

# Moving Forward

The Developmental Disabilities Advocates'  
Guide to Legislation

March 28, 2014  
Volume 19—Issue 9

Brought to you by the Georgia Council on Developmental Disabilities

**WRAP-UP EDITION:** The 2014 General Assembly finished the session on March 20. Several important bills were passed this session, as well as the budgets for FY2014A and FY2015.

**FY 2015 Budget highlights:** Funds for 50 supported employment slots for people with developmental disabilities were added within the DBHDD budget to the tune of \$390,625. Additionally, \$100,000 in NEW funding was added for inclusive post-secondary education within the GCDD budget. The Department of Justice related funding for DD services is supported in full. The ICWP received 25 additional slots, CCSP received 100 additional slots, and NOW/COMP received 250 additional slots (100 community + 150 institutional). DD providers received a 1.5% increase and CCSP and SOURCE received a 5% increase for certain services (details below).

**Legislation Highlights:** **PASSED: HB870**, provides for the imposition of an additional fine for reckless driving relating to the Brain and Spinal Injury Trust Fund; **HB 990**, requires an act of the Legislature before Medicaid could be expanded via the Affordable Care Act. **DID NOT PASS: SB397**, which would have required insurance companies to provide coverage for autism; **HB290**, which would have allowed employees to use sick leave for the care of immediate family members.

**Remember:** If you are not already a member of the GCDD advocacy network, go to [www.gcdd.org](http://www.gcdd.org) and click on **Join our Advocacy Network** and follow the instructions so you can stay connected throughout the year.

## House and Senate News:

**House Leadership — Speaker of the House:** David Ralston, 7th;  
**Speaker Pro Tempore:** Jan Jones, 47<sup>th</sup>. **Majority Leader:** Larry O'Neal, 146th; **Minority Leader:** Stacey Abrams, 89<sup>th</sup>.

**Senate Leadership**—Presiding: **Lt. Gov.** Casey Cagle; **President Pro Tempore:** David Shafer, 48th. **Majority Leader:** Ronnie Chance, 16th;  
**Minority Leader:** Steve Henson, 41st.

**Contact information for the Governor**—The Honorable Nathan Deal, Mailing address: 206 Washington Street, Suite 203, State Capitol, Atlanta, GA 30334; 404-656-1776, <http://gov.georgia.gov>

**To identify your legislators**, go to [www.gcdd.org](http://www.gcdd.org), click on **Join our Advocacy Network**, and follow the instructions. Once you are logged into Capitol Impact, click on "Officials" and then "GA District Lookup". Enter your address and Capitol Impact will identify your legislators.

## Budget Information:

The 2014 Session tackles the 2014 supplemental budget, referred to here as FY 2014A, (ending June 30, 2014) and the 2015 FY budget (beginning July 1, 2014).

The Conference Committee Report for the FY2015 budget (HB 744) was adopted on March 18 and sent to the Governor on March 25.

Below are some of the highlights of the FY 2015 disability-related budget items. It compares the Unlock the Waiting Lists ASK with the final outcome within the FY2015 budget. To see the Unlock ask, go to [www.unlockthewaitinglists.com](http://www.unlockthewaitinglists.com). To see details on how the budget breaks down for each department and program, please see the full budget documents available at <http://opb.georgia.gov> and <http://www.house.ga.gov/budget>.

### Department of Behavioral Health & Developmental Disabilities, FY 2015

Increase funds for 75 additional slots for the New Options Waiver (NOW) and Comprehensive Waiver (COMP) for the developmentally disabled to meet the requirements of the Department of Justice (DOJ) Settlement Agreement. **\$1,620,512**

- **Included in FY2015 budget**

Annualize the cost of 250 FY 2014 NOW and COMP waiver slots for the developmentally disabled to meet the requirements of the DOJ Settlement Agreement **\$6,906,153**

- **Included in FY2015 budget**

Increase funds for developmental disabilities consumers in community settings to comply with the requirements of the DOJ Settlement Agreement (excludes waivers). **\$1,872,000**

- **Included in FY2015 budget**

Utilize enhanced federal participation rate for 175 additional NOW and COMP for the developmentally disabled to meet the requirements of the DOJ Settlement Agreement.

- **Included in FY2015 budget**

Housing vouchers to support 100 people with developmental disabilities who wish to live in their own home or apartment **\$480,000**

- **Not included in FY2015 budget**

## Budget Items (continued)

Original Unlock ask: Supported employment funds to assist 250 young people with developmental disabilities find and keep employment in the community: **\$1,960,000**

- **Included in the FY2015 budget:** "Increase funds for 50 additional supported employment slots for people with developmental disabilities" **\$390,625**

Provide a rate increase for developmental disabilities providers

- **Included in the FY2015 budget:** "Increase funds for a 1.5% increase for developmental disabilities providers" **\$1,958,526**

### Georgia Council on Developmental Disabilities, FY 2015

Original Unlock ask: Inclusive Post-Secondary Education funds for scholarships for qualified students in need and to lay the ground work for a more comprehensive system of inclusive post-secondary programs in Georgia **\$200,000**

- **Included in FY2015 budget:** "Increase funds for Inclusive Post-Secondary Education for disabled young adults" **\$100,000**

### Department of Community Health, FY 2015

Utilize enhanced federal participation rate for 25 additional Independent Care Waiver Program (ICWP) slots

- **Included in FY2015 budget**

Utilize enhanced federal participation rate and increase funds to increase Medicaid reimbursement rates for Alternative Living Services and Personal Support Services, and Case Managers by 5% in both elderly waiver programs (CCSP and SOURCE). **\$566,000**

- **Included in FY2015 budget**

### Department of Human Services, FY 2015

Utilize enhanced federal participation rate for 100 additional Community Care Services Program (CCSP) slots.

- **Included in FY2015 budget**

Utilize enhanced federal participation rate to increase Medicaid reimbursement rates for Alternative Living Services and Personal Support Services by 5% in both elderly waiver programs (CCSP and SOURCE).

- **Included in FY2015 budget**

### Georgia Vocational Rehabilitation Agency, FY 2015

Original Unlock Ask: Increase funding for Vocational Rehabilitation services that prepare persons with disabilities for competitive employment so that Georgia may pull down its full 4:1 federal dollar match **\$8,200,000**

- **Included in the FY2015 budget:** Recognize and execute a Memorandum of Understanding agreement with the Department of Behavioral Health and Developmental Disabilities (\$1,000,000) and receive additional federal funding for Vocational Rehabilitation services.

### Department of Community Affairs, FY 2015

Increase retrofit dollars for home modifications & necessary code updates to inaccessible properties **\$300,000**

- **Not included in FY2015 budget**

## Legislation:

Thursday, March 20 was the final day, Sine Die, of the legislative session. In order to pass, a piece of legislation must have passed both chambers in identical form by midnight on Sine Die. On the other side is a list of the legislation tracked by Moving Forward. Gov. Deal has 40 days, until April 29, to sign or veto bills that were passed. If he does not act on a bill within this time period, the bill becomes law. Bills that did not pass this year are dead because the 2015 legislative session will begin a new two year cycle for the Georgia General Assembly. To see a list of bills that have been signed by the governor, you can visit <http://gov.georgia.gov/bills-signed/2014>.

*The Georgia Council on Developmental Disabilities collaborates with Georgia citizens, public and private advocacy organizations, and policymakers to positively influence public policies that enhance the quality of life for people with developmental disabilities and their families.*

**Legislation that PASSED - HOUSE Bills**

**HB 0743**; Ralston, David; Supplemental appropriations; State Fiscal Year July 1, 2013 - June 30, 2014; 2/26/2014; House Date Signed by Governor  
**HB 0744**; Ralston, David; General appropriations; State Fiscal Year July 1, 2014 - June 30, 2015; 3/25/2014; House Sent to Governor  
**HB 0766**; Lumsden, Eddie; Work Based Learning Act; enact; 3/24/2014; House Sent to Governor  
**HB 0772**; Morris, Greg; Public assistance; drug testing for applicants for food stamps; require; 3/27/2014; House Sent to Governor  
**HB 0870**; Tanner, Kevin; Brain and Spinal Injury Trust Fund; imposition of additional fine for reckless driving; provide; 3/26/2014; House Sent to Governor  
**HB 0899**; Cooper, Sharon; Unlicensed personal care homes; criminal penalties for owning or operating; provide; 3/26/2014; House Sent to Governor  
**HB 0973**; Lindsey, Edward; Medicaid; changes to civil penalties for false or fraudulent claims; provisions; 3/26/2014; House Sent to Governor  
**HB 0990**; Jones, Jan; Social services; expansion of Medicaid eligibility through increase in income threshold without prior legislative approval; prohibit; 3/26/2014; House Sent to Governor

**Legislation that PASSED – SENATE bills**

**SB 0023**; Davenport, Gail 44<sup>th</sup>; "Stacey Nicole English Act"; aid in the location of missing persons; incapacitated due to medical conditions; establish; 3/25/2014; Senate Sent to Governor  
**SR 0746**; Unterman, Renee; State Plan for Alzheimer's Disease and Related Dementias; express support; 3/25/2014; Senate Sent to Governor

**Legislation that did NOT pass – HOUSE bills**

**HB 0015**; Waites, Keisha 60<sup>th</sup>; Elementary and secondary education; annual reporting of bullying incidents; require; 1/28/2012; House - House Prefiled  
**HB 0018**; Waites, Keisha 60<sup>th</sup>; Blind Persons' Braille Literacy Rights and Education Act; enact; 2/26/2013 ; House - House Second Readers  
**HB 0051**; Hatchett, Matt 150<sup>th</sup>; Hospital Medicaid Financing Program Act; enact; 1/16/2013; House - House Second Readers  
**HB 0067**; Kidd, E. Culver "Rusty" 145<sup>th</sup>; Brain and Spinal Injury Trust Fund; penalty assessments for additional violations; authorize; 1/28/2013; House - House Second Readers  
**HB 0074**; Lindsey, Edward 54<sup>th</sup>; Hearing Aid Coverage for Children Act; enact; 1/28/2013; House - House Second Readers  
**HB 0078**; Willard, Wendell 51<sup>st</sup>; Crimes and offenses; protection of disabled adults and elder persons; change provisions; 7/1/2013 House - Effective Date  
**HB 0097**; Brooks, Tyrone 55<sup>th</sup>; Minimum wage; substantive and comprehensive reform of provisions regarding the law; provide; 1/29/2013; House - House Second Readers  
**HB 0102**; Shaw, Jason 176<sup>th</sup>; Special license plates; veterans of the United States armed forces; provide; 1/29/2013; House - House Second Readers  
**HB 0119**; Marin, Pedro "Pete" 96<sup>th</sup>; Sentencing; defendants guilty of crimes involving bias or prejudice, circumstances, and parole; repeal certain provisions; 1/30/2013; House - House Second Readers  
**HB 0166**; Bruce, Roger 61<sup>st</sup>; Parent Protection Act; enact; 2/1/2013; House - House Second Readers  
**HB 0205**; Lindsey, Edward 54<sup>th</sup>; Psychiatric Advance Directive Act; enact; 2/7/2013; House - House Second Readers  
**HB 0290**; Dempsey, Katie 13<sup>th</sup>; Family Care Act - to allow employees to use sick leave for the care of immediate family members; 2/3/2014; House Committee Favorably Reported By Substitute  
**HB 0309**; Harbin, Ben 122<sup>nd</sup>; Ava's Law; enact; 2/13/2013; House - House Second Readers  
**HB 0398**; Maxwell, Howard 17<sup>th</sup>; Consumer transactions; licensed personal care homes and community living arrangements to use certain terms; authorize; 3/28/2013; House - House Withdrawn, Recommitted  
**HB 0546**; Beverly, James 143<sup>rd</sup>; Public Health, Department of; pilot program to assess need for and effectiveness of using protocol technicians in areas which do not have access to a hospital; establish; 3/11/2013; House - House Second Readers  
**HB 0606**; Knight, David 130<sup>th</sup>; Private home care providers; revise definition to exclude contractual arrangements with independent contractors; 3/20/2013; House - House Second Readers  
**HB 0608**; Houston, Penny 170<sup>th</sup> Community Health, Department of; criminal background check requirements for applicants for employment by certain licensed facilities; expand; 3/21/2013; House - House Second Readers  
**HB 0695**; Carson, John 46<sup>th</sup>; Public assistance; provide reimbursement for Medicaid providers; provisions; 1/14/2014; House Second Readers  
**HB 0700**; Waites, Keisha; Public facilities; State Capitol and CLOB; persons with disabilities; provide increased accessibility; 2/24/2014 16:50 House Committee Favorably Reported by Substitute  
**HB 0707**; Spencer, Jason 180<sup>th</sup>; The Georgia Health Care Freedom and ACA Noncompliance Act; enact; 3/13/2014; Senate Read Second Time  
**HB 0754**; Waites, Keisha; Blind Persons' Braille Literacy Rights and Education Act; enact; 1/17/2014; House Second Readers  
**HB 0760**; Welch, Andrew; General Assembly; committees have ability to subpoena department and division heads to testify and produce documents for examination; provide; 1/21/2014; House Second Readers  
**HB 0853**; Stover, David; Mental health facilities; certificate of need; revise exemption; 1/31/2014; House Second Readers  
**HB 0868**; Fludd, Virgil; Community Health, Board of; contract with at least two vendors to provide health insurance benefits for retiring and retired state employees; require; 1/31/2014; House Second Readers  
**HB 0885**; Peake, Allen; Medical cannabis; continuing research into benefits to treat certain conditions; provisions; 3/20/2014; Senate Passed/Adopted By Substitute  
**HB 0894**; Peake, Allen; Continuing care providers and facilities; provide for continuing care at home; provisions; 2/5/2014; House Second Readers

**(Legislation that did NOT pass – HOUSE bills- CONTINUED)**

**HB 0910**; Kelley, Trey; Community Health, Department of; authorize medical-legal partnerships; provisions; 2/25/2014; Senate Read and Referred  
**HB 0913**; Kelley, Trey; Community Health, Board of; persons having certain conflicts of interest from serving on board; prohibit; 3/18/2014; Senate Tabled  
**HB 0914**; Wilkerson, David; Social services; school personnel required to report child abuse shall be notified by child protective agency upon receipt of report and completion of investigation; provide; 3/20/2014; House Agrees Senate Amend or Sub As Amended  
**HB 0942**; Gordon, J. Craig; Online Voter Registration Act of 2014; enact; 2/10/2014; House Second Readers  
**HB 1084**; Weldon, Tom; Community Health, Department of; infraction of condition under medicare or Medicaid not constitute negligence per se; provide; 2/26/2014; House Second Readers  
**HR 0024**; Kidd, E. Culver "Rusty" 145<sup>th</sup>; General Assembly; additional penalties or fees for parking in spaces reserved for persons with disabilities; provide ; 1/28/2013; House - House Second Readers  
**HR 0049**; Waites, Keisha 60<sup>th</sup>; Congress; pass legislation restoring the deep cuts to mental health services; request; 1/29/2013; House - House Second Readers  
**HR 1039**; Waites, Keisha 60<sup>th</sup>; State Capitol and CLOB; accessibility by the blind and visually impaired; 11/25/2013; House - House Prefiled  
**HR 1087**; Welch, Andrew; General Assembly; dedication of revenues derived from fees or other assessments to public purpose for which such fees were imposed; provide – CA; 1/23/2014; House Second Readers

**Legislation that did NOT pass – SENATE Bills**

**SB 0034**; Donzella, James; 35<sup>th</sup>; Public Order and Safety; unlawful for mentally incompetent person to possess a handgun; penalties; 1/15/2013; Senate - Senate Read and Referred  
**SB 0046**; Orrock, Nan 36<sup>th</sup>; Insurance; establish the Georgia Health Insurance Marketplace Authority; 1/15/2013; Senate - Senate Read and Referred  
**SB 0047**; Fort, Vincent 39<sup>th</sup>; Insurance; provide each individual accident/sickness policy; coverage for treatment of dependent children with cancer/autism; 1/15/2013; Senate - Senate Read and Referred  
**SB 0050**; Henson, Steve 41<sup>st</sup>; Election; change time periods for advance voting; 1/16/2013; Senate - Senate Read and Referred  
**SB 0057**; James, Donzella 35<sup>th</sup>; "Universal Kindergarten Mandate For Early Starts Act"; change ages of mandatory education; 1/17/2013; Senate - Senate Read and Referred  
**SB 0063**; Hill, Judson 32<sup>nd</sup>; State Government; federal health care reform legislation; legislative findings; 1/28/2013; Senate - Senate Read and Referred  
**SB 0065**; Unterman, Renee 45<sup>th</sup>; Mental Health; authorize licensed professional counselor to perform certain acts; secure certification; 3/26/2014; Senate - Senate Sent to Governor  
**SB 0079**; Jackson, Lester 2<sup>nd</sup>; Education; raise the age of mandatory education from 16 to 17; 1/30/2013; Senate - Senate Read and Referred  
**SB 0090**; Gooch, Steve 51<sup>st</sup>; Governor's Development Council; periodic submission of certain information by state, regional, and local transportation authorities; S2/1/2013; Senate - Senate Read and Referred  
**SB 0141**; Beach, Brandon 21<sup>st</sup>; 'Patient Injury Act'; create an alternative medical malpractice litigation; 2/11/2013; Senate - Senate Read and Referred  
**SB 0163**; Ligon, Jr., William 3<sup>rd</sup>; Community Health Dept.; required to study and identify options for Medicaid reform; 3/28/2013; House - House Withdrawn, Recommitted  
**SB 0186**; Ligon, Jr., William 3<sup>rd</sup>; Mental Health; provide for authorization of ambulance personnel to transport certain mentally ill patients; 2/21/2013; Senate - Senate Read and Referred  
**SB 0191**; Albers, John 56<sup>th</sup>; "Ava's Law"; provide definitions; certain insurance coverage for autism spectrum disorders; 2/22/2013; Senate - Senate Read and Referred  
**SB 0202**; Unterman, Renee 45<sup>th</sup>; Litigation code changes; 2/25/2013; Senate - Senate Read and Referred  
**SB 0207**; Albers, John 56<sup>th</sup>; Probation of first offenders; person disqualified from employment when discharged as felony offender; add private home care providers to list; 3/20/2014; Senate Agrees House Amend or Sub  
**SB 0220**; Hill, Judson 32<sup>nd</sup>; Public Assistance; provide for a pilot program; smart cards for Medicaid program recipients; 2/27/2013; Senate - Senate Read and Referred  
**SB 0291**; Unterman, Renee; Georgia Adult and Aging Services Agency; create; 3/20/2014; House Passed/Adopted By Substitute  
**SB 0292**; Unterman, Renee; Alzheimer's Disease Registry; establish within the Department of Public Health; 3/20/2014; Senate Agrees House Amend or Sub As Amended  
**SB 0298**; Murphy, Jack; License Plates; submission of a doctor's prescription; application for a special parking decal for persons with disabilities in lieu of an affidavit; notary public not available; 3/20/2014 ; Senate Agrees House Amend or Sub  
**SB 0329**; Wilkinson, John; "Work Based Learning Act"; 2/17/2014; House Second Readers  
**SB 0349**; Bethel, Charlie; Behavioral Health and Developmental, Dept. of; changes to the powers and duties; 3/10/2014; House Passed/Adopted  
**SB 0397**; Golden, Tim; Autism; provide for certain insurance coverage of autism spectrum disorders; definitions; limitations; premium cap; 3/3/2014 ; House Second Readers  
**SB 0409**; Jackson, Lester; "Blind Persons' Braille Literacy Rights and Education Act"; enact; blind or visually impaired child; determine need for Braille instruction; 2/26/2014; Senate Read Second Time  
**SR 0012** ; Henson, Steve 41<sup>st</sup>; Governor; urge to expand Medicaid coverage under the Affordable Care Act; 1/15/2013; Senate - Senate Read and Referred  
**SR 0020**; James, Donzella 35<sup>th</sup>; Autism Spectrum Disorders; request screening; 1/16/2013; Senate - Senate Read and Referred

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