

OUTSTANDING ISSUES

outstanding Issues advocated by the Statewide and Local Advocacy Councils

1. Changes to the Adoption Rules

Changes requested in 1998 to the Adoption rules have still not been formally adopted as of this report, even though the draft of the revised rules are over three years old. Ed Feaver, DCF Secretary Jerry Regier's predecessor, approved all of the changes. This rule is still not final and has been ongoing for six years.

2. The Home and Community-Based Waiver for the Developmentally Disabled Application

New Providers wishing to enroll in the Home and Community-Based Waiver Developmentally Disabled Medicaid Program are still experiencing difficulty due to numerous reviews and delays which appear to be more cumbersome than the traditional Medicaid provider process. This process needs to be streamlined.

3. Access to Clients' Records at state agencies

SAC is still working with the Agency for Health Care Administration and Center for Medicare and Medicaid Services to obtain a data sharing agreement that will allow SAC/LACs full access to Medicaid client data.

4. Rule Promulgation Under Section 402.167 Florida Statutes

The Departments of Health, Elderly Affairs, Children and Family Services, and the Agency for Health Care Administration have all indicated that they will develop rules in accordance with Section 402.167 FS. Only the Department of Health has initiated formal rule making and held workshops. The Departments of Juvenile Justice and Education denied the council's petition for rule making and this resulted in an appeal by the council to the District Court of Appeals on rule making.

5. Agency Move

The Florida Statewide Advocacy Council will be proposing legislation in 2004 to move the Agency to an independent administrative location. This move will include the support staff to the local councils.

6. Continued Monitoring/Review

Continue monitoring/review of the Child Abuse Prevention and Treatment Act (CAPTA) program's assurances by the Department of Children and Family Services to the Department of Health and Human Services and the Florida Legislature.

7. Florida Assertive Community Treatment (FACT) Teams

The SAC continues it's review of the FACT Teams implementation. The analysis of the survey should be completed in FY 2003-3004 along with the preliminary findings.

8. Death of Clients

The SAC continues to have difficulty in reviewing the death of clients in the care of the state. The council and the appropriate state agencies are still pursuing this matter.

9. Florida Civil Comment Center

The SAC completed it's reviews of the facility and issued it's preliminary report to the Departments of Children and Family Services, Health and Corrections. All three agencies have been working cooperatively on the recommendations. The final report will be issued in FY 2003-2004.

10. Dental Services for the Developmentally Disabled

The SAC is still very concerned about the lack of good dental care providers for this population and is working with the Departments of Correction, Health, Agency for Health Care Administration and Children and Family Services to secure additional Medicaid providers.