Committee Weeks
February 1-5

Contents
• Arrestee Medical Expenses
• Building Safety
• Condominium Foreclosures
• Medicaid Reform
• Sexual Predator

Arrestee Medical Expenses (SB 218/HB 319)

SB 218 by Senator Jones which was deferred last month in Community Affairs was heard and substantially amended. The amended bill provides that medical care for an arrestee, absent a formal written agreement between a county, city, or law enforcement and a provider, shall be at 110 percent of the Medicare rate. The Board supports 110 percent of the Medicaid rate. Furthermore, the current bill has yet to include precluding pre-existing conditions from coverage.

The companion bill, HB 319 by Representative Hooper, was also heard by the Public Safety and Domestic Security Policy Council (one of four policy council stops). HB 319, which calls for 110 per cent of the Medicaid rate, was temporarily postponed members objected to shifting the cost burden to hospitals, although it was noted that in the end, regardless of which governmental entity is identified to pay the expenses, it is the taxpayer who is ultimately responsible for paying the bill. Representative Ambler also indicated that this is the same bill that was passed last year for the state.

In other legislation relating to inmates, SB 370, Community Corrections Assistance, passed in Judiciary. The bill expands reentry services by adding “rehabilitative community reentry programs” for funding eligibility should the Department of Corrections receive funding from the Legislature. The companion bill, HB 203, is at its second stop in Criminal and Civil Justice Appropriations.

Building Safety

A building safety bill, SB 648 by Senator Bennett, addresses the Florida Building Code requirement regarding elevator heat sensors and provides for postponing the requirement until such time as the elevator is replaced (also introduced in 2009 and did not pass the Legislature). SB 648 calls for the installation of a lock box to hold keys for elevators in case they are needed for emergency access; increases licensing fees for home inspectors; allows the requirement of carbon monoxide detectors to be satisfied through battery operated detectors; and other building issues including expedited product approvals. The bill has five committee stops and was unanimously approved.

HB 561 by Representative Bogdanoff, while dealing with other condominium issues, also includes extending the time for the retrofitting of fire sprinklers and providing that a condominium building of one or two stories with exterior corridors is not required to install manual fire alarms.
The Governmental Affairs Policy Committee heard a presentation by the Florida Building Commission on the International Building Code and building code reform. There was a good deal of discussion regarding the International Building Code adoption to require fire sprinklers in residences. The current requirement of fire sprinklers in residents applies to buildings over four stories or multiple family residences. The Speaker indicated that the Florida Building Commission generally adopts the code changes proposed in the International Building Code. It was also noted that insurance companies have reservations regarding such a requirement as well as the unintended damage which might be caused, particularly in homes occupied by snowbirds. No other State has adopted this requirement.

**Condominium Foreclosures**

In its first hearing in Civil Justice and Courts Policy Committee, HB 329 by Representative Robaina regarding condominium foreclosures, was temporarily postponed. The bill would allow for tenants to pay association fees (but no more than the rent due the owner) when a unit is more than 30 days delinquent; denial of occupancy or use of common areas by a tenant or owner when a unit is 90 days delinquent; allows for a tenant who pays rent directly to the association, to be credited to the owner, and increases the lender liability for past due assessments. The bill would not be retroactive. While there was agreement that the intent of the bill was good, there was also considerable concern regarding legal issues and the protection of tenants. Representative Robaina indicated he would continue to work on the bill.

**Medicaid Reform**

The Senate Health Regulation Committee discussed Medicaid Reform with Dr. Paul Duncan of the University of Florida College of Public Health and Health Professions. The current Medicaid Reform Waiver expires June 30, 2011. A request to renew the waiver, submit modifications, or allow the waiver to expire must be submitted by June 30, 2010. Dr. Duncan reported that there is not as much variation in plan benefits as originally anticipated; satisfaction is relatively high; there are preliminary indications of reduced expenses; and the mental health enrollees are happier with their services in Reform counties than in non-Reform counties. He reported that there was no smoking gun to either way, stating that it was neither spectacular success nor unmitigated disaster. His findings were neutral.

**Sexual Offenders and Predators**

A bill regarding sexual predators and circles of safety for children was scheduled for workshop in the Public Safety and Domestic Security Policy Committee. The bill, HB 119 by Representative Glorioso, makes it a first degree misdemeanor for a convicted predator or offender to loiter or prowl within 300 feet of a place where children regularly congregate; makes it a first degree misdemeanor for a convicted predator or offender to knowingly approach, contact or communicate with a child in any public park building or on real property comprising any public park or playground with the intent of engaging in sexual conduct (applying to offender who committed an offense after July 1, 2010); and
makes it a first degree misdemeanor for a convicted sexual predator or offender to be in a school or child care facility while in operation without notification to the principal or facility owner. The bill preempts residency distance limitations to the State and abolishes any city or county distance limitations that exceed the State limit as of July 1, 2010. Because the Policy Committee ran out of time, Representative Glorioso only addressed the members briefly indicating that residency requirements, or where an offender sleeps, is not as important as where the offender visits and calling for legislation regarding circles of safety. The bill will be scheduled for workshop in two weeks.