

Moving Forward

The Developmental Disabilities Advocates'
Guide to Legislation

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Volume 18—Issue 8

Brought to you by the Georgia Council on Developmental Disabilities



AMENDED BUDGET: The Fiscal Year 2013 Amended budget passed the Senate on Friday, Feb. 22. The Senate 2013A budget differs from the House on several funding items, so the budget now goes to conference committee to work out the differences. To review those differences, please see last week's issue of Moving Forward.

Both House and Senate subcommittees are working on the 2014 budget. Members of the Unlock Coalition are meeting regularly with legislators, **but we cannot make our case without the voices of advocates and families needing services.** Legislators want to hear from their constituents! **Please call or write your legislators**, particularly about the need for additional funds to support those who wish to go to work and housing assistance that would allow individuals to live in their own homes. For more information, go to unlockthewaitinglists.com and click "2013 Session Unlock Ask".

In other news, House Speaker David Ralston has made several changes to his high-profile House Bill 142, and that revised version passed the House at the start of this week. House Bill 78, which expands criminal penalties for abusing vulnerable adults, heads to the full house; Senate Bill 202, which deals with long-term care facility arbitration agreements, is being debated in committee. **For detailed information on this & other bills, go to www.legis.ga.gov and click "Legislation".**

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 FY 2014 budget (beginning July 1, 2013). This week's issue reviews the "big" budget, the governor's proposed FY 2014. For details on the FY 2013A budget, please see last week's issue.

Department of Behavioral Health and Developmental Disabilities; FY 2014

To see details on how the budget breaks down for each program in DBHDD, please see the full budget documents available at <http://opb.georgia.gov>.

Department Budget Summary—FY14

	FY13 current	FY14
State General Funds:	\$927,970,753	\$946,180,353
⇒ \$18,209,600 recommended increase		
Tobacco Settlement Funds:	\$10,255,138	\$10,255,138
TOTAL STATE FUNDS:	\$938,225,891	\$956,435,491
⇒ \$18,209,600 recommended increase		
Community Mental Health		
Services Block Grant:	\$14,141,291	\$14,141,291
Medical Assistance Program:	\$24,477,192	\$25,035,735
⇒ \$558,543 recommended increase		
Prevention & Treatment of Substance		
Abuse Block Grant:	\$46,889,589	\$46,889,589
Social Services Block Grant:	\$35,981,142	\$35,981,142
TANF Block Grant:	\$11,568,720	\$11,568,720
Federal Funds Not Itemized:	\$10,738,935	\$10,738,935
TOTAL FEDERAL FUNDS:	\$143,796,869	\$144,355,412
⇒ \$558,543 recommended increase		
Other Funds:	\$50,396,688	\$59,806,240
⇒ \$9,409,552 recommended increase		
TOTAL OTHER FUNDS:	\$50,396,688	\$59,806,240
⇒ \$9,409,552 recommended increase		
Total Funds:	\$1,132,419,448	\$1,160,597,143
⇒ \$28,177,695 recommended increase		

DOJ Settlement-Related Spending; FY 2014

DBHDD is in the third year of the Settlement Agreement with the Department of Justice. 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. This year, DBHDD took a 3 percent cut with all the other state agencies.

Settlement Funds for Developmental Disabilities—FY14

The FY 2014 budget calls for additional Family Supports funds to serve 500 new families as well as 250 new NOW/COMP Waivers.

	FY13 current	FY14 recom.
Family Supports:	\$4,648,400	\$6,520,400
⇒ \$1,872,000 recommended increase		
NOW/COMP Waivers:	\$19,846,352	\$31,812,512
⇒ \$11,966,160 recommended increase for 250 new waivers		
Crisis Respite Homes (12) & Mobile		
Crisis Teams (6):	\$11,917,681	\$11,917,681
Education of Judges and		
Law Enforcement:	\$250,000	\$250,000
Waiver Audits:	\$200,000	\$200,000
DD Total spending:	\$36,862,433	\$50,700,593
⇒ \$13,838,160 recommended increase		

Department of Community Health; FY 2014

In FY 2014, the governor proposes savings by reducing payments to several provider groups, including home and community based providers. Moving Forward only reports the budget figures; for more information please see www.unlockthewaitinglists.com.

The governor also proposes to save \$7.2 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.

- ⇒ Savings from reducing provider reimbursement by 0.74 percent
(\$7,722,563)
- ⇒ Savings from better enforcement of level of care qualification analysis
(\$7,225,223)

Department of Human Services; FY 2014

The governor proposes eliminating 17 adult protective service worker positions, a savings of \$528,871; and reducing contract respite services by \$484,559.

Department of Education; FY 2014

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.

DOE budget—FY14

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 & training **\$147,352,939**
- ⇒ Transfer funds from Sparsity Grant program to 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 on 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

As of print time, we are awaiting a schedule for the remainder of the legislative session. The calendar has been set through Tuesday, March 5 (Day 29). Check back with Moving Forward for an updated calendar as one becomes available.

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Legislation – HOUSE:

HB 18: The "Blind Persons' Braille Literacy Rights and Education Act"; 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:** Ed; House Second Readers.

HB 67: To expand the Brain and Spinal Injury Trust Fund provisions to authorize additional penalty assessments for additional violations. **Sponsor:** Culver, 145. **Status:** Judy; House Second Readers.

HB 70: To provide for the waiver of one of the special needs scholarship requirements under certain conditions. **Sponsors:** Golick, 40; Coleman, 97; Setzler, 35; Lindsey, 54; Dudgeon, 25; Kaiser, 59. **Status:** Ed; House Passed & Adopted; Senate Read & Referred.

HB 74: To require health plans to provide coverage for hearing aids for certain individuals. **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 the 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. **Sponsors:** Wendell, 51; Jones, 47; Lindsey, 54; Abrams, 89; Cooper, 43; Houston, 170. **Status:** Judy; House Committee Favorably Reported.

HB 119: To provide for enhanced sentencing of defendants guilty of crimes that target a victim due to the victim's race, religion, gender, gender identity, sexual orientation, disability, or national origin. **Sponsors:** Marin, 96; Waites, 60; Brooks, 55; Bell, 58. **Status:** JudyNC; House Second Readers.

HB 166: The "Parent Protection Act"; to provide for leave for employees to attend school conferences and medical appointments; to provide that retaliatory actions are unlawful. **Sponsors:** Bruce, 61; Anderson, 92; Abrams, 89; Hugley, 136; Mitchell, 88; Holcomb, 81. **Status:** I&L; House Second Readers.

HB 198: To provide for licensing of health insurance navigators under the federal Patient Protection and Affordable Care Act. **Sponsors:** Smith, R., 134; Meadows, 5; Maxwell, 17; Shaw, 176; Abrams, 89; Gardner, 57. **Status:** I&L; House Passed & Adopted; Senate Read & Referred.

HB 205: To provide for a psychiatric advance directive. **Sponsors:** Lindsey, 54; Gardner, 57; Willard, 51; Neal, 2; Weldon, 3; Oliver, 82. **Status:** H&HS; House Second Readers.

HB 207: To authorize issuance of a special turkey-hunting permit and provide for an extended turkey season for young and mobility impaired hunters. **Sponsors:** Shaw, 176; Roberts, 155; Tankersley, 160; Williams, 168; Nimmer, 178; Black, 174. **Status:** GF&P; House Committee Favorably Reported.

HB 242: To enact comprehensive juvenile justice reforms recommended by the Governor's Special Council on Justice Reform in Georgia. **Sponsors:** Willard, 51; Coomer, 14; Hatchett, 150; Nimmer, 178; Oliver, 82; Neal, 2. **Status:** Judy; House Committee Favorably Reported.

HB 290: To allow employees to use sick leave for the care of immediate family members. **Sponsors:** Dempsey, 13; Benton, 31; Clark, 101; Brockway, 102; Kaiser, 59; Powell, 171. **Status:** HR&A; House Committee Favorably Reported.

HB 299: Relating to tax returns, so as to provide for contributions to Special Olympics Georgia Incorporated. **Sponsors:** Watson, 172; Shaw, 176; Carter, 175; England, 116; Sharper, 177; Black, 174. **Status:** W&M; House Second Readers.

HB 303: To provide that a person who has been denied a license to carry a weapon or has had such license revoked because of mental incompetency may reapply after five years. **Sponsors:** Gardner, 57; Jones, 62; Abrams, 89; Williams, 168; Fludd, 64; Holcomb, 81. **Status:** PS&HS; House Second Readers.

HB 309 (Partner bill to SB 191): "Ava's Law," to provide for certain insurance coverage of autism spectrum disorders. **Sponsors:** Harbin, 122; Dempsey, 13; Ramsey, 72; Randall, 142; Neal, 2; Battles, 15. **Status:** Insurance; House Second Readers.

HB 398: Relating to unfair or deceptive practices in consumer transactions unlawful, so as to authorize licensed personal care homes and community living arrangements to use certain terms. **Sponsors:** Mawell, 17; Channell, 120; Stephens, 164; Clark, 101; Martin, 49; Kaiser, 59. **Status:** HR&A; House Second Readers.

HB 461: To provide for a single administrator for dental services for Medicaid recipients and PeachCare for Kids participants; to require the Department of Community Health to competitively bid out and contract with such single administrator. **Sponsors:** Rogers, 29; Channell, 120; Parrish, 158; Cooper, 43. **Status:** H&HS; House First Readers.

HR 24: 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; authorized to allocate such additional penalties or fees to the Brain and Spinal Injury Trust Fund. **Sponsor:** Kidd, 145. **Status:** Judy; House Second Readers.

Legislation – SENATE:

SB 14: To create a Georgia Alzheimer's and Related Dementias State Plan Task Force. **Sponsor:** Unterman, R. 45. **Status:** H&HS; Senate Passed & Adopted; House Second Readers.

SB 23: The "Stacey Nicole English Act," to aid in the location of missing persons who may be incapacitated due to serious medical conditions. **Sponsor:** Davenport, 44; Fort, 39; Jones, 10; Donzella, 35; Tate, 38; Butler, 55. **Status:** PS; Senate Read & Referred.

SB 24 (Companion bill to HB51): To enact the "Hospital Medicaid Financing Program Act"; to authorize the Department of Community Health to assess a provider payment on hospitals. **Sponsors:** Bethel, 54; Jeffares, 17; Jackson, 24. **Status:** RI&U; House & Senate Passed & Adopted; Signed by Governor.

SB 47: To provide that each individual accident and sickness health insurance 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 & 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 & Referred.

SB 62: 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 & Referred.

SB 65: 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. **Sponsor:** Unterman, 45. **Status:** H&HS; Senate Passed & Adopted; House Second Readers.

SB 115: To provide that performance data of students in certain placements are included in the resident school system data. **Sponsors:** Tipping, 37; Wilkinson, 50; Jeffares, 17; Williams, 19; Harper, 7; Millar, 40. **Status:** Ed&Y; Senate Read Second Time.

SB 202: Formalizing procedures regarding arbitration agreements when a patient enters a long-term care facility. **Sponsors:** Unterman, 45; Mullis, 53; Chance, 16. **Status:** H&HS; Senate Read and Referred.

SB 220: To provide for a pilot program for the use of smart cards for Medicaid program recipients. **Sponsor:** Hill, 32. **Status:** Senate Hopper.

SR 12 (Partner resolution to HR 280): 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.

SR 228 (Partner resolution to HR 389): A resolution requesting the repeal of the \$100 billion federal sales tax on health insurance imposed by the Affordable Care Act. **Sponsors:** Shafer, 48; McKoon, 29; Hill, 32; Albers, 56; Loudermilk, 14; Ligon, 3. **Status:** Rules; Senate Read Second Time.

SR 345: A resolution creating the Senate Select Alternative Funding for Medicaid and Other Health Care Federal Funding Committee. **Sponsors:** McKoon, 29; Unterman, 45; Shafer, 48; Gooch, 51; Dugan, 30. **Status:** Rules, Senate Read and Referred.