



Health & Human Services Access Subcommittee

Action Packet

Monday, January 30, 2012

2:00 – 4:00 PM

Webster Hall (212 Knott)

**Dean Cannon
Speaker**

**Dennis K. Baxley
Chair**

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee
1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

Summary:

Health & Human Services Access Subcommittee

Monday January 30, 2012 02:00 pm

6

HB 291	Favorable With Committee Substitute	Yeas: 13	Nays: 1
	Amendment 384075	Withdrawn	
	Amendment 493745	Withdrawn	
	Amendment 597333	Adopted Without Objection	
HB 1229	Favorable With Committee Substitute	Yeas: 9	Nays: 4
	Amendment 064163	Adopted Without Objection	
HB 1401	Favorable With Committee Substitute	Yeas: 8	Nays: 6
	Amendment 424539	Adopted Without Objection	
	Amendment 555361	Failed to Adopt	
	Amendment 203475	Failed to Adopt	
	Amendment 939933	Withdrawn	

Committee meeting was reported out: Monday, January 30, 2012 7:24:34PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dennis Baxley (Chair)	X		
Lori Berman	X		
Michael Bileca			X
Jason Brodeur	X		
Gwyndolien 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		
Totals:	14	0	1

Committee meeting was reported out: Monday, January 30, 2012 7:24:34PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 291 : Youth Athletes

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
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: 13 Total Nays: 1					

HB 291 Amendments

Amendment 384075

Withdrawn

Amendment 493745

Withdrawn

Amendment 597333

Adopted Without Objection

Appearances:

Student Athletes - Proponent amendment a2
 Hebert, John (Lobbyist) - Proponent
 Florida Chiropractic Association, Inc
 30 Remington Rd Ste 1
 Oakland FL 34748
 Phone: (727)572-4665

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COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 291 : Youth Athletes (continued)

Appearances: (continued)

Role of Chiropractic Physicians in management of concussion injury in athletes / Proponent - amendment
2 / Opponent - Bill

McQueeney, Dr. Timothy - Proponent

Chiropractic Physician
13081 74th St. N
Palm Beach Gardens FL
Phone: (561)792-1988

HB 291

Howell, James M.D. - Information Only

Self
6411 Grand Cypress Cir
Lake Worth FL 33463
Phone: (954) 873-0867

Youth Athletes - Opponent to Rep. Perman - amendment to amendment

Jacquis, Michelle (Lobbyist) - Waive In Support

Florida Medical Association
PO Box 10269
Tallahassee FL 32302
Phone: (850) 251-2288

HB 291

Kennedy, Lindy (Lobbyist) - Waive In Support

National Football League
101 N Gadsden
Tallahassee FL 32311
Phone: (850) 201-2075

HB 291

Nuland, Christopher (Lobbyist) - Waive In Support

Florida Neurosurgical Society, Inc
1000 Riverside Ave #115
Jacksonville FL 32204
Phone: (904)355-1555

Youth Athletes

Winn, Stephen (Lobbyist) - Waive In Support

Florida Osteopathic Medical Association
2007 Apalachee Pky
Tallahassee FL 32301
Phone: (850)878-7364

HB 291

Large, Toni (Lobbyist) - Waive In Support

Florida Orthopedic Society
519 E Park Ave
Tallahassee FL 32301
Phone: (850)556-1461

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COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 291 : Youth Athletes (continued)

Appearances: (continued)

Concussion Bill

Dearing, Roger - Information Only

FLA. High School Athletic Association

1801 NW 80th Blvd

Gainesville FL 32666

Phone: (941)737-1113

Committee meeting was reported out: Monday, January 30, 2012 7:24:34PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 291 (2012)

Amendment No. a1

COMMITTEE/SUBCOMMITTEE ACTION

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

Withdrawn

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Access Subcommittee
3 Representative Perman offered the following:

4
5 **Amendment to Amendment (597333) by Representative Renuart**
6 **(with title amendment)**

7 Remove lines 40-68 of the amendment and insert:

8 (2) ADOPTION OF BYLAWS

9 (e) The organization shall adopt bylaws that create a
10 sports medicine advisory committee that consists of three
11 members, each of whom are licensed under chapter 458 and
12 recommended by the Florida Medical Association, Inc.; three
13 members, each of whom are licensed under chapter 459 and
14 recommended by the Florida Osteopathic Medical Association,
15 Inc.; three members, each of whom are licensed under chapter 460
16 and recommended by the Florida Chiropractic Association, Inc.;
17 two members, each of whom are licensed under part XIII of
18 chapter 468; one member who is a head coach or former head coach
19 of a high school athletic team in this state and recommended by

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 291 (2012)

Amendment No. a1

20 the Florida Athletic Coaches Association, Inc.; and one member
21 who is a principal or former principal of a high school in this
22 state and recommended by the Florida School Boards Association,
23 Inc.

24 (f) The organization shall adopt bylaws or policies that
25 require the parent of a student who is participating in
26 interscholastic athletic competition or who is a candidate for
27 an interscholastic athletic team to sign and return an informed
28 consent form that explains the nature and risk of concussion and
29 head injury, including the risk of continuing to play after
30 sustaining a concussion or head injury, each year before
31 participating in interscholastic athletic competition or
32 engaging in any practice, tryout, workout, or other physical
33 activity associated with the student's candidacy for an
34 interscholastic athletic team.

35 (g) The organization shall adopt bylaws or policies that
36 require each student athlete who is suspected of sustaining a
37 concussion or head injury in a practice or competition to be
38 immediately removed from the activity. A student athlete who has
39 been removed from an activity may not return to practice or
40 competition until the student receives written medical clearance
41 to return stating that the student athlete no longer exhibits
42 signs, symptoms, or behaviors consistent with a concussion or
43 other head injury. Medical clearance must be authorized by a
44 physician licensed under chapter 458, chapter 459, or chapter
45 460, or by the appropriate health care professional trained in
46 the diagnosis, evaluation, and management of concussions as

Amendment No. a1

47 defined by the Sports Medicine Advisory Committee of the Florida
48 High School Athletic Association.

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50
51
52
53 -----

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

55 Remove lines 74-84 of the amendment and insert:
56 943.0438, F.S.; requiring an independent sanctioning
57 authority for a youth athletic team to adopt guidelines to
58 inform youth athletes and their parents of the nature and
59 risk of certain head injuries; requiring that a signed
60 consent form be obtained before the youth participates in
61 athletic practices or competitions; requiring that a youth
62 athlete be immediately removed from an athletic activity
63 following a suspected head injury; requiring medical
64 clearance before the youth resumes athletic activities;
65 requiring that a physician or a health care professional
66 trained in the diagnosis, evaluation, and management of
67 concussions authorize the medical clearance; amending s.
68 1006.20, F.S.; requiring the Florida High School Athletic
69 Association or an organization that governs athletics to
70 adopt bylaws that create a sports medicine advisory
71 committee; providing membership of the committee; requiring
72 the association or the organization to adopt bylaws or
73 policies to inform student athletes and their parents of
74 the nature and risk of certain head injuries; requiring

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 291 (2012)

Amendment No. a1

75 | that a signed consent form be obtained before a student
76 | athlete participates in athletic practices or competitions;
77 | requiring that a student athlete be immediately removed
78 | from an athletic activity following a suspected head
79 | injury; requiring medical clearance before the student
80 | resumes athletic activities; requiring that a physician or
81 | a health care professional trained in the diagnosis,
82 | evaluation, and management of concussions authorize the
83 | medical clearance; providing an effective date.

84

85

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 291 (2012)

Amendment No. a2

COMMITTEE/SUBCOMMITTEE ACTION

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

Withdrawn

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Access Subcommittee
 3 Representative Perman offered the following:

4
 5 **Amendment to Amendment (597333) by Representative Renuart**
 6 **(with title amendment)**

7 Remove lines 41-44 of the amendment and insert:

8 (e)The organization shall adopt bylaws that create a sports
 9 medicine advisory committee that consists of three members, each
 10 of whom are licensed under chapter 458 and recommended by the
 11 Florida Medical Association, Inc.; three members, each of whom
 12 are licensed under chapter 459 and recommended by the Florida
 13 Osteopathic Medical Association, Inc.; three members, each of
 14 whom are licensed under chapter 460 and recommended by the
 15 Florida Chiropractic Association, Inc.; two members each of whom
 16 is licensed under chapter 466 and recommended by the Florida
 17 Dental Association, Inc.; two members, each of whom are licensed
 18 under part XIII of chapter 468; one member who is a head coach
 19 or former head coach of a high school athletic team in this

Amendment No. a2

20 state and recommended by the Florida Athletic Coaches
21 Association, Inc.; and one member who is a principal or former
22 principal of a high school in this state and recommended by the
23 Florida School Boards Association, Inc.

24
25
26
27 -----
28 **T I T L E A M E N D M E N T**

29 Remove lines 79-80 of the amendment and insert:

30 Creation of a sports medicine advisory committee with specified
31 and appointed membership from individuals licensed under chapter
32 458, chapter 459, chapter 460, chapter 466, chapter 468 and a
33 head coach and former principal; requiring informed consent for
34 participation.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Access Subcommittee
 3 Representative Renuart offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Paragraphs (e), (f), and (g) are added to subsection
 8 (2) of section 943.0438, Florida Statutes, to read:

9 943.0438 Athletic coaches for independent sanctioning
 10 authorities.—

11 (2) An independent sanctioning authority shall:

12 (e) Adopt guidelines to educate youth athlete and their
 13 parents, athletic coaches, officials, and administrators of the
 14 nature and risk of concussion and head injury.

15 (f) Adopt bylaws or policies that require the parent or
 16 guardian of a youth who is participating in athletic competition
 17 or who is a candidate for an athletic team to sign and return an
 18 informed consent that explains the nature and risk of concussion
 19 and head injury, including the risk of continuing to play after

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 291 (2012)

Amendment No. 1

20 concussion or head injury, each year before participating in
21 athletic competition or engaging in any practice, tryout,
22 workout, or other physical activity associated with the youth's
23 candidacy for an athletic team.

24 (g) Adopt bylaws or policies that require each youth
25 athlete who is suspected of sustaining a concussion or head
26 injury in a practice or competition to be immediately removed
27 from the activity. A youth athlete who has been removed from an
28 activity may not return to practice or competition until the
29 youth submits to the athletic coach a written medical clearance
30 to return stating that the youth athlete no longer exhibits
31 signs, symptoms, or behaviors consistent with a concussion or
32 other head injury. Medical clearance must be authorized by the
33 appropriate health care practitioner trained in the diagnosis,
34 evaluation, and management of concussions as defined by the
35 Sports Medicine Advisory Committee of the Florida High School
36 Athletic Association.

37 Section 2. Paragraphs (e), (f), and (g) are added to
38 subsection (2) of section 1006.20, Florida Statutes, to read:

39 1006.20 Athletics in public K-12 schools.—

40 (2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

41 (e) The organization shall adopt guidelines to educate
42 youth athletes and their parents, athletic coaches, officials,
43 and administrators of the nature and risk of concussion and head
44 injury.

45 (f) The organization shall adopt bylaws or policies that
46 require the parent of a student who is participating in
47 interscholastic athletic competition or who is a candidate for

597333 - h291-strike.docx

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Amendment No. 1

48 an interscholastic athletic team to sign and return an informed
49 consent that explains the nature and risk of concussion and head
50 injury, including the risk of continuing to play after
51 concussion or head injury, each year before participating in
52 interscholastic athletic competition or engaging in any
53 practice, tryout, workout, or other physical activity associated
54 with the student's candidacy for an interscholastic athletic
55 team.

56 (g) The organization shall adopt bylaws or policies that
57 require each student athlete who is suspected of sustaining a
58 concussion or head injury in a practice or competition to be
59 immediately removed from the activity. A student athlete who has
60 been removed from an activity may not return to practice or
61 competition until the student submits to the school a written
62 medical clearance to return stating that the student athlete no
63 longer exhibits signs, symptoms, or behaviors consistent with a
64 concussion or other head injury. Medical clearance must be
65 authorized by the appropriate practitioner trained in the
66 diagnosis, evaluation, and management of concussions as defined
67 by the Sports Medicine Advisory Committee of the Florida High
68 School Athletic Association.

69 Section 3. This act shall take effect July 1, 2012.

70 -----

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

72 Remove the entire title and insert:

73 A bill to be entitled

74 An act relating to youth athletes; amending ss.

75 943.0438 and 1006.20, F.S.; requiring an independent

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 291 (2012)

Amendment No. 1

76 sanctioning authority for youth athletic teams and the
77 Florida High School Athletic Association to adopt
78 guidelines, bylaws, and policies relating to the
79 nature and risk of concussion and head injury in youth
80 athletes; requiring informed consent for participation
81 in practice or competition; requiring removal from
82 practice or competition under certain circumstances
83 and written medical clearance to return; providing an
84 effective date.

85

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1229 : Reorganization of the Department of Children and Family Services

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
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: 4					

HB 1229 Amendments

Amendment 064163

Adopted Without Objection

Appearances:

Oppose Strike all to HB 1229 re: Asst Sec for Mental Health & Sub. Abuse
 Bryant, John (Lobbyist) - Opponent
 FL Council for Community Mental Health
 316 E Park Ave
 Tallahassee FL
 Phone: (850)224-6048

Asst. Secretary for Mental Health & Substance Abuse
 Fontaine, Mark (Lobbyist) - Proponent
 Florida Alcohol & Drug Abuse Association, Inc
 2868 Mahan Dr Ste 1
 Tallahassee FL 32308
 Phone: (850)878-2196

DCF Community Alliances
 Hendrickson, Dan (Lobbyist) - Waive In Support
 Florida Public Defender Association, Inc
 301 S Monroe St 4th Flr N
 Tallahassee FL 32301
 Phone: (850)606-1037

Committee meeting was reported out: Monday, January 30, 2012 7:24:34PM

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Health & Human Services Access Subcommittee
1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1229 : Reorganization of the Department of Children and Family Services (continued)

Appearances: (continued)

HB 1229

Cooper, John (State Employee) - Information Only

Department of Children and Families

1317 Winewood Blvd

Tallahassee FL 32399

Phone: (850)717-4000

Committee meeting was reported out: Monday, January 30, 2012 7:24:34PM

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Access Subcommittee
 3 Representative Drake offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Subsections (3) and (4) and paragraph (b) of
 8 subsection (7) of section 20.04, Florida Statutes, are amended
 9 to read:

10 20.04 Structure of executive branch.—The executive branch
 11 of state government is structured as follows:

12 (3) For their internal structure, all departments, except
 13 for the Department of Financial Services, the Department of
 14 Children and Families ~~Family Services~~, the Department of
 15 Corrections, the Department of Management Services, the
 16 Department of Revenue, and the Department of Transportation,
 17 must adhere to the following standard terms:

18 (a) The principal unit of the department is the
 19 "division." Each division is headed by a "director."

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1229 (2012)

Amendment No.1

20 (b) The principal unit of the division is the "bureau."
21 Each bureau is headed by a "chief."

22 (c) The principal unit of the bureau is the "section."
23 Each section is headed by an "administrator."

24 (d) If further subdivision is necessary, sections may be
25 divided into "subsections," which are headed by "supervisors."

26 (4) Within the Department of Children and ~~Families~~ Family
27 ~~Services~~ there are organizational units called "circuits" and
28 "regions" ~~"program offices," headed by program directors.~~ Each
29 circuit is aligned geographically with each judicial circuit and
30 each region comprises multiple circuits which are in
31 geographical proximity to each other.

32 (7)

33 (b) Within the limitations of this subsection, the head of
34 the department may recommend the establishment of additional
35 divisions, bureaus, sections, and subsections of the department
36 to promote efficient and effective operation of the department.
37 However, additional divisions, or offices in the Department of
38 Children and ~~Families~~ Family Services, the Department of
39 Corrections, and the Department of Transportation, may be
40 established only by specific statutory enactment. New bureaus,
41 sections, and subsections of departments may be initiated by a
42 department and established as recommended by the Department of
43 Management Services and approved by the Executive Office of the
44 Governor, or may be established by specific statutory enactment.

45 Section 2. Section 20.19, Florida Statutes, is amended to
46 read:

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47 20.19 Department of Children and Families ~~Family~~
48 ~~Services~~.—There is created a Department of Children and Families
49 ~~Family Services~~.

50 (1) MISSION AND PURPOSE.—

51 (a) The mission of the Department of Children and Families
52 ~~Family Services~~ is to work in partnership with local communities
53 to ensure the safety, well-being, and self-sufficiency of the
54 people served.

55 (b) The department shall develop a strategic plan for
56 fulfilling its mission and establish a set of measurable goals,
57 objectives, performance standards, and quality assurance
58 requirements to ensure that the department is accountable to the
59 people of Florida.

60 (c) To the extent allowed by law and within specific
61 appropriations, the department shall deliver services by
62 contract through private providers.

63 ~~(1)-(2)~~ SECRETARY OF CHILDREN AND FAMILIES ~~FAMILY SERVICES~~;
64 DEPUTY SECRETARY.—

65 (a) The head of the department is the Secretary of
66 Children and Families ~~Family Services~~. The secretary is
67 appointed by the Governor, subject to confirmation by the
68 Senate. The secretary serves at the pleasure of the Governor.

69 (b) The secretary shall appoint a deputy secretary who
70 shall act in the absence of the secretary. The deputy secretary
71 is directly responsible to the secretary, performs such duties
72 as are assigned by the secretary, and serves at the pleasure of
73 the secretary.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1229 (2012)

Amendment No.1

74 ~~(c)1. The secretary shall appoint an Assistant Secretary~~
75 ~~for Substance Abuse and Mental Health. The assistant secretary~~
76 ~~shall serve at the pleasure of the secretary and must have~~
77 ~~expertise in both areas of responsibility.~~

78 ~~2. The secretary shall appoint a Program Director for~~
79 ~~Substance Abuse and a Program Director for Mental Health who has~~
80 ~~have the requisite expertise and experience in his or her their~~
81 ~~respective fields to head the state's Substance Abuse and Mental~~
82 ~~Health Office programs.~~

83 ~~a. Each program director shall have line authority over~~
84 ~~all district substance abuse and mental health program~~
85 ~~management staff.~~

86 ~~b. The assistant secretary shall enter into a memorandum~~
87 ~~of understanding with each district or region administrator,~~
88 ~~which must be approved by the secretary or the secretary's~~
89 ~~designee, describing the working relationships within each~~
90 ~~geographic area.~~

91 ~~c. The mental health institutions shall report to the~~
92 ~~Program Director for Mental Health.~~

93 ~~d. Each program director shall have direct control over~~
94 ~~the program's budget and contracts for services. Support staff~~
95 ~~necessary to manage budget and contracting functions within the~~
96 ~~department shall be placed under the supervision of the program~~
97 ~~directors.~~

98 ~~(d) The secretary has the authority and responsibility to~~
99 ~~ensure that the mission of the department is fulfilled in~~
100 ~~accordance with state and federal laws, rules, and regulations.~~

Amendment No.1

101 ~~(3) PROGRAM DIRECTORS. The secretary shall appoint program~~
102 ~~directors who serve at the pleasure of the secretary. The~~
103 ~~secretary may delegate to the program directors responsibilities~~
104 ~~for the management, policy, program, and fiscal functions of the~~
105 ~~department.~~

106 ~~(2)-(4) SERVICES PROVIDED PROGRAM OFFICES AND SUPPORT~~
107 ~~OFFICES.-~~

108 (a) The department shall provide services relating to is
109 ~~authorized to establish program offices and support offices,~~
110 ~~each of which shall be headed by a director or other management~~
111 ~~position who shall be appointed by and serves at the pleasure of~~
112 ~~the secretary.~~

113 ~~(b) The following program offices are established:~~

- 114 1. Adult protection Services.
- 115 2. Child care regulation Services.
- 116 3. Child welfare.
- 117 4.3. Domestic violence.
- 118 5.4. Economic self-sufficiency Services.
- 119 5. ~~Family Safety.~~
- 120 6. Homelessness.
- 121 7.6. Mental health.
- 122 8.7. Refugees ~~Refugee services.~~
- 123 9.8. Substance abuse.

124 ~~(b)-(e) Program offices and support Offices of the~~
125 ~~department~~ may be consolidated, restructured, or rearranged by
126 the secretary, in consultation with the Executive Office of the
127 Governor, provided any such consolidation, restructuring, or
128 rearranging is capable of meeting functions and activities and

Amendment No.1

129 achieving outcomes as delineated in state and federal laws,
130 rules, and regulations. The secretary may appoint additional
131 managers and administrators as he or she determines are
132 necessary for the effective management of the department.

133 ~~(5) SERVICE DISTRICTS.~~

134 ~~(a) The department shall plan and administer its programs~~
135 ~~of family services through service districts and subdistricts~~
136 ~~composed of the following counties:~~

137 ~~1. District 1. Escambia, Santa Rosa, Okaloosa, and Walton~~
138 ~~Counties.~~

139 ~~2. District 2, Subdistrict A. Holmes, Washington, Bay,~~
140 ~~Jackson, Calhoun, and Gulf Counties.~~

141 ~~3. District 2, Subdistrict B. Gadsden, Liberty, Franklin,~~
142 ~~Leon, Wakulla, Jefferson, Madison, and Taylor Counties.~~

143 ~~4. District 3. Hamilton, Suwannee, Lafayette, Dixie,~~
144 ~~Columbia, Gilchrist, Levy, Union, Bradford, Putnam, and Alachua~~
145 ~~Counties.~~

146 ~~5. District 4. Baker, Nassau, Duval, Clay, and St. Johns~~
147 ~~Counties.~~

148 ~~6. District 5. Pasco and Pinellas Counties.~~

149 ~~7. District 6. Hillsborough and Manatee Counties.~~

150 ~~8. District 7, Subdistrict A. Seminole, Orange, and~~
151 ~~Osceola Counties.~~

152 ~~9. District 7, Subdistrict B. Brevard County.~~

153 ~~10. District 8, Subdistrict A. Sarasota and DeSoto~~
154 ~~Counties.~~

155 ~~11. District 8, Subdistrict B. Charlotte, Lee, Glades,~~
156 ~~Hendry, and Collier Counties.~~

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Amendment No.1

- 157 ~~12. District 9. Palm Beach County.~~
158 ~~13. District 10. Broward County.~~
159 ~~14. District 11, Subdistrict A. Miami Dade County.~~
160 ~~15. District 11, Subdistrict B. Monroe County.~~
161 ~~16. District 12. Flagler and Volusia Counties.~~
162 ~~17. District 13. Marion, Citrus, Hernando, Sumter, and~~
163 ~~Lake Counties.~~
164 ~~18. District 14. Polk, Hardee, and Highlands Counties.~~
165 ~~19. District 15. Indian River, Okeechobee, St. Lucie, and~~
166 ~~Martin Counties.~~

167 ~~(b) The secretary shall appoint a district administrator~~
168 ~~for each of the service districts. The district administrator~~
169 ~~shall serve at the pleasure of the secretary and shall perform~~
170 ~~such duties as assigned by the secretary.~~

171 (c) Each fiscal year the secretary shall, in consultation
172 with the relevant employee representatives, develop projections
173 of the number of child abuse and neglect cases and shall include
174 in the department's legislative budget request a specific
175 appropriation for funds and positions for the next fiscal year
176 in order to provide an adequate number of full-time equivalent:

- 177 1. Child protection investigation workers so that
178 caseloads do not exceed the Child Welfare League Standards by
179 more than two cases; and
180 2. Child protection case workers so that caseloads do not
181 exceed the Child Welfare League Standards by more than two
182 cases.

183 ~~(3)(6)~~ COMMUNITY ALLIANCES.-

Amendment No.1

184 (a) The department ~~may shall~~, in consultation with local
185 communities, establish a community alliance of the stakeholders,
186 community leaders, client representatives and funders of human
187 services in each county to provide a focal point for community
188 participation and governance of community-based services. An
189 alliance may cover more than one county when such arrangement is
190 determined to provide for more effective representation. The
191 community alliance shall represent the diversity of the
192 community.

193 (b) The duties of the community alliance ~~shall~~ include,
194 but are not necessarily be limited to:

195 1. Joint planning for resource utilization in the
196 community, including resources appropriated to the department
197 and any funds that local funding sources choose to provide.

198 2. Needs assessment and establishment of community
199 priorities for service delivery.

200 3. Determining community outcome goals to supplement
201 state-required outcomes.

202 4. Serving as a catalyst for community resource
203 development.

204 5. Providing for community education and advocacy on
205 issues related to delivery of services.

206 6. Promoting prevention and early intervention services.

207 (c) The department shall ensure, to the greatest extent
208 possible, that the formation of each community alliance builds
209 on the strengths of the existing community human services
210 infrastructure.

Amendment No.1

211 (d) The ~~initial~~ membership of the community alliance in a
212 county shall be composed of the following:

- 213 1. A representative from the department ~~The district~~
214 ~~administrator.~~
- 215 2. A representative from county government.
- 216 3. A representative from the school district.
- 217 4. A representative from the county United Way.
- 218 5. A representative from the county sheriff's office.
- 219 6. A representative from the circuit court corresponding
220 to the county.
- 221 7. A representative from the county children's board, if
222 one exists.

223 (e) At any time after the initial meeting of the community
224 alliance, the community alliance shall adopt bylaws and may
225 increase the membership of the alliance to include the state
226 attorney for the judicial circuit in which the community
227 alliance is located, or his or her designee, the public defender
228 for the judicial circuit in which the community alliance is
229 located, or his or her designee, and other individuals and
230 organizations who represent funding organizations, are community
231 leaders, have knowledge of community-based service issues, or
232 otherwise represent perspectives that will enable them to
233 accomplish the duties listed in paragraph (b), if, in the
234 judgment of the alliance, such change is necessary to adequately
235 represent the diversity of the population within the community
236 alliance service circuits ~~districts~~.

237 (f) A member of the community alliance, other than a
238 member specified in paragraph (d), may not receive payment for

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1229 (2012)

Amendment No.1

239 contractual services from the department or a community-based
240 care lead agency.

241 (g) Members of the community alliances shall serve without
242 compensation, but are entitled to receive reimbursement for per
243 diem and travel expenses, as provided in s. 112.061. Payment may
244 also be authorized for preapproved child care expenses or lost
245 wages for members who are consumers of the department's services
246 and for preapproved child care expenses for other members who
247 demonstrate hardship.

248 (h) Members of a community alliance are subject to the
249 provisions of part III of chapter 112, the Code of Ethics for
250 Public Officers and Employees.

251 (i) Actions taken by a community alliance must be
252 consistent with department policy and state and federal laws,
253 rules, and regulations.

254 (j) Alliance members shall annually submit a disclosure
255 statement of services interests to the department's inspector
256 general. Any member who has an interest in a matter under
257 consideration by the alliance must abstain from voting on that
258 matter.

259 (k) All alliance meetings are open to the public pursuant
260 to s. 286.011 and the public records provision of s. 119.07(1).

261 ~~(7) PROTOTYPE REGION.~~

262 ~~(a) Notwithstanding the provisions of this section, the~~
263 ~~department may consolidate the management and administrative~~
264 ~~structure or function of the geographic area that includes the~~
265 ~~counties in the sixth, twelfth, and thirteenth judicial circuits~~
266 ~~as defined in s. 26.021. The department shall evaluate the~~

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267 ~~efficiency and effectiveness of the operation of the prototype~~
268 ~~region and upon a determination that there has been a~~
269 ~~demonstrated improvement in management and oversight of services~~
270 ~~or cost savings from more efficient administration of services,~~
271 ~~the secretary may consolidate management and administration of~~
272 ~~additional areas of the state. Any such additional consolidation~~
273 ~~shall comply with the provisions of subsection (5) unless~~
274 ~~legislative authorization to the contrary is provided.~~

275 ~~(b) Within the prototype region, the budget transfer~~
276 ~~authority defined in paragraph (5)(b) shall apply to the~~
277 ~~consolidated geographic area.~~

278 ~~(c) The department is authorized to contract for~~
279 ~~children's services with a lead agency in each county of the~~
80 ~~prototype area, except that the lead agency contract may cover~~
281 ~~more than one county when it is determined that such coverage~~
282 ~~will provide more effective or efficient services. The duties of~~
283 ~~the lead agency shall include, but not necessarily be limited~~
284 ~~to:~~

285 ~~1. Directing and coordinating the program and children's~~
286 ~~services within the scope of its contract.~~

287 ~~2. Providing or contracting for the provision of core~~
288 ~~services, including intake and eligibility, assessment, service~~
289 ~~planning, and case management.~~

290 ~~3. Creating a service provider network capable of~~
291 ~~delivering the services contained in client service plans, which~~
292 ~~shall include identifying the necessary services, the necessary~~
293 ~~volume of services, and possible utilization patterns and~~
294 ~~negotiating rates and expectations with providers.~~

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1229 (2012)

Amendment No.1

295 ~~4. Managing and monitoring of provider contracts and~~
296 ~~subcontracts.~~

297 ~~5. Developing and implementing an effective bill payment~~
298 ~~mechanism to ensure all providers are paid in a timely fashion.~~

299 ~~6. Providing or arranging for administrative services~~
300 ~~necessary to support service delivery.~~

301 ~~7. Utilizing departmentally approved training and meeting~~
302 ~~departmentally defined credentials and standards.~~

303 ~~8. Providing for performance measurement in accordance~~
304 ~~with the department's quality assurance program and providing~~
305 ~~for quality improvement and performance measurement.~~

306 ~~9. Developing and maintaining effective interagency~~
307 ~~collaboration to optimize service delivery.~~

308 ~~10. Ensuring that all federal and state reporting~~
309 ~~requirements are met.~~

310 ~~11. Operating a consumer complaint and grievance process.~~

311 ~~12. Ensuring that services are coordinated and not~~
312 ~~duplicated with other major payors, such as the local schools~~
313 ~~and Medicaid.~~

314 ~~13. Any other duties or responsibilities defined in s.~~
315 ~~409.1671 related to community based care.~~

316 ~~(4)-(8) CONSULTATION WITH COUNTIES ON MANDATED PROGRAMS.-It~~
317 ~~is the intent of the Legislature that when county governments~~
318 ~~are required by law to participate in the funding of programs,~~
319 ~~the department shall consult with designated representatives of~~
320 ~~county governments in developing policies and service delivery~~
321 ~~plans for those programs.~~

Amendment No.1

322 ~~(9) PROCUREMENT OF HEALTH SERVICES. Nothing contained in~~
323 ~~chapter 287 shall require competitive bids for health services~~
324 ~~involving examination, diagnosis, or treatment.~~

325 Section 3. Subsection (5) of section 20.43, Florida
326 Statutes, is amended to read:

327 20.43 Department of Health.—There is created a Department
328 of Health.

329 (5) The department shall plan and administer its public
330 health programs through its county health departments and may,
331 for administrative purposes and efficient service delivery,
332 establish up to 15 service areas to carry out such duties as may
333 be prescribed by the State Surgeon General. The boundaries of
334 the service areas shall ~~be the same as, or combinations of, the~~
335 ~~service districts of the Department of Children and Family~~
336 ~~Services established in s. 20.19 and, to the extent practicable,~~
337 ~~shall~~ take into consideration the boundaries of the jobs and
338 education regional boards.

339 Section 4. Subsection (1) of section 420.622, Florida
340 Statutes, is amended to read:

341 420.622 State Office on Homelessness; Council on
342 Homelessness.—

343 (1) The State Office on Homelessness is created within the
344 Department of Children and Families ~~Family Services~~ to provide
345 interagency, council, and other related coordination on issues
346 relating to homelessness. ~~An executive director of the office~~
347 ~~shall be appointed by the Governor.~~

Amendment No.1

348 Section 5. Subsection (6) of section 394.78, Florida
349 Statutes, is renumbered as subsection (5), and present
350 subsections (4) and (5) of that section are amended to read:

351 394.78 Operation and administration; personnel standards;
352 procedures for audit and monitoring of service providers;
353 resolution of disputes.-

354 (4) The department shall monitor service providers for
355 compliance with contracts and applicable state and federal
356 regulations. ~~A representative of the district health and human
357 services board shall be represented on the monitoring team.~~

358 ~~(5) In unresolved disputes regarding this part or rules
359 established pursuant to this part, providers and district health
360 and human services boards shall adhere to formal procedures
361 specified under s. 20.19(8)(n).~~

362 Section 6. During the 2013 Regular Session of the
363 Legislature, the Legislature shall adopt legislation to conform
364 the Florida Statutes to the provisions of this act.

365 Section 7. This act shall take effect July 1, 2012
366
367

368 -----

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

370 Remove lines 14-15 and insert:

371 services; amending s. 20.19, F.S.; deleting provisions relating
372 to the appointment of a Assistant Secretary for Substance Abuse
373 and Mental Health; deleting provisions relating to the
374 appointment of a Program Director for Substance Abuse and Mental
375 Health;

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1401 : Public Assistance

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
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: 8 Total Nays: 6					

HB 1401 Amendments

Amendment 424539

Adopted Without Objection

Amendment 555361

Failed to Adopt

Amendment 203475

Failed to Adopt

Amendment 939933

Withdrawn

Appearances:

SNAP

Rogers, John (Lobbyist) - Waive In Opposition
 FL. Retail Federation
 227 S. Adams St
 Tallahassee FL 32301
 Phone: (850)222-4082

Committee meeting was reported out: Monday, January 30, 2012 7:24:34PM

COMMITTEE MEETING REPORT
Health & Human Services Access Subcommittee

1/30/2012 2:00:00PM

Location: Webster Hall (212 Knott)

HB 1401 : Public Assistance (continued)

Appearances: (continued)

Public Assistance

Curva, Felicidad (Lobbyist) - Opponent

Florida Impact

1212 Piedmont Dr

Tallahassee FL 32312

Phone: (850)508-2256

Public Assistance

Steibly, Todd (Lobbyist) - Waive In Opposition

Florida Petroleum Marketers & Convenience Store Association

301 S Bronough St

Tallahassee FL 32399

Phone: (850)577-9090

SNAP Benefits

Harbin, Martha Kurth (Lobbyist) - Waive In Opposition

Florida Beverage Association

PO Box 4307

Tallahassee FL 32315-4307

Phone: (850)251-2803

HB 1401

Mark Anderson (Lobbyist) - Opponent

Committee meeting was reported out: Monday, January 30, 2012 7:24:34PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1401 (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

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Access Subcommittee
3 Representative Van Zant offered the following:

Amendment

6 Remove lines 59-63 and insert:

7 (a) Add to the list of items that may not be purchased with
8 federal Supplemental Nutrition Assistance Program funds
9 nonstaple foods. Such prohibited items include: sweetened
10 beverages, including sodas; sweets, such as gelatin dessert,
11 candy, ice cream, pudding, popsicles,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1401 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

Failed

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Access Subcommittee
3 Representative Pafford offered the following:

Amendment (with title amendment)

Between lines 66 and 67, insert:

7 However, this prohibition does not apply to sugar-free and no-
8 sugar-added foods.

11 -----
12 **T I T L E A M E N D M E N T**

13 Remove line 8 and insert:

14 Programs funds; providing an exception; prohibiting the use of
15 benefits in

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1401 (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 (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Failed

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Access Subcommittee
3 Representative Pafford offered the following:
4

Amendment (with title amendment)

6 Between lines 66 and 67, insert:

7 However, this prohibition does not apply to the purchase of the
8 cakes or cupcakes as part of a celebration of a minor's
9 birthday.

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

14 Remove line 8 and insert:

15 Program funds; providing an exception; prohibiting the use if
16 benefits in
17

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1401 (2012)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

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

Withdrawn

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Access Subcommittee
 3 Representative Pafford offered the following:

Amendment (with title amendment)

Between lines 66 and 67, insert:

7 However, the prohibition does not apply if any of such items are
 8 bought as part of a celebration for a federal holiday or
 9 religious ceremony.

12 -----
 13 **T I T L E A M E N D M E N T**

14 Remove line 8 and insert:

15 Programs funds; providing an exception; prohibiting the use of
 16 benefits in

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1401 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

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Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1401 (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 (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Health & Human Services
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Amendment (with title amendment)

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1401 (2012)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

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 ADOPTED AS AMENDED _____ (Y/N)
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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1401 (2012)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
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Amendment No. 3

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