alabama

#### **No Soup Nazi Here**

Has your non-profit taken advantage of the resources offered through TechSoup, one of the nation's oldest and largest non-profit technology assistance agencies? [TechSoup.org](http://TechSoup.org) offers nonprofits a one-stop resource for technology needs by providing free information, resources, and support. In addition to online information and resources, they offer a product philanthropy service called "TechSoup Stock," where non-profits can access donated and discounted technology products, generously provided by corporate and non-profit technology partners.

## GOVERNOR CRIST'S PROPOSED 2008-2009 STATE BUDGET

On January 31, Governor Crist released his proposed 2008-2009 state budget. The \$69.9 billion budget is almost \$2 billion less than this year's budget, before the October budget cuts and Governor Crist's vetoes. Even factoring those reductions in, the proposed budget is about \$300 million less than the current budget.

Economists project that the State's struggling economy will generate about \$2 billion less revenue for next year's budget. Rather than cutting services, Governor Crist sweeps \$1.1 billion from trust funds into the General Revenue Fund, including \$180 million from housing funds, \$129.5 million in reserves from the state's Workers Compensation Administration Trust Fund, and \$400 million in principle from the Lawton Chiles endowment. This results in "only" about \$300 million in cuts to agency base budgets.

The Governor will need a three-fifths vote of the Legislature to pass the budget, because about 3.2% (\$900 million) of the general revenue funds are non-recurring, which exceeds the constitutional limitation of only 3%.

Here are some of the budget highlights excerpted from the Governor's budget summaries:

### Education

- Governor Crist's total recommended budget for **K-12 education** is \$22.8 billion, an increase of \$1.1 billion, or 5.1 percent over Fiscal Year 2007-08 education funding. In addition to ensuring that public school funding is "held harmless" from the impact of the recent adoption of Amendment 1 to reduce property taxes, the Governor's funding priorities for K-12 include teacher performance pay, continued class size reduction, middle school physical education, additional reading coaches, and virtual tutors.
- Florida's **Voluntary Prekindergarten (VPK)** Program was passed by voters as an amendment to the Florida Constitution in 2002. As implemented, the VPK Program provides parents with the option of enrolling eligible four-year-old children in a VPK program during the school year or the summer. Governor Crist proposes an additional \$34 million in funding over Fiscal Year 2007-08, totaling \$384.4 million, and raising the annual spending per student from \$2,677 to \$2,720.
- The **Florida Education Finance Program (FEFP)** is the state's program for funding public schools. Governor Crist's budget provides \$20 billion for the FEFP, an increase of \$1 billion. The Governor proposes increasing funding by \$394 per student, or 5.46 percent, for a total of \$7,606 per student
- Governor Crist strongly supports the **property tax reform** measures recently adopted by Florida voters in Amendment 1, and understands that, as a result, public schools will lose needed revenues. To ensure stability in public school funding, the Governor proposes \$138.5 million in the FEFP to offset the impact of property tax reductions on school districts.
- Governor Crist proposes \$3.5 billion for the continued implementation of the **class size reduction** constitutional amendment. Of this total, \$314.4 million is proposed for building additional classrooms and \$3.2 billion, a 20 percent increase of \$533 million, is designated for operating costs such as staffing new classrooms. If these recommendations are adopted, from 2003 through 2009, more than \$13.8 billion will be spent on costs associated with class size reduction.
- The Governor proposes \$122.6 million, an increase of \$6.5 million, to fund 100 additional **reading coaches**. This funding, combined with other state and federal reading funds, provides approximately 2,600 reading coaches to assist teachers of struggling readers with the essential training and skills necessary to help all students read at grade level by the year 2012.

**Strengthening Florida's Families**

- Governor Crist recommends \$16.8 million to provide life skills training for children in **foster care** between the ages of 13 and 17, and to provide access to independent living services for young adults between the ages of 18 and 23, who have transitioned out of foster care.
- **Child and adult protective investigators** are dispatched into communities to investigate allegations of abuse and neglect. Crucial decisions must be made timely and accurately to ensure the safety of at-risk children and adults. Governor Crist recommends \$9.8 million to purchase devices. These handheld devices will improve the quality of collected data and enhance caseworker performance and safety, by providing the caseworker a device that supports Global Positioning System (GPS), digital audio and video, and biometrics capabilities, as well as real-time access to information through the Internet. This will greatly enhance the ability of caseworkers to track and monitor the status and welfare of at-risk children and families.
- Florida law terminates foster care services at age 18 and an estimated 800 youth in Florida leave foster care each year. Based on interviews conducted by local homeless coalitions in 2007, 11 percent of the 29,456 persons interviewed stated they had a history of being in foster care. Governor Crist recommends \$2 million to provide 52 **transitional housing** units to serve former foster care youth.
- Governor Crist recommends \$14.9 million for additional **adoption subsidies** to allow more special needs children to have a permanent adoptive family rather than remain in foster care.
- Governor Crist recommends \$3 million to fund a Capital Improvement Grant Program to allow Certified **Domestic Violence Centers** to apply for funding through a competitive grant process to construct, repair, acquire, improve or upgrade systems. Improvements will increase safety and accessibility for victims of domestic violence and improve the efficiency of operations.
- Governor Crist recommends an additional \$837,233 to provide respite services for 200 seniors in the **Alzheimer's Disease Initiative** (ADI) Program.
- Governor Crist recommends an increase of \$2,070,000 to provide community-based services to 575 additional seniors in the **Community Care for the Elderly** (CCE) Program.

**Keeping Floridians Healthy**

- Governor Crist's recommended budget includes \$100 million in incentives to encourage middle schools to enroll students in **physical education courses** of at least 45 minutes per day.
- Crist recommends \$21.8 million to increase **Medicaid reimbursement fees to dentists** by an average of 20 percent. Additionally, \$600,000 is recommended to create a community dental services program for Medicaid eligible persons with disabilities living in rural areas to utilize existing dental services that are provided through local institutional facilities.
- Governor Crist recommends \$60.6 million to allow more than 46,000 additional children to be enrolled in the Florida **KidCare** Program.
- Governor Crist recommends a total increase of \$68.1 million for the Florida **Medicaid** program. Of this increase, \$15.9 million is to increase physician fees for dermatologists, neurologists, neurosurgeons, and orthopedic surgeons up to 50 percent of the Medicare reimbursement rate. Governor Crist also recommends \$11.9 million to increase rates for home health services by 5 percent, which will increase access to private duty nursing as well as personal care services for Florida's most vulnerable citizens.

Governor Crist recommends an increase of \$6,292,534 to serve 770 additional crisis clients in the **Aged and Disabled Adult Medicaid Waiver**.

## **BILLS HEARD THIS WEEK**

*(Some information below is excerpted from legislative staff analysis)*

### **SB 446 Bicycle Safety (Bullard)**

This bill amends bicycle helmet regulations effective October 1, 2008, to require compliance with the federal safety standard for bicycle helmets contained in 16 C.F.R., part 1203. Helmets purchased prior to October 1, 2008 in compliance with the current statutory standards may continue to be worn by riders or passengers until January 1, 2012. The bill allows law enforcement officers to issue bicycle safety brochures and verbal warnings to bicycle riders and passengers who violate bicycle lighting equipment standards. Alternatively, at the discretion of the law enforcement officer, a bicycle rider who violates the bicycle lighting equipment standards may be issued a citation and assessed a fine as described above. Also, the bill requires the court to dismiss the charge against a bicycle rider for a first violation of this offense upon proof of purchase and installation of the proper lighting equipment

*Last Action: 03/11/08 SENATE Favorable by Transportation; 8 Yeas, 0 Nays; Now in Criminal Justice*

### **HB 691 Medicaid Recipients with Psychiatric Disabilities (Zapata and others)**

HB 691 authorizes the Agency for Health Care Administration to contract with specialty provider service networks (“PSNs”) that exclusively enroll Medicaid recipients with psychiatric disabilities. Further, the bill requires that, should the Medicaid recipient fail to select a managed care plan, the agency assign a Medicaid recipient with psychiatric disabilities to such specialty PSNs if a specialty PSN is available in the geographic area in which the recipient resides. Similarly, in Medicaid reform pilot program areas, the bill requires the agency to contract with specialty PSNs specializing in psychiatric care, develop a definition of psychiatric disabilities in order to assign recipients to specialty PSNs, and develop a process for assigning recipients to such specialty PSNs when recipients fail to choose a managed care.

*Last Action: 03/11/08 HOUSE Favorable with 1 Amendment by Health Innovation; 8 Yeas, 0 Nays*

### **SB 0994 Employee Leave for Victims of Sexual Violence (Fasano)**

Senate Bill 994 requires employers to allow employees to request and take up to three working days of leave, if the employee is the victim of domestic violence or sexual violence and the leave is sought to seek an injunction for protection, to obtain medical care, victim services, legal assistance, or safe housing.

*Last Action: 03/12/08 SENATE Favorable with 1 Amendment by Children, Families, and Elder Affairs; 8 Yeas, 0 Nays*

### **SB 2216 Adult Protection and Care (Storms)**

The bill authorizes DCF to obtain copies of driver’s license files from DHSMV for the purpose of conducting protective investigations and requires a criminal records background check of each prospective resident of a nursing home facility at the time of admission or immediately following admission, at the resident’s expense.

The bill prohibits a nursing home facility from employing an individual until the facility has complied with the provisions of s. 435.05, F.S., that require an employer to submit within five working days, the information necessary for conducting a level one or level two screening to the Florida Department of Law Enforcement.

*Bills Heard This Week continued*

The bill amends s. 415.103(2), F.S., requiring that a report to the state's central abuse hotline of the known or suspected abuse of a vulnerable adult by someone other than a relative, caregiver, or household member must be immediately transferred to the appropriate sheriff's office. The bill amends s. 415.1051, F. S., to allow DCF to file a petition to determine incapacity in emergency and nonemergency cases, if DCF believes, in good faith, that the vulnerable adult lacks capacity.

*Last Action: 03/12/08 SENATE Favorable with CS by Children, Families, and Elder Affairs; 7 Yeas, 0 Nays*

---



"If you want to succeed, you should strike out on new paths rather than travel the worn paths of accepted success."

from John D. Rockefeller  
*US oil industrialist & philanthropist (1839 - 1937)*



**United Way of Florida**

**UNITED WAY OF FLORIDA, INC.**  
**307 East Seventh Avenue**  
**Tallahassee, FL 32303**  
**Phone - (850) 488-8287**  
**Fax - (850) 681-9137**

**Theodore G. Granger**  
*President & Editor*

**Beth Meredith**  
*Chief Operating Officer*

**Kay Racine**  
*Office Manager*

**Legislative Link** is published by the United Way of Florida, Inc. for our member who may reproduce this newsletter for staff, volunteers, and agencies. All others must call 850/488-8287 for reprint permission.