

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1865 Department of Elder Affairs
SPONSOR(S): Appropriations and Green
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Appropriations</u>	<u>31 Y, 0 N</u>	<u>Massengale</u>	<u>Baker</u>
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

The following provisions in House Bill 1865 have been part of the implementing bill to the General Appropriations Act or in proviso language in the General Appropriations Act for the past several years. The purpose of this bill is to codify these provisions in the Florida Statutes:

- Amends the definition of “stipend” relating to the RELIEF respite program.
- Requires the Department of Elder Affairs to contract with more than one service provider, through the area agencies on aging, in each county as defined in 125.011(1), Florida Statutes, (Miami-Dade County).

In addition, House Bill 1865 designates the Morton Plant Hospital in Clearwater as memory disorder clinic.

The effective date of the bill is July 1, 2004.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h1865.ap.doc
DATE: March 26, 2004

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

Section 430.071 provides definitions for the Respite for Elders Living in Everyday Families (RELIEF) program. The current definition in statute is "an allotment of funds to enable a diverse population of volunteers to provide services. The allotment of funds is for a period of service and not an hourly wage." Proviso language in the General Appropriations Act for the last several years made clear that the stipend is not an hourly wage, but the amount of the stipend could not be greater than the federal minimum wage. House Bill 1865 permanently changes the definition of "stipend" to a maximum hourly rate that shall not exceed an amount equal to the federal minimum wage. House Bill 1865 will permanently codify this provision in Florida Statutes.

Sections 430.204 and 430.205, Florida Statutes, provide direction to the Department of Elder Affairs on the funding of community-care-for-the-elderly service system. The department is required to fund, through each area agency on aging, at least one community care service system for core services to prevent unnecessary institutionalization or provide case management and other home and community services. Since 2001 the implementing bills to the General Appropriations Act had provisions to direct the department to fund more than one community care service system through each area agency on aging in each county as defined in 125.011(1), Florida Statutes, (Miami-Dade County). House Bill 1865 will permanently codify these provisions in Florida Statutes.

Finally, House Bill 1865 adds a new memory disorder clinic at Morton Plant Hospital in Pinellas County for a total 14 clinics. Memory clinics diagnose and treat individuals suffering from memory problems such as Alzheimer's disease.

C. SECTION DIRECTORY:

Section 1. Amends s. 430.071, F.S., relating to the definition of "stipend" in regard to the RELIEF respite program.

Section 2. Amends s. 430.204, F.S., relating to funding of community-care-for-the-elderly core services.

Section 3. Amends s. 430.205, F.S., relating to funding of community care service system.

Section 4. Amends s. 430.502, F.S., and adds paragraph (l) to subsection (1), relating to the addition of a memory disorder clinic at Morton Plant Hospital in Pinellas County.

Section 5. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

See D. FISCAL COMMENTS below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Sections 2 and 3 foster competition for service provision by requiring the department to contract with more than one provider in each county as defined in 125.011(1), Florida Statutes, (Miami-Dade County).

D. FISCAL COMMENTS:

House Bill 1835 (General Appropriations Act) provides \$189,000 in general revenue funds for the Morton Plant Hospital in Clearwater designated as a memory disorder clinic in this bill.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This legislation does not require counties or municipalities to spend funds or to take action requiring the expenditure of funds. The legislation does not reduce the percentage of a state tax shared with counties or municipalities. Finally, the legislation does not reduce the authority that municipalities have to raise revenues.

2. Other:

None

B. RULE-MAKING AUTHORITY:

The Department of Elderly Affairs has sufficient rulemaking authority to implement the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES