

# Health & Human Services Access Subcommittee

### **Action Packet**

Wednesday, January 11, 2012 8:00 – 10:30 AM 12 HOB

## Health & Human Services Access Subcommittee 1/11/2012 8:00:00AM

Location: 12 HOB

#### **Summary:**

#### **Health & Human Services Access Subcommittee**

Wednesday January 11, 2012 08:00 am

Print Date: 1/11/2012 1:55 pm

HB 519 Favorable		Yeas: 14 Nays: 0
HB 531 Favorable With Co	ommittee Substitute	Yeas: 14 Nays: 0
Amendment 741089	Adopted Without Objection	
HB 625 Favorable With Co	ommittee Substitute	Yeas: 14 Nays: 0
Amendment 209899	Adopted Without Objection	
Amendment 791247	Adopted Without Objection	
HB 655 Favorable		Yeas: 15 Nays: 0
HB 657 Favorable With Co	ommittee Substitute	Yeas: 15 Nays: 0
Amendment 981155	Adopted Without Objection	
HB 803 Favorable With Co	ommittee Substitute	Yeas: 14 Nays: 0
Amendment 808133	Adopted Without Objection	
Amendment 845527	Adopted Without Objection	
Amendment 911485	Adopted Without Objection	
HB 813 Favorable		Yeas: 9 Nays: 6

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#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

Print Date: 1/11/2012 1:55 pm

#### Attendance:

	Present	Absent	Excused
Dennis Baxley (Chair)	X		
Lori Berman	X		
Michael Bileca	×		
Jason Brodeur	×		
Gwyndolen Clarke-Reed	<b>X</b> .		
Jeff Clemens	×		
Jose Diaz	×		
Shawn Harrison	×		
Mike Horner	X		
Ana Logan	X		
Mark Pafford	X		
Steven Perman	X		
Kenneth Roberson	X		
Charles Van Zant	X		
Dana Young	X		
Totals:	15	0	Ö

#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

HB 519 : Florida Healthy Kids Corporation

X Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	х				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X	•			
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young			Х		
Dennis Baxley (Chair)	Х				
	Total Yeas: 14	Total Nays: 0	)		

#### **Appearances:**

Dentist on FL Healthy Kids Corporation Board of Directors Edenfield, Mary (Lobbyist) - Waive In Support Florida Dental Association 118 E Jefferson St Tallahassee FL 32301

Phone: (850)224-1089

#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

**HB 531: Homelessness** 

X Favorable With Committee Substitute

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	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	Х				
Ana Logan	X				
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young			Х		-
Dennis Baxley (Chair)	X				
	Total Yeas: 14	Total Nays: 0			

#### **HB 531 Amendments**

#### Amendment 741089

X Adopted Without Objection

#### **Appearances:**

Homelessness

Fely Curva (Lobbyist) - Waive In Support FL Coalition for the Homelessness 1212 Piedmont Dr

Tallahassee FL 32312 Phone: (850)508-2256

#### Homelessness

Hopkins, Sheila (Lobbyist) - Waive In Support Florida Catholic Conference 201 W Park Ave

Tallahassee FL 32301-7715 Phone: (850)205-6826

#### Homelessness

Pitts, Brian - Proponent Justice-2-Jesus 1119 Newton Ave. S. St. Petersburg FL 33705

Phone: 727-897-9291

Bill No. HB 531 (2012)

Amendment No.

	COMMITTEE/SUBCOMMITTEE ACTION
	ADOPTED (Y/N)
	ADOPTED AS AMENDED (Y/N)
	ADOPTED W/O OBJECTION $\sqrt{(Y/N)}$
	FAILED TO ADOPT (Y/N)
	WITHDRAWN (Y/N)
	OTHER
1	Committee/Subcommittee hearing bill: Health & Human Services
2	Access Subcommittee
3	Representative Reed offered the following:
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5	Amendment (with title amendment)
6	Remove lines 211-233
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9	TITLE AMENDMENT
10	Remove lines 27-29 and insert:
11	repealing s. 414.16, F.S., relating to

741089 - h531-line211.docx

Published On: 1/10/2012 4:50:40 PM

#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

**HB 625**: Disposition of Human Remains

X Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young			X		
Dennis Baxley (Chair)	X				
	Total Yeas: 14	Total Nays: 0			

#### **HB 625 Amendments**

#### Amendment 209899

X Adopted Without Objection

#### Amendment 791247

X Adopted Without Objection

#### **Appearances:**

Disposition of Human Remains
Wildermuth, Heather (Lobbyist) - Waive In Support
Florida Association of Counties
100 South Monroe Street
Tallahassee FL 32301
Phone: (850)922-4300

**Anatomical Board** 

Geogia McKeown (Lobbyist) - Waive In Support Florida Cemetery, Cremation & Funeral Association 200 West College Suite 225 Tallahassee FL

Phone: (904)303-1611

#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

HB 625 : Disposition of Human Remains (continued)

Appearances: (continued)

Anatomical Board
McVoy, Ross (Lobbyist) - Waive In Support
Florida Cemetery Funeral Cremation Association
660 E. Jefferson
Tallahassee FL 32301
Phone: (850)412-0306

Funeral/ Disposition/ Body Parts
K. Scott Whitehead - Waive In Support
Funeral Prof.
6972 FL/GA
Havana FL 32333

Phone: (850)539-4300

Funerals Disposition of Human Remains
Dawn Conger - Waive In Support
Independent Funeral Directors of Florida
119 East Park
Tallahassee FL 32301
Phone: (850)222-0198

Support 625 + Amendment
Larry Sellers (State Employee) - Waive In Support
Science Care
P.O. Drawer 810
Tallahassee FL 32302

Phone: (850)425-5670

Print Date: 1/11/2012 1:55 pm

Committee meeting was reported out: Wednesday, January 11, 2012 1:55:09PM

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Bill No. HB 625 (2012)

#### Amendment No. 1

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

Committee/Subcommittee hearing bill: Health & Human Services
Access Subcommittee

Representative Roberson, K. offered the following:

#### Amendment

Remove line 179 and insert:

their use for medical education or research. Human remains may be embalmed when received. The anatomical

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COMMITTEE/SUBCOMMIT	TEE	ACTION
ADOPTED		(Y/N)
ADOPTED AS AMENDED		(Y/N)
ADOPTED W/O OBJECTION	$\overline{\lambda}$	(Y/N)
FAILED TO ADOPT		(Y/N)
WITHDRAWN		(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Health & Human Services
Access Subcommittee

Representative Roberson, K. offered the following:

#### Amendment (with title amendment)

Remove lines 338-345 and insert:

purposes. The organization or accredited medical or dental college or university must shall notify the anatomical board at least three business days before the entity intends to convey of such remains intent and must receive approval from the anatomical board before conveyance. If the third business day falls on a weekend or legal holiday, the next business day shall be deemed to be the third. The anatomical board shall:

- (a) Require the following information to be submitted by the organization prior to approval:
- 1. The name, physical location and date of the course, conference or seminar, or facility receiving the remains or specimen(s), including the physical address and telephone number of the facility receiving the remains or specimen(s);

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Published On: 1/10/2012 4:59:11 PM

- 3. A description and intended use of the remains or specimen(s);
- 4. The name, physical address and telephone number of organization or facility supplying specimen(s) handling the transfer of the remains or specimen(s);
- 5. Documentation pursuant to s.406.61(2)(b). An exception may be made for specimen(s) being shipped into the state of Florida, an affidavit may be submitted by an accredited non-transplant anatomical organization as provided in this section, stating that the organization has donation and consent forms on file for each remains from which a specimen has been provided specifically authorizing segmentation or disarticulation of the remains. The affidavit must also state that no specimen(s) being shipped into the state of Florida has been received from a second party;
- 6. An outline of the security measures in place for maintaining control of and safeguarding the remains or specimen(s) at the facility or, before, during, and after the course, conference or seminar; and
- 7. The disposal procedures of the remains or specimen(s), after the course, conference or seminar is concluded or the facility receiving the remains or specimen(s) has completed their use, including the name, address and telephone number of the entity responsible for performing cremation.

45 The anatomical board shall grant or deny requests for approval

46 within three business days of receipt of the required

information. Failure to provide such information shall be

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Bill No. HB 625 (2012)

Amendment No. 2
grounds for denial of the request. If the request is not
approved or denied within three business days, it shall be
deemed approved. If the third business day falls on a weekend or
legal holiday, the next business day shall be deemed to be the
third. If the anatomical board denies a request, it shall
provide a written statement of the reasons for denial.

#### TITLE AMENDMENT

Remove lines 38-39 and insert:

purposes; establishing criteria for the anatomical board to
approve the conveyance of human remains;

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#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

**HB 655**: Biomedical Research

X Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X .				
Gwyndolen Clarke-Reed	X		· · · · · · · · · · · · · · · · · · ·		
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young	X				
Dennis Baxley (Chair)	X				
	Total Yeas: 15	Total Nays: (	0		

#### **Appearances:**

Biomedical Research Hull, Paul (Lobbyist) - Waive In Support American Cancer Society, Florida Division, Inc 3709 W Jetton Ave Tampa FL 33629 Phone: (813)382-9235

Biomedical Research Pitts, Brian - Opponent Justice-2-Jesus 1119 Newton Ave. S. St. Petersburg FL 33705 Phone: 727-897-9291

#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

HB 657: Pub. Rec./Biomedical Research

X Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X			·	
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X				
Charles Van Zant	X				
Dana Young	X				
Dennis Baxley (Chair)	X				
	Total Yeas: 15	Total Nays: (	)		

#### **HB 657 Amendments**

#### Amendment 981155

X Adopted Without Objection

#### Appearances:

Pub.Rec./Biomedicla Research
Hull, Paul (Lobbyist) - Waive In Support
American Cancer Society, Florida Division, Inc
3709 W Jetton Ave
Tampa FL 33629
Phone: (813)382-9235

Pub. Rec./Biomedicla Research Pitts, Brian - Opponent Justice-2-Jesus 1119 Newton Ave. S. St. Petersburg FL 33705 Phone: 727-897-9291

Biomedical Research

Leonard Zeiler (Lobbyist) (State Employee) - Information Only

Department of Health Tallahassee FL 32399 Phone: (850)245-4343

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# COMMITTEE/SUBCOMMITTEE ACTION ADOPTED \_\_\_\_ (Y/N) ADOPTED AS AMENDED \_\_\_\_ (Y/N) ADOPTED W/O OBJECTION \_\_\_\_ (Y/N) FAILED TO ADOPT \_\_\_\_ (Y/N) WITHDRAWN \_\_\_\_ (Y/N) OTHER

Committee/Subcommittee hearing bill: Health & Human Services
Access Subcommittee

Representative Coley offered the following:

#### Amendment (with title amendment)

Remove everything after the enacting clause and insert: Section 1. Subsection (7) of section 215.5602, Florida Statutes, is amended to read:

215.5602 James and Esther King Biomedical Research Program.—

(7) (a) The council and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflict of interest. A member of the council or panel may not participate in any council or panel discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee, or with which the member has entered into a contractual arrangement. Meetings of the council and the peer

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review panels shall be subject to the provisions of chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

- (b) Meetings of the peer review panel are exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.
- (c) Any records generated during a meeting of the peer review panel which is closed to the public under (b) are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
- (d) Research applications held by the peer review panel are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
- (e) Paragraphs (b), (c), and (d) are subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.
- Section 2. Subsection (3) of section 381.922, Florida Statutes, is amended to read:
- 381.922 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.—

(3)

(c) The council and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflicts of interest. A member of the council or panel may not participate in any council or panel discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual 981155 - h657-strike.docx

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arrangement. Meetings of the council and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

- (d) Meetings of the peer review panel are exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.
- (e) Any records generated during a meeting of the peer review panel which is closed to the public under (b) are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
- (f) Research applications held by the peer review panel are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
- (g) Paragraphs (d), (e), and (f) are subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 3. It is the finding of the Legislature that it is a public necessity that information discussed by a peer review panel regarding the funding of a biomedical grant proposal under the James and Esther King Biomedical Research Program and under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program be made exempt from the requirements of s. 286.011, Florida Statutes, and s. 24(b), Art. I of the State Constitution. It is also the finding of the Legislature that it is a public necessity that any records generated during a meeting of the peer review panel under the James and Esther King Biomedical Research Program, and under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, which is

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closed to the public be made confidential and exempt from the requirements of s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the State Constitution. It is also the finding of the Legislature that it is a public necessity that research applications provided to, and reviewed by, the peer review panel under the James and Esther King Biomedical Research Program and under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, be made confidential and exempt from the requirements of s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the State Constitution. The Legislature finds that maintaining confidentiality is a hallmark of scientific peer review when awarding grants, is practiced by the National Science Foundation and the National Institutes of Health, and allows for candid exchanges between reviewers critiquing proposals submitted for funding. Consequently, the Legislature finds that research applications provided to, and reviewed by, such peer review panels must be held confidential and exempt from public records requirements. The Legislature further finds that closing access to meetings of scientific peer review panels serves a public good by ensuring that decisions are based upon merit without bias or undue influence. Further, the Legislature finds that records generated during meetings of the peer review panels which are closed to the public must be protected for the same reasons that justify the closing of such meetings.

Section 4. This act shall take effect on the same date that HB 655 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

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#### TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to public meetings and public records; amending s. 215.5602, F.S.; providing an exemption from public meeting requirements for meetings of a peer review panel under the James and Esther King Biomedical Research Program; providing an exemption from public records requirements for records generated during such meeting; providing an exemption from public records requirements for research applications provided to, and reviewed by, the peer review panel; providing for legislative review and repeal of the exemptions; amending s. 381.922, F.S.; providing an exemption from public meeting requirements for meetings of a peer review panel under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; providing an exemption from public records requirements for records generated during such meeting; providing an exemption from public records requirements for research applications provided to, and reviewed by, the peer review panel; providing for legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

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Published On: 1/10/2012 5:02:34 PM

#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

HB 803 : Child Protection

X Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed	X				
Jeff Clemens	X				
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X	-			
Mark Pafford	X				
Steven Perman	X				
Kenneth Roberson	X			•	
Charles Van Zant	X				
Dana Young			X		
Dennis Baxley (Chair)	X				
	Total Yeas: 14	Total Nays: (	)		

#### **HB 803 Amendments**

#### Amendment 808133

X Adopted Without Objection

#### Amendment 845527

X Adopted Without Objection

#### Amendment 911485

X Adopted Without Objection

Bill No. HB 803 (2012)

#### Amendment No. 1

TTTEE ACTION
(Y/N)
(Y/N)
$\frac{1}{\sqrt{2}}$ (Y/N)
(Y/N)
(Y/N)
· .

Committee/Subcommittee hearing bill: Health & Human Services
Access Subcommittee

Representative Diaz offered the following:

#### Amendment

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Remove line 503 and insert:

persons named in paragraph (9)(a)2 and appropriate collateral

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Bill No. HB 803 (2012)

#### Amendment No. 2

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

Committee/Subcommittee hearing bill: Health & Human Services

Access Subcommittee

Representative Diaz offered the following:

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#### Amendment

Remove line 653 and insert:

collateral contact required under subparagraph (10) (b) 2.

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Bill No. HB 803 (2012)

#### Amendment No. 3

# COMMITTEE/SUBCOMMITTEE ACTION ADOPTED \_\_\_\_\_ (Y/N) ADOPTED AS AMENDED \_\_\_\_\_ (Y/N) ADOPTED W/O OBJECTION /\_\_\_\_\_ (Y/N) FAILED TO ADOPT \_\_\_\_\_\_ (Y/N) WITHDRAWN \_\_\_\_\_ (Y/N) OTHER

Committee/Subcommittee hearing bill: Health & Human Services

Access Subcommittee

Representative Diaz offered the following:

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#### Amendment

Remove lines 1021-1023 and insert: subsequent dependency action concerning the same child.

#### **Health & Human Services Access Subcommittee**

1/11/2012 8:00:00AM

Location: 12 HOB

HB 813 : Eligibility for Temporary Cash Assistance and Food Assistance

X Favorable

	Yea	Nay	No Vote	Absentee	Absentee
	rea	Ivay	NO VOLE	Yea	Nay
Lori Berman		X			
Michael Bileca	X				
Jason Brodeur	X				
Gwyndolen Clarke-Reed		X			
Jeff Clemens		X			
Jose Diaz	X				
Shawn Harrison	X				
Mike Horner	X				
Ana Logan	X				
Mark Pafford		X			
Steven Perman		X			
Kenneth Roberson	X				
Charles Van Zant		X			
Dana Young	X				
Dennis Baxley (Chair)	X				
	Total Yeas: 9	Total Nays: 6	}		

#### **Appearances:**

Eligibility for Temporary Cash Assistance and Food Assistance
Pitts, Brian - Proponent
Justice-2-Jesus
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: 727-897-9291

Eligibility for Temporary Cash Assistance and Food Assistance Berner, Ann (Lobbyist) (State Employee) - Information Only Department of Children and Families 4720 Old Hwy 37 Lakeland FL 33813

Phone: (863)534-7100