



Health Care Appropriations Committee

**April 6, 2010
1:00 p.m. – 3:00 p.m.
212 Knott
(Webster Hall)**

Action Packet

Committee Meeting Notice
HOUSE OF REPRESENTATIVES

Health Care Appropriations Committee

Start Date and Time: Tuesday, April 06, 2010 01:00 pm
End Date and Time: Tuesday, April 06, 2010 03:00 pm
Location: Webster Hall (212 Knott)
Duration: 2.00 hrs

Consideration of the following bill(s):

CS/HB 195 Relief/Pierreisna Archille/DCFS by Civil Justice & Courts Policy Committee, Nehr
CS/HB 197 Mobile Home and Recreational Vehicle Parks by Military & Local Affairs Policy Committee,
Gonzalez
CS/HB 225 Controlled Substances by Health Care Regulation Policy Committee, Legg, Abruzzo
CS/HB 729 Practice of Tattooing by Health Care Regulation Policy Committee, Brandenburg
HB 1383 Pregnant Children and Youth in Out-of-Home Care by Weinstein

NOTICE FINALIZED on 04/02/2010 14:18 by LAL

COMMITTEE MEETING REPORT
Health Care Appropriations Committee
4/6/2010 1:00:00PM

Location: Webster Hall (212 Knott)

Summary:

Health Care Appropriations Committee

Tuesday April 06, 2010 01:00 pm

CS/HB 195 Favorable Yeas: 13 Nays: 0

CS/HB 197 Favorable With Committee Substitute Yeas: 13 Nays: 0

Amendment 1 Adopted

Amendment 2 Failed to Adopt

Amendment 3 Withdrawn

Amendment 4 Failed to Adopt

Amendment 5 Failed to Adopt

Amendment 6 Failed to Adopt

Amendment 7 Failed to Adopt

CS/HB 225 Not Considered

CS/HB 729 Favorable Yeas: 13 Nays: 0

HB 1383 Favorable With Committee Substitute Yeas: 10 Nays: 4

Committee meeting was reported out: Tuesday, April 06, 2010 4:20:30PM

COMMITTEE MEETING REPORT
Health Care Appropriations Committee

4/6/2010 1:00:00PM

Location: Webster Hall (212 Knott)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Denise Grimsley (Chair)	X		
Thomas Anderson	X		
Charles Chestnut IV	X		
Carl Domino	X		
Clay Ford	X		
James Frishe	X		
Ed Homan	X		
Matt Hudson	X		
Peter Nehr	X		
Kenneth Roberson	X		
Yolly Roberson	X		
Elaine Schwartz	X		
Kelly Skidmore	X		
Nicholas Thompson	X		
Totals:	14	0	0

Committee meeting was reported out: Tuesday, April 06, 2010 4:20:30PM

COMMITTEE MEETING REPORT
Health Care Appropriations Committee

4/6/2010 1:00:00PM

Location: Webster Hall (212 Knott)

CS/HB 195 : Relief/Pierreisna Archille/DCFS

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Charles Chestnut IV	X				
Carl Domino	X				
Clay Ford	X				
James Frishe	X				
Ed Homan	X				
Matt Hudson	X				
Peter Nehr	X				
Kenneth Roberson	X				
Yolly Roberson			X		
Elaine Schwartz	X				
Kelly Skidmore	X				
Nicholas Thompson	X				
Denise Grimsley (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Claims bill

Richard A. Filson, Attorney - Proponent
 2727 South Tamiami Trail
 Sarasota FL 34239
 Phone: 941-952-0771

Archille Claims bill

John Slye, Deputy General Counsel (State Employee) - Proponent
 Department of Children & Families
 1317 Winewood Boulevard Building 2, Room 204
 Tallahassee FL 32399-0700
 Phone: 850-413-6173

Committee meeting was reported out: Tuesday, April 06, 2010 4:20:30PM

COMMITTEE MEETING REPORT
Health Care Appropriations Committee

4/6/2010 1:00:00PM

Location: Webster Hall (212 Knott)

CS/HB 197 : Mobile Home and Recreational Vehicle Parks

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Charles Chestnut IV	X				
Carl Domino	X				
Clay Ford	X				
James Frishe	X				
Ed Homan	X				
Matt Hudson	X				
Peter Nehr	X				
Kenneth Roberson	X				
Yolly Roberson			X		
Elaine Schwartz	X				
Kelly Skidmore	X				
Nicholas Thompson	X				
Denise Grimsley (Chair)	X				
Total Yeas: 13		Total Nays: 0			

CS/HB 197 Amendments

Amendment 1

Adopted

Amendment 2

Failed to Adopt

Amendment 3

Withdrawn

Amendment 4

Failed to Adopt

Amendment 5

Failed to Adopt

Amendment 6

Failed to Adopt

Committee meeting was reported out: Tuesday, April 06, 2010 4:20:30PM

COMMITTEE MEETING REPORT
Health Care Appropriations Committee

4/6/2010 1:00:00PM

Location: Webster Hall (212 Knott)

Amendment 7

Failed to Adopt

Appearances:

Amendments 2 and 6

Alice Vickers, Attorney (Lobbyist) - Proponent

Florida Legal Services

2425 Torreya Drive

Tallahassee FL 32303

Phone: 850-385-7900

Amendments 2, 4, 6, and 7

Terry A. Coble, Affordable Housing Advocate - Proponent

Miami Coalition for the Homeless

601 NE 56th Street

Tallahassee FL 33137

Phone: 305-751-0504

Amendments 2, 3, 4, 5, 6, and 7

David Eastman, General Counsel (Lobbyist) - Opponent

Florida Association of RV Parks

2155 Delta Boulevard Suite 210B

Tallahassee FL 32303

Phone: 850-521-0890

Committee meeting was reported out: Tuesday, April 06, 2010 4:20:30PM

COMMITTEE MEETING REPORT
Health Care Appropriations Committee

4/6/2010 1:00:00PM

Location: Webster Hall (212 Knott)

CS/HB 225 : Controlled Substances

Not Considered

Committee meeting was reported out: Tuesday, April 06, 2010 4:20:30PM

Print Date: 4/6/2010 4:20 pm

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COMMITTEE MEETING REPORT
Health Care Appropriations Committee
4/6/2010 1:00:00PM

Location: Webster Hall (212 Knott)
CS/HB 729 : Practice of Tattooing

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Charles Chestnut IV	X				
Carl Domino	X				
Clay Ford	X				
James Frishe	X				
Ed Homan	X				
Matt Hudson	X				
Peter Nehr	X				
Kenneth Roberson	X				
Yolly Roberson	X				
Elaine Schwartz				X	
Kelly Skidmore	X				
Nicholas Thompson	X				
Denise Grimsley (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Tattooing
 Bill Hannong, Tattooist - Proponent
 Florida Professional Tattoo Artist's Guild
 8024 Alico Road Suite A-7
 Ft. Myers FL 33912
 Phone: 239-940-1135

Committee meeting was reported out: Tuesday, April 06, 2010 4:20:30PM

COMMITTEE MEETING REPORT
Health Care Appropriations Committee

4/6/2010 1:00:00PM

Location: Webster Hall (212 Knott)

HB 1383 : Pregnant Children and Youth in Out-of-Home Care

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Charles Chestnut IV		X			
Carl Domino	X				
Clay Ford	X				
James Frishe	X				
Ed Homan	X				
Matt Hudson	X				
Peter Nehr	X				
Kenneth Roberson	X				
Yolly Roberson		X			
Elaine Schwartz		X			
Kelly Skidmore		X			
Nicholas Thompson	X				
Denise Grimsley (Chair)	X				
Total Yeas: 10		Total Nays: 4			

Appearances:

Guardian Ad Litem/Judicial Bypass

Daria Dawson, Legislative Advocate (Lobbyist) - Opponent

ACLU of Florida
 13448 North Meridian Road
 Tallahassee FL
 Phone: 850-459-1022

Judicial Bypass

Stephanie Kunkel, Executive Director (Lobbyist) - Opponent

Florida Alliance of Planned Parenthood Affiliates
 736 Central Avenue
 Sarasota FL 34236
 Phone: 850-425-5097

Committee meeting was reported out: Tuesday, April 06, 2010 4:20:30PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 197 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

A

1 Council/Committee hearing bill: Health Care Appropriations

2 Committee

3 Representative(s) Gonzalez offered the following:

4

5 **Amendment**

6 Remove line 214 and insert:

7 result in the assessment of late fees, not to exceed \$100, by
8 the department.

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 197 (2010)

Amendment No. 2

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

F

1 Council/Committee hearing bill: Health Care Appropriations
2 Committee
3 Representative(s) Skidmore offered the following:

Amendment

6 Remove lines 135-139 and insert:
7 licenses. However, a mobile home park that rents spaces to
8 recreational vehicles, and the tenants are nontransient guests
9 as defined in this chapter, on the basis of long-term leases is
10 required to comply with the laws and rules relating to mobile
11 home parks including but not limited to chapter 723, if
12 applicable.

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 197 (2010)

Amendment No. 3

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION — (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN ✓ (Y/N)
OTHER —

WID

1 Council/Committee hearing bill: Health Care Appropriations
2 Committee
3 Representative(s) Skidmore offered the following:

Amendment

Remove lines 103-112

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 197 (2010)

Amendment No. 4

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

F

1 Council/Committee hearing bill: Health Care Appropriations
2 Committee
3 Representative(s) Skidmore offered the following:
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Amendment (with title amendment)

Remove lines 311-312

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10 -----

T I T L E A M E N D M E N T

12 Remove lines 38-39 and insert:
13 creating s. 513.1115,

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 197 (2010)

Amendment No. 5

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

(F)

1 Council/Committee hearing bill: Health Care Appropriations
2 Committee
3 Representative(s) Skidmore offered the following:

Amendment (with title amendment)

Remove lines 327-338

T I T L E A M E N D M E N T

Remove lines 41-44 and insert:
separation and setback distances; amending s. 513.115, F.S.;
revising requirements for

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 197 (2010)

Amendment No. 6

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

F

1 Council/Committee hearing bill: Health Care Appropriations
2 Committee
3 Representative(s) Skidmore offered the following:

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5 **Amendment**

6 Remove lines 347-348 and insert:
7 after written notice was provided to the guest or the owner of
8 the property, may be disposed of by ~~becomes the property of the~~

Amendment No. 7

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

F

1 Council/Committee hearing bill: Health Care Appropriations
2 Committee

3 Representative(s) Skidmore offered the following:

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5 **Amendment (with directory amendment)**

6 Remove lines 356-390 and insert:

7 (2) The operator of any recreational vehicle park shall
8 notify such transient guest that the park no longer desires to
9 entertain the transient guest and shall request that such
10 transient guest immediately depart from the park. Such notice
11 shall be given in writing. If such transient guest has paid in
12 advance, the park shall, at the time such notice is given,
13 tender to the transient guest the unused portion of the advance
14 payment. Any transient guest who remains or attempts to remain
15 in such park after being requested to leave commits ~~is guilty of~~
16 a misdemeanor of the second degree, punishable as provided in s.
17 775.082 or s. 775.083.

18 (3) If a transient guest has accumulated an outstanding
19 account in excess of an amount equivalent to three nights' rent

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 197 (2010)

Amendment No. 7

20 at a recreational vehicle park, the operator may disconnect all
21 utilities of the recreational vehicle and notify the transient
22 guest that the action is for the purpose of requiring the
23 transient guest to confront the operator or permittee and
24 arrange for the payment of the transient guest's account. Such
25 arrangement must be in writing, and a copy shall be furnished to
26 the transient guest. Upon entering into such agreement, the
27 operator shall reconnect the utilities of the recreational
28 vehicle.

29 (4) If any person is illegally on the premises of any
30 recreational vehicle park, the operator of such park may call
31 upon any law enforcement officer of this state for assistance.
32 It is the duty of such law enforcement officer, upon the request
33 of such operator, to place under arrest and take into custody
34 for violation of this section any transient guest who violates
35 subsection (1) or subsection (2) in the presence of the officer.
36 If a warrant has been issued by the proper judicial officer for
37 the arrest of any violator of subsection (1) or subsection (2),
38 the officer shall serve the warrant, arrest the person, and take
39 the person into custody. Upon arrest, with or without warrant,
40 the transient guest is deemed to have given up any right to
41 occupancy or to have abandoned the transient guest's right to
42 occupancy of the premises of the recreational vehicle park; and
43 the operator of the park shall employ all reasonable and proper
44 means to care for any personal property left on the premises by
45 such transient guest and shall refund any unused portion of
46 moneys paid by such transient guest for the occupancy of such
47 premises. The operator is not liable for damages to personal

Amendment No. 7

48 property left on the premises by a transient guest who violates
49 subsection (1) or subsection (2) and is arrested by a law
50 enforcement officer.

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D I R E C T O R Y A M E N D M E N T

54

Remove line 352 and insert:

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Section 1. Subsections (2), (3), and (4) of section
513.13, Florida Statutes, are amended to read:

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57

58

Amendment No. 01

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

A

1 Council/Committee hearing bill: Health Care Appropriations
2 Committee

3 Representative(s) Weinstein offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 63-139 and insert:

7 (1) By October 1, 2010, the Statewide Guardian Ad Litem
8 Office shall establish a 3-year Specialty Guardian Ad Litem
9 Pilot Program in the Fourth Judicial Circuit to serve children
10 and youth in out-of-home care who are pregnant.

11 (2) The Statewide Guardian Ad Litem Office shall designate
12 a guardian ad litem in the Fourth Judicial Circuit as the
13 administrator of the pilot program. The administrator must meet
14 the qualifications for guardians ad litem as specified in s.
15 39.821 and have 5 or more years of experience in the area of
16 child advocacy, child welfare, or juvenile law or as a program
17 attorney, case coordinator, or volunteer with the Statewide
18 Guardian Ad Litem Office. The executive director of the

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1383 (2010)

Amendment No. 01

19 Statewide Guardian Ad Litem Office shall supervise the
20 administration of the pilot program.

21 (3) The Statewide Guardian Ad Litem Office, in conjunction
22 with the pilot program, shall develop and implement a training
23 program for specialty guardians ad litem that includes all
24 training developed and provided for guardians ad litem pursuant
25 to s. 39.8296(2)(b)4. as well as training regarding:

26 (a) Social service programs available to pregnant women in
27 the state.

28 (b) The legal requirements of s. 390.01114.

29 (c) The availability of pregnancy counseling services in
30 the Fourth Judicial Circuit, including all providers offering
31 services under the Florida Pregnancy Support Services Program.

32 (4) Using funds specifically appropriated for the pilot
33 program, the Statewide Guardian Ad Litem Office, in conjunction
34 with the pilot program, shall design and implement an
35 appropriate specialty guardian ad litem program and may
36 establish the number of specialty guardians ad litem needed to
37 meet the needs of the pilot program. An existing guardian ad
38 litem may serve as a specialty guardian ad litem only after
39 completing the additional training requirements specified in
40 subsection (3).

41 (5) The court shall appoint a specialty guardian ad litem
42 at the first hearing after the court is notified that the child
43 or youth is pregnant. If a guardian ad litem is representing the
44 child or youth at that time and is trained as a specialty
45 guardian ad litem, a new specialty guardian ad litem need not be
46 appointed. When a specialty guardian ad litem is appointed, the

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1383 (2010)

Amendment No. 01

47 court shall provide to the administrator, at a minimum, the name
48 of the child or youth, the location and placement of the child
49 or youth, the name of the department's authorized agent and
50 contact information, copies of all notices sent to the parent or
51 legal custodian of the child or youth, and any other information
52 or records concerning the child or youth. If a specialty
53 guardian ad litem is not available, then, pursuant to s.
54 39.822(1)(b), the court shall appoint a pro bono attorney or a
55 guardian ad litem if a pro bono attorney is not available.

56 (6) The specialty guardian ad litem's representation shall
57 be limited to proceedings initiated under this chapter, except
58 that, upon the request of the child or youth, the specialty
59 guardian ad litem may represent the child or youth in a
60 proceeding filed pursuant to s. 390.01114(4). The specialty
61 guardian ad litem does not have the authority to accept notice
62 of termination of pregnancy pursuant to s. 390.01114.

63 (7) Upon the direction of the court, the pilot program
64 administrator shall assign a specialty guardian ad litem who
65 shall represent the child or youth until 6 months after the
66 conclusion of the child or youth's pregnancy. Once assigned, the
67 specialty guardian ad litem shall replace any existing guardian
68 ad litem appointed for the child or youth if the existing
69 guardian ad litem is not trained as a specialty guardian ad
70 litem and shall represent the child or youth's wishes for
71 purposes of proceedings under this chapter and s. 390.01114(4),
72 when applicable, as long as the child or youth's wishes are
73 consistent with the safety and well being of the child or youth.
74 Upon conclusion of the specialty guardian ad litem's

Amendment No. 01

75 representation of the child or youth, a guardian ad litem shall
76 be appointed by the court at the earliest possible time.

77 (8) The pilot program is, and specialty guardians ad litem
78 assigned pursuant to the pilot program are, subject to s.
79 39.822.

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T I T L E A M E N D M E N T

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85 Remove lines 28-30 and insert:

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86 neglected, or abandoned child; amending s. 409.146, F.S.;

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87 requiring

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COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1383 (2010)

Amendment No. 02

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

A

1 Council/Committee hearing bill: Health Care Appropriations
2 Committee

3 Representative(s) Weinstein offered the following:

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5 **Amendment**

6 Remove line 173 and insert:

7 to subsection (7) within 12 months of the Florida Safe Families
8 Network system being deployed to full production operational
9 status. In the interim, such data may be collected and reported
10 by other means.

Amendment No. 03

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

(A)

Council/Committee hearing bill: Health Care Appropriations
Committee

Representative(s) Weinstein offered the following:

Amendment (with title amendment)

Between lines 173 and 174, insert:

Section 4. (1) For the 2010-2011 fiscal year, one full-time equivalent position with associated salary rate of 32,000 is authorized and the sum of \$55,000 in recurring revenue from the General Revenue Fund is appropriated to the Statewide Guardian Ad Litem Office to implement the Specialty Guardian Ad Litem Pilot Program in the Fourth Judicial Circuit.

(2) For the 2010-2011 fiscal year, the sum of \$150,000 in nonrecurring revenue from the General Revenue Fund is appropriated to the Department of Children and Family Services for the purpose of modifying the children and families client and management information system to accommodate the reporting required under s. 409.146(3), Florida Statutes.

Amendment No. 03

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T I T L E A M E N D M E N T

Remove line 37 and insert:
specifying reporting procedures; providing appropriations;
providing an effective