

Moving Forward

The Developmental Disabilities Advocates'
Guide to Legislation

Feb. 1, 2013

Volume 18—Issue 4

Brought to you by the Georgia Council on Developmental Disabilities



This week, the various appropriations committees began holding hearings on the FY 2013 Amended Budget. This budget funds the state for the remainder of this fiscal year, through June 30, 2013.

Last week, Moving Forward focused on budget information for the Department of Behavioral Health and Developmental Disabilities (DBHDD), including spending related to the DOJ settlement. **This week, we will focus on budget information for the Department of Community Health (DCH), Department of Human Services (DHS) and Department of Education (DOE).**

The bill to replace the expiring Medicaid "bed tax" funds with a fee continues to move quickly and is scheduled for a debate in the House this Friday. The Senate passed the bill in January.

You can view the budget yourself at <http://opb.georgia.gov>

Additionally, the legislative calendar has been set through March 5. Please see below.

House and Senate News:

House Leadership — Speaker of the House: David Ralston, 7th; **Speaker Pro Tempore:** Jan Jones, 46th. **Majority Leader:** Larry O'Neal, 146th; **Minority Leader:** Stacey Abrams, 84th.

Senate Leadership—Presiding: **Lt. Gov.** Casey Cagle; **President Pro Tempore:** David Shafer, 48th. **Majority Leader:** Ronnie Chance, 16th; **Minority Leader:** Steve Henson, 41st.

Contact information for the Governor—The Honorable Nathan Deal, 203 State Capitol, Atlanta, Georgia, 30334; 404-656-1776, <http://gov.state.ga.us>

Visit www.vote-smart.org to identify your legislators. Find your legislators' contact information at www.legis.state.ga.us House Information, 1-800-282-5800; Senate Information 1-800-282-5803.

Budget Information:

The 2013 Session tackles the 2013 supplemental budget, referred to here as FY 2013A, (ending June 30, 2013) and the 2014 FY budget (beginning July 1, 2013).

Department of Community Health; FY 2013A and FY 2014

This week at a joint Health Appropriations committee meeting targeted at new legislators, Medicaid chief Jerry Dubberly discussed the Medicaid re-design. Dr. Dubberly emphasized the need for better coordination of care and a greater focus on outcomes under the fee-for-service model serving the ABD population.

FY 2013A DCH budget

In the current fiscal year, the governor proposes to save \$3.5 million in state general funds by better enforcing analyses of the level of care required to qualify for long-term care and home and community based services.

FY 2014 DCH budget

In the next fiscal year, the governor proposes to save \$7.2 million in state general funds through the same type of enforcement. Also, he proposes combining the Medicaid Aged, Blind and Disabled program and the Low-Income Medicaid program into one budget item. DCH staff have explained that this is for administrative reasons and should not affect service delivery.

Finally, in the 2014 budget, the governor proposes savings by reducing payments to certain provider groups, excluding hospitals, primary care doctors, hospice, and other types of providers. We are working to better understand the details of how this would work; stay tuned.

Savings through better enforcement of level of care qualification analysis

(\$7,225,223)

Savings from reducing provider reimbursement by 0.74 percent

(\$7,722,563)

Transfer funds to new Medicaid ABD administrative program

(\$1,297,792,067)

Department of Human Services

FY 2013A DHS budget

The governor proposes reducing the budget for the Elder Community Living Services by \$2,638,656 because admission to the Community Care Services Program was capped in October 2012.

FY 2014 DHS budget

The governor proposes eliminating 17 adult protective service worker positions, a savings of \$258,708. At last week's DHS legislative budget hearing, Commissioner Clyde Reese noted that in the future, he wants to increase the number of adult protective service workers to address the growing problem of elder abuse.

For details on the proposed Georgia Vocational Rehabilitation Agency budget, please see Moving Forward from Jan. 18, 2013 - Volume 18, Issue 2.

Department of Education

The governor's budget instructions called for a 3 percent cut in both 2013A and 2014 to most state agencies. However, K-12 education was not subject to that cut, and received additional funding in both budgets for enrollment growth.

FY 2013A DOE budget

In addition to the enrollment growth funding in 2013A, funds were also increased for Special Needs Scholarships. Funds were reduced for Residential Treatment Centers and Sparsity Grants.

FY 2014 DOE budget

The governor proposes to transfer funds for the Georgia Learning Resources System into federal programs. The 2014 budget also proposes to end the Sparsity Grant Program due to lack of need and re-direct those funds into the QBE Program.

Increase funds based on enrollment growth and training

\$147,352,939

Transfer funds for the Sparsity Grant program to the QBE program (causing a correlating reduction in Sparsity Grant funds)

\$2,631,275

Increase funds for Special Needs Scholarships to meet projected need

\$778,118

Adjust funds for the Georgia Preschool Handicapped program based in increased enrollment

\$763,969

Transfer funds for the Georgia Learning Resource Center to Federal Programs

(\$6,300,860)

Reduce funds for Georgia Network for Educational and Therapeutic Support (GNETS) due to declining enrollment

\$2,009,258

CALENDAR

The Legislature has set the calendar up to Day 29, which will be Tuesday, March 5. The dates below indicate when the General Assembly will be in session.

Monday, Feb. 4 to Friday, Feb. 8 (Days 10-14)

Monday, Feb. 11 to Thursday, Feb. 14 (Days 15-18)

Tuesday, Feb. 19 to Friday, Feb. 22 (Days 19-22)

Monday, Feb. 25 to Friday, March. 1 (Days 23-27)

Monday, March 4 to Tuesday, March 5 (Days 28-29)

Keep checking back for an updated legislative calendar!



Moving Forward e-Updates available at
<http://www.gcdd.orgpublicpolicyindex.htm>

PRSRT FIRST CLASS
U.S. POSTAGE
PAID
PERMIT # 96
MARIETTA GA

2 Peachtree Street, NW Suite 26-246
Atlanta, Georgia 30303
<http://www.gcdd.org>

888-ASK-GCDD
TDD 404-657-2133
FAX 404-657-2132

Return service requested

() Please check here and return to your mail carrier

if you no longer wish to receive Moving Forward.

Legislation — HOUSE:

HB 18: The "Blind Persons' Braille Literacy Rights and Education Act"; to require an evaluation of a blind or visually impaired child to determine such child's need for Braille instruction; to require Braille instruction in the individualized education plan of a blind or visually impaired student; to provide requirements for textbook publishers relating to electronic materials; to provide license requirements relating to Braille for certain teachers. **Sponsor:** Waites, K., 60. **Status:** Prefiled.

HB 51: Relating to care and protection of indigent and elderly patients, so as to enact the "Hospital Medicaid Financing Program Act"; to authorize the Department of Community Health to assess a provider payment on hospitals for the purpose of obtaining federal financial participation for Medicaid. **Sponsors:** Hatchett, 150; Carter, 175; Coomer, 14. **Status:** Gov. Affairs; House Second Readers.

HB 70: Relating to the scholarship program for special needs students, so as to provide for the waiver of one of the scholarship requirements under certain conditions. **Sponsors:** Golick, 40; Coleman, 97; Setzler, 35; Lindsey, 54; Dudgeon, 25; Kaiser, 59. **Status:** HE; House Second Readers.

HB 74: To require health plans to provide coverage for hearing aids for certain individuals; to provide for the frequency of replacement of hearing aids; to provide for coverage of services and supplies; to provide options for higher priced devices. **Sponsors:** Edward Lindsey, 54; Doug Holt, 112; Mike Glanton, 75; Tom Dickson, 6; Tommy Benton, 31; Pat Gardner, 57. **Status:** Insurance; House Second Readers.

HB 78: Relating to crimes and offenses, when depositions to preserve testimony in criminal proceedings may be taken, protection of disabled adults and elder persons, and reporting abuse or exploitation of residents in long-term care facilities; to change provisions relating to cruelty to a person 65 years of age or older; to prohibit exploitation of disabled adults, elder persons, and residents. **Sponsors:** Wendell, 51; Jones, 47; Lindsey, 54; Abrams, 89; Cooper, 43; Houston, 170. **Status:** Judiciary; House Second Readers.

HB 119: To provide for sentencing of certain defendants guilty of crimes which target a victim due to the victim's race, religion, gender, gender identity, sexual orientation, disability, or national origin; to provide for enhanced sentences in any case in which the trier of fact determines beyond a reasonable doubt that the defendant intentionally selected any victim or any property of the victim as the object of the offense because of the victim's race, religion, gender, gender identity, sexual orientation, or national origin. **Sponsors:** Marin, 96; Waites, 60; Brooks, 55; Bell, 58. **Status:** J N-C; House First Readers.

HR 24: Proposing an amendment to the Constitution so as to authorize the General Assembly to provide for additional penalties or fees for offenses involving illegal parking in spaces reserved for persons with disabilities, operating a motorcycle without protective headgear, operating a boat or other watercraft while under the influence of alcohol or drugs, and reckless driving; to provide that the General Assembly is authorized to allocate such additional penalties or fees to the Brain and Spinal Injury Trust Fund. **Sponsor:** Kidd, 145. **Status:** Judiciary; House Second Readers.

HR 49: A resolution requesting the Congress of the United States to pass legislation restoring the deep cuts to mental health services, research, special education, and supportive housing for children and adults living with mental illness; and for other purposes. **Sponsor:** Waites, 60. **Status:** H&HS; House Second Readers.

Legislation — SENATE:

SB 14: Relating to indigent and elderly patients, so as to create a Georgia Alzheimer's and Related Dementias State Plan Task Force. **Sponsor:** Unterman, R. 45. **Status:** H&HS; Senate Read and Referred.

SB 23: To establish the "Stacey Nicole English Act" and in her honor to aid in the location of missing persons who may be incapacitated due to serious medical conditions; to prohibit minimum waiting periods for initiating a missing person report; to authorize a state-wide endangered person advisory based on a missing person's severe medical condition. **Sponsor:** Davenport, 44; Fort, 39; Jones, 10; Donzella, 35; Tate, 38; Butler, 55. **Status:** PS; Senate Read and Referred.

SB 24: Same as HB51; **Sponsors:** Bethel, 54; Jeffares, 17; Jackson, 24. **Status:** RI&U; Senate Passed & Adopted.

SB 34: To provide that it shall be unlawful for a mentally incompetent person or an addicted person to possess a handgun; to provide that it shall be unlawful to provide a handgun to a mentally incompetent person or an addicted person; to provide that it shall be unlawful to provide a handgun to any person known by the provider of the weapon to be a substantial risk of using the weapon illegally. **Sponsor:** Donzella, 35. **Status:** J.N -C.; Senate Read and Referred.

SB 47: Relating to individual health insurance coverage, so as to provide that each individual accident and sickness policy sold shall provide coverage for treatment of dependent children with cancer and provide coverage for autism. **Sponsors:** Fort, 39; Henson, 41; Tate, 38; Sims, 12; Lucas, 26; Donzella, 35. **Status:** I&L; Senate Read and Referred.

SB 50: Relating to absentee voting, so as to change the time periods for advance voting. **Sponsors:** Henson, 41; Ramsey, 43; Tate, 38; Butler, 55; Lucas, 26; Fort, 39. **Status:** Ethics; Senate Read and Referred.

SB 62: Relating to care and protection of indigent and elderly patients, so as to establish the Federal and State Funded Health Care Financing Programs Overview Committee. **Sponsors:** Hill, 32; Shafer, 48; Unterman, 45; Miller, 49; Gooch, 51; Hill, 6. **Status:** H&HS; Senate Read and Referred.

SB 65: Relating to mental health, so as to authorize a licensed professional counselor to perform certain acts which physicians, psychologists, and others are authorized to perform regarding emergency examinations of persons who are mentally ill or alcoholic or drug dependent; to require a licensed professional counselor to secure certification to perform certain acts from the Department of Behavioral Health and Developmental Disabilities. **Sponsor:** Unterman, 45. **Status:** H&HS; Senate Read and Referred.

SB 79: To raise the age of mandatory education from 16 to 17. **Sponsors:** Jackson, 2; Henson, 41; Tate, 38; Sims, 12. **Status:** Senate Hopper.

SR 12: A resolution urging the Governor to expand Medicaid coverage under the Affordable Care Act. **Sponsors:** Henson, 41; Fort, 39; Tate, 38; Harbison, 15; Lucas, 26; James, 35. **Status:** H&HS; Senate Read and Referred.

SR20: A resolution requesting that all physicians include autism spectrum disorders screening in all well-child visits no later than 18 months of age. **Sponsors:** Donzella, 35; Davenport, 44; Orrock, 36; Henson, 41. **Status:** H&HS; Senate Read and Referred.

Dates to Remember:

February is Self-Advocates Month at the Capitol

Be There 4 Seniors Rally at the Capitol Feb 7th

Mental Health Day at the Capitol: February 19th

Disability Day at the Capitol: February 21st! - Register at GCDD.org or by calling 404-656-6593