

Moving Forward

The Developmental Disabilities Advocates' Guide to Legislation

Feb 17, 2012

Volume 17—Issue 7

Brought to you by the Georgia Council on Developmental Disabilities



DISABILITY DAY AT THE CAPITOL! Despite a steady, misting rain, 2000 advocates, friends and family gathered at the Capitol steps to hear from Governor Deal, Mark Perriello from AAPD, The Reverend Gerald L. Durley, recognize fallen soldiers and honor advocates. The Governor addressed the transition of Vocational Rehabilitation to the Department of Human Services, stating his intent to create a stand-alone department of employment services for people with disabilities that has autonomy and is responsive. The crowd was brought up to date on SB 373, Accessible Taxi Cabs, HB 432, Family Care, Post-secondary opportunities, 2020 Georgia's efforts to strike a balance in our economic approach, and were encouraged to **"SHOW UP, STAND UP, and SPEAK UP!"** — to contact their legislators to share their stories.

PLEASE START CALLING YOUR LEGISLATORS ABOUT GETTING MORE WAIVERS IN THE FY 2013 BUDGET. SEE THE MONDAY MORNING ALERT "KEYS TO THE CAMPAIGN!"

House and Senate News:

House Leadership — Speaker of the House: David Ralston, 7th; **Speaker Pro Tempore:** Jan Jones, 46th. The Speaker vote is held the opening day of the session, but we do not expect any changes. **Majority Leader:** Larry O'Neal, 146th; **Minority Leader:** Stacey Abrams, 84th.

Senate Leadership—Presiding: **Lt. Gov.** Casey Cagle; **President Pro Tempore:** Tommie Williams, 19th; **Majority Leader:** Chip Rogers, 21st; **Majority Whip:** Cecil Staton, 18th; **Minority Leader:** Steve Henson, 41st. **Minority Whip:** Vincent Fort, 39th.

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 2012 Session tackles the 2012 supplemental budget, referred to here as FY 2012A, (ending June 30, 2012) and the 2013 FY budget (beginning July 1, 2012). This issue of Moving Forward again covers the 2013 budget, which appropriations committees have begun meeting on.

Department of Behavioral Health and Developmental Disabilities; FY 2013

Please see the Unlock website for the services requested in ADDITION to the Governor's budget proposals.

Provide funding for developmental disabilities consumers in community settings to comply with the DOJ settlement agreement: \$4,216,000

Includes: Family Support: \$1,466,000
9 crisis respite homes, 6 mobile crisis teams: \$2,300,000

The amount for Family Support is based on actual average costs from the first full year of services.

Provide for additional 150 COMP waivers and annualize the cost of 100 NOW and COMP waivers from FY 2012 (community waivers) \$5,290,181

Use the Balancing Incentive Payment Program for additional 100 NOW / COMP waivers in community: YES

Use the Balancing Incentive Payment Program to annualize the cost of 150 FY 2012 COMP waivers YES

NEW COMP waivers are paid for out of Money Follows Person. The BIPP can finance annualizations and community waivers.

Department of Community Health; FY 2013

NOTE: We have confirmed that funding to annualize the 33 ICWP waivers appropriated by the legislature in the 2012 budget IS in the base funding in the DCH budget, so these waivers are secure.

Department of Human Services; FY 2013

The Governor is proposing to move all Vocational Rehabilitation services under currently housed within the Department of Labor, to the Department of Human Services.

Business Enterprise Program	state funds	\$267,655
	total funds	\$2,233,740

Disability Adjudication Unit	total funds	\$55,598,820
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Georgia Industries for the Blind	total funds	\$11,828,888
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Roosevelt Warm Springs Inst.	state funds	\$5,484,053
	total funds	\$31,366,429

Vocational Rehabilitation	state funds	\$12,851,140
	total funds	\$79,324,509

The Division of Aging did NOT lose the 2% cuts to Alzheimer's Respite, (\$225,000), HCBS Respite (\$405,556), and the Center for the Visually Impaired (\$177,859). The Council on Aging was cut 2%.

Department of Education FY 2013

The biggest changes in the Department of Education budget were to wrap a few more items into the Quality Basic Education Formula which comprise the state portion of each student's funding.

Provide an increase based on 0.36% enrollment growth and for training and experience	\$114,456,895
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Provide differentiated pay for newly certified math and science teachers.	\$3,020,931
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Provide a grant to the State Special Charter	\$8,647,953
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SchoolsTransfer funds for Nutrition (\$15,788,068), Pupil Transportation (\$127,704,479), and School Nurses (\$30,071,158) into the Quality Basic Education Program	\$173,563,705
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Transfer funds for Georgia Special Needs Scholarships to the Quality Basic Education Program	\$10,144,033
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Department of Public Health FY 2013

Children First	(2,800,000)
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Children First is the single point of entry to Babies Can't Wait and other early preventative health services for infants and children.

CALENDAR

The Legislature has set the calendar up to Day 31, which will be Monday March 12.

Tuesday, February 21th to Friday, February 24th	(Day 25)
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Monday, February 27th to Wednesday, February 29th	(Day 28)
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Monday, March 5th	(Day 29)
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Tuesday, March 6th	Adjourned
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Wednesday, March 7th Crossover Day	DAY 30
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Monday, March 12th	(Day 31)
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www.unlockthewaitinglists.com

www.gcdd.org

Legislation: HOUSE

HB 23: To require the DHS to establish regulations governing the use of psychotropic medications for foster children in state custody. **Sponsor:** M.Oliver, 83. **Status:** HHS; House Second Readers.

HB 132: Relating to insurance generally, so as to require certain insurance coverage for physician prescribed special dietary foods or formulas for specific chronic medical conditions. **Sponsors:** Watson, 163; Lindsey, 54; Benfield, 85. **Status:** Ins; House Second Readers.

HB 229: Relating to administrative hearings and appeals under Medicaid generally, to provide that the decision of the administrative law judge shall be the final administrative decision of the commissioner.

Sponsors: Cooper, 41; Jacobs, 80; Channell, 116; Lindsey, 54; Oliver, 83. **Status:** Judy; Favorably Reported.

HB 387: To provide for comprehensive revision of the revenue structure of the State of Georgia. **Sponsors:** Channell, 116; O'Neal, 146; Jones, 46; Peake, 137. **Status:** Spec. Joint Comm; House Withdrawn, Recommitted.

HB 388: To provide for comprehensive revision of the revenue structure of the State of Georgia. **Sponsors:** Channell, 116; O'Neal, 146; Jones, 46; Peake, 137. **Status:** Spec. Joint Comm; House Withdrawn, Recommitted.

HB 432: Relating to general provisions relative to labor and industrial relations, so as to allow employees to use sick leave for the care of immediate family members. **Sponsors:** Dempsey, 13; Manning, 32; Smith, 129; McKillip, 115; Sims, 119; Kaiser, 59. **Status:** IR; House Second Readers.

HB 471: Relating to arrest and detention of juveniles, so as to change provisions relating to when interim control of children is permitted.

Sponsors: Willard, 49; Lindsey, 54; Oliver, 83; Jacobs, 80; Weldon, 3; Dobbs, 53. **Status:** Judy; House Second Readers.

HB 476: To establish the Georgia Health Exchange Authority; to provide for the Georgia Health Exchange and the Small Business Health Options Program (SHOP) Exchange. **Sponsors:** Smith, 131; Meadows, 5. **Status:** Ins; House Withdrawn, Recommitted.

HB 662: Relating to educational programs, so as to enact the "Blind Persons' Braille Literacy Rights and Education Act. **Sponsors:** Manning, 32; Reece, 11. **Status:** Ed; House Second Readers.

HB 669: Relating to the organization of the executive branch generally, so as to require the reporting of federal funds received by certain state agencies. **Sponsor:** Clark, 98. **Status:** BFA; House withdrawn.

HB 713: Relating to the "Quality Basic Education Act," so as to delay implementation of some career and college readiness initiatives until the 2013-2014 school year; to require career education in grades k-12; to change the mandated assessment for postsecondary readiness to the end of 11th grade. **Sponsors:** Nix, 69; Coleman, 97; Davis, 109; Kaiser, 59; Carter, 175; Casas, 103. **Status:** ED&Y; Senate Read & Referred.

HB 741: A bill to amend an Act providing appropriations for the State Fiscal Year beginning July 1, 2011, and ending June 30, 2012.

Sponsors: Ralston, 7; Jones, 46; O'Neal, 146; England, 108. **Status:** App, Senate Read and Referred.

HB 742: A bill to make and provide appropriations for the State Fiscal year beginning July 1, 2012, and ending June 30, 2013. **Sponsors:** Ralston, 7; Jones, 46; O'Neal, 146; England, 108. **Status:** App, House Second Readers.

HB 745: To require the Department of Public Health to study whether pulse oximetry screening should be a standard test for newborns for detection of congenital heart defects. **Sponsors:** Welch, 110; Ramsey, 72; Cooper, 41; Manning, 32; Watson, 163. **Status:** H&HS, House Committee Favorably Reported.

HB 787: To provide that any changes by the DBHDD to allocation rates or formulas for providers must have legislative ratification; that provider contracts include certain requirements. **Sponsors:** Setzler, 35; Dempsey, 13; Houston 170. **Status:** App; House Second Readers.

HB 801: Relating to insurance, so as to establish the Georgia Health Insurance Marketplace Authority. **Sponsors:** Gardner, 57; Beverly, 139; Dobbs, 53; Smyre, 132 Buckner, 130. **Status:** Ins; House Second Readers.

HB 831: To transfer the Division of Rehabilitation Services, including the disability adjudication section and the Roosevelt Warm Springs Institute from DOL to DHS. **Sponsors:** McCall,30; Collins, 27; Hatchett, 143; Carter, 175. **Status:** HR&Ag; House Committee Favorably Reported.

HB 966: Relating to examination of financial records in cases of fraud relating to social services, so as to allow DHS to examine income tax records held by the Dept of Revenue; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes. **Sponsor:** Knight, 126. **Status:** House Hopper.

HR 1176: To create the House Department of Behavioral Health and Developmental Disabilities Oversight Committee. **Sponsors:** Kidd, 141; Harden, 147; Houston, 170; Dempsey, 13. **Status:** H&HS; House Second Readers.

HR 1335: To authorize the creation of state charter schools; to authorize the State Board of Education to overturn a decision by a local board of education regarding the approval or denial of a local charter school.

Sponsors: Holcomb, 82; Frazier,123; Ashe,56; Hugley, 133; Parent, 81. **Status:** Ed; House Second Readers.

HR 1350: To create special transportation districts for taxation purposes for the funding of regional transportation projects. **Sponsors:** Setzler, 35; Golick, 34; Ramsey, 72. **Status:** Trans; House Second Readers.

Legislation: SENATE

SB 198: Relating to primaries and elections generally, so as to provide definitions; to cover all disabilities in providing assistance in voting.

Sponsors: Goggans, 7; Grant, 25; Unterman, 45. **Status:** Ethics; Senate Read and Referred.

SB 245: Relating to definitions relative to governing and regulation of mental health, so as to revise the definition of "developmental disability." **Sponsor:** Goggans, 7. **Status:** HHS; House Second Readers.

SB 292: To enact the "Social Responsibility and Accountability Act"; to provide that the DHS shall create an established drug test to be administered to each applicant for TANF or Medicaid benefits.

Sponsors: Albers, 56; Rogers, 21; Gooch, 51; Shafer, 48; Carter, 1; Ligon, 3. **House Companion HB 668. Sponsors:** Spencer, 180; Willard, 49; Braddock, 19; Houston, 170. **House Companion HB 698 & 699.**

Sponsors: Stephens, 164; McKillip, 115.

SB 308: Relating to technical and adult education, to permit proprietary institutions of higher education to participate in establishing college and career academies. **Sponsors:** Grant, 25; Millar, 40; Henson, 41; Jones, 10; Carter, 42; Balfour, 9. **Status:** H.Ed; Senate Read & Referred.

SB 312: Relating to public assistance, so as to require applicants for food stamps and TANF to engage in personal growth activities; to provide for applicability. **Sponsors:** Lignon, 3; Albers, 56; Carter, 1; Williams, 19. **Status:** H&HS; Senate Read & Referred.

SB 330: Relating to individual health insurance coverage, policy shall provide coverage for treatment of dependent children with cancer and provide coverage for autism. **Sponsors:** Fort, 39; Henson, 41; Stoner, 6; Orrock, 36. **Status:** I&L; Senate Read and Referred.

SB 373: Relating to certificates of public necessity and convenience and medallions for vehicles for hire, so as to provide for authority to operate vehicles for hire equipped to transport passengers in wheelchairs throughout the state. **Sponsors:** Mullis, 53; Jackson, 24; Unterman, 45; Hill, 32; Stoner, 6. **Status:** Trans; Senate Read & Referred.

SB 410: Relating to an accountability assessment for K-12 education, so as to provide for annual indicators of the quality of learning by students, financial efficiency, and schoolclimate for individual schools and for school systems. **Sponsors:** Williams ,19; Mullis, 53; Rogers, 21; Jeffares, 17; Heath, 31. **Status:** Ed&Y; Senate Read and Referred.

SB 418: Establish the Georgia Health Insurance Marketplace Authority. **Sponsors:** Orrock of the 36th, Henson of the 41st, Tate of the 38th, Fort of the 39th, Davis, 22. **Status:** Senate Hopper.

SR 646: To ensure the necessary conditions for expanded high-quality digital learning opportunities for the students of this state. **Sponsor:** Rogers, 21. **Status:** Ed&Y; Senate Read and Referred.

SR 819: Creating the Senate Alternative Sustainable Transportation Study Committee. **Sponsors:** Davis, 22; Thompson, 33; Mullis, 53; Staton, 18; Stone, 23. **Status:** Trans; Senate Read and Referred.

Dates to Remember:

February is Self-Advocates Month at the Capitol

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