

## LEGISLATIVE BILLS SUMMARY

### Budget

The Governor released his 2012-2013 Budget Recommendations back in December. Below are the line item appropriations for school health funding and full service school funding in the Governor's proposal.

472 AID TO LOCAL GOVERNMENTS  
SCHOOL HEALTH SERVICES

FROM GENERAL REVENUE FUND . . . . . 1,125,057

FROM TOBACCO SETTLEMENT TRUST FUND . 9,902,925

FROM FEDERAL GRANTS TRUST FUND . . . 9,291,548

From the funds in Specific Appropriation 472, funds are provided from the Federal Grants Trust Fund for school health services using Title XXI federal funding.

482 SPECIAL CATEGORIES

FULL SERVICE SCHOOLS - INTERAGENCY  
COOPERATION

FROM GENERAL REVENUE FUND . . . . . 6,000,000

FROM FEDERAL GRANTS TRUST FUND . . . 2,500,000

Remember the Governor does not author the Appropriations Act, the Florida Senate and Florida House of Representatives write the budget plan for the State of Florida. The Governor has line item veto power over the bill.

In an effort to give you a comparison, the FY 2011-2012 Appropriations Act included the following budget allocations:

### Final Budget Language in Conference Report to Senate Bill 2000

The agency is authorized to seek any necessary state plan amendment to implement additional Title XXI administrative claiming for school health services.

430 AID TO LOCAL GOVERNMENTS  
SCHOOL HEALTH SERVICES

FROM GENERAL REVENUE FUND . . . . . 1,125,057

FROM TOBACCO SETTLEMENT TRUST FUND . 9,902,925

FROM FEDERAL GRANTS TRUST FUND . . . 9,291,548

From the funds in Specific Appropriation 430 and 439, \$5,000,000 from the Federal Grants Trust Fund is provided for school health services using Title XXI administrative funding. The Agency for Health Care Administration is authorized to seek a state plan amendment necessary to implement this provision.

439 SPECIAL CATEGORIES

FULL SERVICE SCHOOLS - INTERAGENCY  
COOPERATION

FROM GENERAL REVENUE FUND . . . . . 6,000,000

FROM FEDERAL GRANTS TRUST FUND . . . 2,500,000

## **Department of Health Reorganization**

FSHA has been actively monitoring the lengthy process of the Department of Health Reorganization. FSHA strongly supports school health remaining under the Florida Department of Health. The Department of Health released their Evaluation and Justification Review last year and it included the recommendation to keep school health under their supervision.

Two bills have been filed this session relating to the Florida Department of Health Reorganization. House Bill 1263 by Representative Hudson and Senate 1824 by Senator Garcia are the two bills filed relating to the reorganization. FSHA will be tracking these bills closely this session, and reporting on them as they proceed.

House Bill 1263 has been referred to the following committees:

- H** Health & Human Services Quality Subcommittee
- H** Appropriations Committee
- H** Health & Human Services Committee

Senate Bill 1824 was filed on January 9th and has not received committee references yet.

### **Health Education**

#### **SB 0144 Relating to Seclusion and Restraint on Students With Disabilities in Public Schools.**

Requiring that manual physical restraint be used only in an emergency when there is an imminent risk of serious injury or death to the student or others; providing restrictions on the use of manual physical restraint; prohibiting the use of manual physical restraint by school personnel who are not certified to use district-approved methods for applying restraint techniques; requiring that each school medically evaluate a student after the student is manually physically restrained; prohibiting school personnel from placing a student in seclusion; providing requirements for the use of time-out; requiring that a school district report its training and certification procedures to the Department of Education, etc.

EFFECTIVE DATE: July 1, 2012

9/8/2011 SENATE Referred to Education Pre-K - 12; Children, Families, and Elder Affairs; Budget

**SB 0256 Relating to Youth and Student Athletes.** Requiring independent sanctioning authorities to adopt policies to inform certain officials, coaches, and youth athletes and their parents of the nature and risk of certain head injuries; requiring that a signed consent form be obtained before the youth participates in athletic practices or competitions; requiring that a youth athlete be immediately removed from an athletic activity following a suspected head injury; requiring written clearance from a medical professional before the youth resumes athletic activities; authorizing a physician to delegate the performance of medical care to a licensed or certified health care practitioner and consult with or use testing and the evaluation of cognitive functions performed by a licensed neuropsychologist, etc.

EFFECTIVE DATE: July 1, 2012

12/14/2011 SENATE Now in Budget Subcommittee on Education Pre-K - 12 Appropriations

**HB 0415 and SB 580 Relating to Health Education.** Provides for mandatory one-half credit in health education, independent of physical education credit requirement, for high school students; provides waiver for students who request to take & successfully complete health education assessment developed by DOE; reduces number of credits in elective courses. Effective Date: July 1, 2012  
01/16/2012 Neither bill heard yet in its first committee of reference.

**SB 0416 Relating to Use of Wireless Communications Devices While Driving.** Creating the "Florida Ban on Texting While Driving Law"; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; providing for points to be assessed against a driver's license for the unlawful use of a wireless communications device resulting in a crash, etc. EFFECTIVE DATE: October 1, 2012  
12/21/2011 SENATE On Committee agenda - Communications, Energy, and Public Utilities, 01/12/12, 8:00 AM, 110 S

**HB 0443 Relating to School Wellness and Physical Education Policies.** Provides requirements for training in CPR as part of basic first-aid training encouraged in school districts. Effective Date: July 1, 2012  
10/28/2011 HOUSE Now in K-20 Competitiveness Subcommittee

**SB 0510 Relating to Florida Kidcare Program.** Providing that children who are eligible for a state-sponsored health benefit plan and the subsidized Kidcare program may enroll in the program, etc.  
1/3/2012 SENATE On Committee agenda - Health Regulation, 01/12/12, 10:15 am, 412 K

**SB 0526 Relating to Health Care.** Removing a provision limiting the number of breast and cervical cancer screenings based on projected Medicaid expenditures; renaming ch. 385, F.S., as the "Healthy and Fit Florida Act"; requiring the Department of Health to support the creation of public health programs at the state and community levels to reduce the incidence of mortality and morbidity from chronic diseases; requiring the department to create a state-level program to address the preventable risk factors associated with chronic diseases; requiring the program to perform certain activities; requiring the department to develop and implement a community-level program for the prevention of chronic diseases and the promotion of health; providing the purpose of the program; requiring the department to coordinate efforts with the Department of Management Services and other state agencies; requiring licensed laboratories and practitioners to report certain information to the department, etc. EFFECTIVE DATE: July 1, 2012  
11/2/2011 SENATE Referred to Health Regulation; Budget

**SB 0622 Relating to Bullying of School Children.** Prohibiting bullying or harassment of a student or school employee by use of any computer, computer system, or computer network that is physically located on school property, regardless of ownership; adding "emotional hurt" to the list of behaviors that indicate that bullying may be involved; defining the term "within the scope of a public K-12 educational institution"; requiring that each school district include in its districtwide policy instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on how to recognize behaviors that lead to bullying and harassment and how to take appropriate preventative action based on those individuals' observations, etc. EFFECTIVE DATE: July 1, 2012  
11/2/2011 SENATE Referred to Education Pre-K - 12; Budget

**SB 0736 and HB 443 Relating to Cardiopulmonary Resuscitation Training in Public Schools.**

Requiring that school districts that provide basic training in first aid teach students the psychomotor skills associated with performing cardiopulmonary resuscitation at least one time before graduation from high school; providing a definition for the term "psychomotor skills," etc. EFFECTIVE DATE: upon becoming a law

11/16/2011 SENATE Referred to Education Pre-K - 12; Health Regulation; Budget

01/16/2012 HOUSE Referred to the House K-20 Competitiveness Subcommittee; HousePrek-12 Appropriations Subcommittee; House Education Committee

**SB 1138 Relating to Continuing Education Or Inservice Training For Public School Personnel**

Requiring the Commissioner of Education to develop recommendations to incorporate recommendations into existing requirements; authorizing the State Board of Education to adopt rules, etc. EFFECTIVE DATE: upon becoming a law

12/5/2011 SENATE Filed

FSHA's Legislative Consultant, Missy Timmons, is tracking many bills for FSHA and will be highlighting them over the next few weeks. Some of the other issues we are following for FSHA are bullying legislation; continued education/in-service training legislation, background screening legislation, human papillomavirus legislation, reduction of physical education classes.