

Moving Forward

The Developmental Disabilities Advocates'
Guide to Legislation

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Volume 18—Issue 2

Brought to you by the Georgia Council on Developmental Disabilities



Welcome to the 2013 Legislative Session! The first year of the General Assembly began Monday, January 14. The Governor delivered the State of the State Address January 17 at 11 a.m. before a Joint Session.

In the State of the State, Governor Deal emphasized the pillars of public safety, education, health care and economic development. The Governor's budget proposed a new structure to administer Medicaid benefits. We will be sharing details as we learn more about what this would entail.

Earlier this week, the Governor explained that he will not be expanding Medicaid. To avoid the expected Medicaid budget shortfall of almost \$700 million, the Governor proposed replacing the expiring Medicaid "bed tax" with a fee to be administered by the Department of Community Health. Legislation to do this was approved by the Senate on Thursday and now heads to the House.

We are still analyzing the budget, so stay tuned for more news. This issue presents the figures released in the budget. You can view the budget yourself at <http://opb.georgia.gov>

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 Behavioral Health and Developmental Disabilities; FY 2013A and FY 2014

This will be the fourth full year budget for the DBHDD. The Department is in the third year of the Settlement Agreement with the Department of Justice, which was signed on October 19, 2010. The agreement lays out five years of deliverables to better serve people with mental illness and developmental disabilities currently living in state institutions or at risk of institutionalization. The governor's budget instructions for FY 2014 call for a 3% cut, plus an additional 2% for Medicaid.

The budget package for the settlement calls for no changes in the FY 2013 Amended budget. UNLOCK the Waiting Lists is requesting additional funding for populations considered "most in need." Please see the Unlock website, www.unlockthewaitinglists.com for this budget package. Moving Forward only reports the figures as proposed in the budget.

Provide funding for developmental disabilities consumers in community settings to comply with the DOJ settlement agreement (FY14):

Includes (figures are combined state and federal funds):

Family Supports (1,850 families): **\$6,520,400**
⇒ Increase of \$1,872,000, for 500 new families, from FY2013

Provide for an additional 250 NOW and COMP waivers and annualize

250 waiver slots from FY2013: **\$11,966,160**
⇒ Represents an increase in funds, to a total of 900 waivers

12 crisis respite homes,
6 mobile crisis teams: **\$11,917,681**
⇒ No change from FY2013

Education of judges & law enforcement: **\$250,000**

• No change from FY2013

Waiver audits: **\$200,000**
⇒ No change from FY2013

Department of Community Health; FY 2014

There is no funding proposed to annualize waivers from the FY2013 budget, nor any funding proposed to fund the remainder of the ICWP waiting list, roughly 100 names.

Increase funds for growth in Medicaid: **\$129,148,434**

Increase funds for growth in PeachCare: **\$7,667,976**

Department of Human Services; FY 2014

In FY 2013, all services under Vocational Rehabilitation moved from the Department of Labor to the Department of Human Services. The Georgia Vocational Rehabilitation Agency was organized with a governing board and executive director overseeing the following divisions. For each program, the agency requested funds roughly equal to the current year's budget, and in each case, the governor's budget proposes to fund within 1% of the agency's request. These are combined federal and state funds.

Business Enterprise Program	\$2,582,579
Disability Adjudication Section	\$55,598,820
Georgia Industries for the Blind	\$11,828,888
Roosevelt Warm Springs Institute	\$30,991,307
Vocational Rehabilitation Program	\$79,889,346

Department of Education; FY 2014

Based on recommendations from the State Education Finance Study Commission, the Governor's budget proposes to transfer funds into the Quality Basic Education Formula from School Counselors (\$898,952), School Nurses (\$2,577,745), Professional Development (\$759,393) and hold harmless for Central Operations Redirect to Classroom Technology (\$183,574):

Total adjustment (additional funds): **\$147,352,939**

Increase funds for Special Needs Scholarships to meet projected need: **\$778,118**

Provide differentiated pay for newly Certified math and science teachers: **\$2,574**

Total increases to the Quality Basic Education Formula (including these and other adjustments): **\$211,105,292**

Calendar: Week of 1/22 - 1/24, Room 341 CAP

Tuesday through Thursday, Joint Appropriation Hearings

Tuesday, 10:25 a.m.—4:30 p.m.: Governor Deal; Economic Outlook & Revenue Estimating, 10:55 a.m.; DOE, 1 p.m.; Department of Early Care & Learning, 4 p.m.

Wednesday, 9:25 a.m.—5 p.m.: Department of Juvenile Justice, 10:30 a.m.; Council of Juvenile Court Judges, 11 a.m.; Department of Public Safety, 11:30 a.m.; Department of Behavioral Health and Developmental Disabilities, 2:15 p.m.

Thursday: 9:25 a.m.—4 p.m.: Department of Human Services, 9:30 a.m.; Department of Community Health, 10:15 a.m.; Department of Public Health, 11:15 a.m.; Department of Revenue, 11:30 a.m.; Office of Planning and Budget, 12 p.m.

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Visit GCDD.org to sign up.

Legislation — HOUSE:

HB 9: To amend Code Section 20-2-690.1 of the Official Code of Georgia Annotated, relating to mandatory education for children between ages six and 16, so as to change the age requirements. **Sponsor:** Waites, K., 60. **Status:** Prefiled.

HB 15: to require annual reporting of bullying incidents; to provide for input into anti-bullying strategies by school councils. **Sponsor:** Waites, K., 60. **Status:** Prefiled.

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 program 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.

HB51: 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.

HB70: 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; to provide deadlines for scholarship payments to parents.

Sponsors: Golick, 40; Coleman, 97; Setzler, 35; Lindsey, 54; Dudgeon, 25; Kaiser, 59. **Status:** House Hopper.

HB78: 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:** House Hopper.

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:** Senate Hopper.

SB 21: Relating to mandatory education for children between ages six and 16, so as to change the ages of mandatory education. **Sponsor:** James, D. 35. **Status:** E&Y; 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, G. 44. **Status:** Prefiled.

SB24: Same as HB51; **Sponsors:** Bethel, 54; Jeffares, 17; Jackson, 24. **Status:** RI&U; Senate Passed & Adopted.

SB34: 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 46: To establish the Georgia Health Insurance Marketplace Authority; to provide for a board of directors; to provide for composition, terms, and officers; to provide for powers and duties of the authority; to provide for the state's American Health Benefit Exchange and Small Business Health Options Program Exchange; to provide for a trust fund; to provide for advisory committees.

Sponsors: Orrock, 36; Davis, 22; Tate, 38; Harbison, 15; Lucas, 26; James, 35. **Status:** I&L; Senate Read and Referred.

SB47: 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.

SR12: 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:** Senate Hopper.

Glossary:

Appropriation—a specific amount of money that is intended for use by a specific state program

DCH—Department of Community Health

DD—Developmental Disabilities

DHS—Department of Human Services

DBHDD—Department of Behavioral Health & Developmental Disabilities

FY—Fiscal Year

HB—House Bill

Dates to Remember:

Martin Luther King Remembrance: January 21st
Blind Coalition Legislative Day at the Capitol: January 23rd
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



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