

Developmental Disabilities Legislative Session Report #8

By Kingsley Ross

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Summary: Week 8 of this year’s legislative session focused on appropriations as the House and Senate began the Conference process to resolve their differences.

Action during week 8: House and Senate worked to reconcile the differences in their budgets. The results are shown below for the Agency for Persons with Disabilities (DD). The conferees were unable to agree on whether to fund APD’s deficit for next fiscal year and bumped that issue up to the next level. The Chairs of the Appropriation Committees will now decide the issue.

Major Budget Issues for the Agency for Persons with Disabilities (APD) as of 4/30/11	House (in millions)	Senate (in millions)	Budget Conference Agreement (in millions)
• Across the board Waiver provider rate cut – Conference agreed to 4%	0	(42.8)	(38.4)
• Cut South FL geographic rate differential – by 50% for Palm Beach, Broward & Dade; Monroe by more than 80% - Conference agreed to 0 cut	(2.9)	0	0
• Reduce service rates to “individual rates” vs. corporate rates. Affects companion & several other services - Conference agreed to 0 cut	(34.0)	(34.0)	0
• Freeze cost plans – Conference agreed to freeze	0	(6.9)	(6.9)
• Cover Waiver deficit – Conference FY 2010-11 \$169.2 mil and FY 2011-12 not decided to date	279.6	0	TBD
• Reduce private Intermediate Care Facilities for the DD (ICF/DD) - Conference agreed to 3%	(6.3)	(10.5)	(6.3)

The conference ended up including the \$2 million in Tobacco Settlement Trust Funds for Healthy Families that had been the House budget but not the Senate’s. For the CARD Centers, the conference reached an agreement of \$4.98 million, a compromise figure between the House and Senate appropriation bills.

In this process, nothing is finished until it is all finished, so all figures are subject to change though changes gets exceedingly more difficult as the process moves forward. **Anticipated Action in Week 9:** The legislature must finish its budget work by Tuesday night in order to wrap up their work on Friday. There is a requirement for legislators to have the appropriations act on their desks for 72 hours before it can be passed. Medicaid reform is currently scheduled to be heard in the Senate on Monday. **Action Needed.** Between now and Monday night (May 2) email or call the following legislative leaders and ask them to please fully fund APD's deficit for FY 11-12.

Pres. Mike Haridopolos	Senate President	(850) 487-5056 haridopolos.mike.web@flsenate.gov
Sen. J D Alexander	Senate Budget Committee Chair	(850) 487-5044 alexander.jd.web@flsenate.gov
Rep. Denise Grimsley	House Appropriations Committee Chair	(850) 488-3457 denise.grimsley@myfloridahouse.gov
Rep Dean Cannon	House Speaker	(850) 488-2742 dean.cannon@myfloridahouse.gov

Background Analysis: The legislature came close to going into an extended session due to a disagreement on budget issues but, in the end, avoided the dilemma by beginning Conference on Wednesday. However, by Thursday, it was obvious that there were several health and human service budget issues that Rep. Hudson and Sen. Negron were just not going to agree to – one of which was whether to fund APD's projected deficit for FY 2011-12. Rather than prolong the process they chose to bump the issues to the next level. The remaining issues will now be settled by Chairs Grimsley and Alexander. If they can't settle them, the decision will be made by the presiding officers.

On the issue of Medicaid reform, the House and Senate have also been unable to agree and this issue continues to remain unresolved. Like the budget process, one of the outstanding issues involves services to people with developmental disabilities – in this case, whether they should be subject to managed care. Rumor has it that DD services are excluded from managed care but we will have to see the strike-all compromise amendment to know for sure.