

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 1153 Vocational Rehabilitation
SPONSOR(S): Higher Education & Workforce Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:** SB 802

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Higher Education & Workforce Subcommittee		Banner	Sherry

SUMMARY ANALYSIS

The bill establishes specific, measureable performance goals for the employment of persons who have disabilities as part of the state plan to implement the federal Workforce Innovation and Opportunity Act (WIOA). The goals focus on elevating the state vocational rehabilitation program to one of the top ten in the nation by addressing the following metrics:

- Number and percentage of individuals receiving services;
- Number and percentage of individuals receiving postsecondary workforce education; and
- Number and percentage of cases closed due to the individual obtaining employment.

The bill has an effective date of July 1, 2015.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Florida's population includes approximately 2.4 million individuals with disabilities, which represents nearly 13 percent of the state's population. Approximately 10 percent are within working-age (i.e., ages 18-64). These individuals may qualify for vocational rehabilitation services.¹ Vocational rehabilitation is a federal-state program that helps people who have physical or mental disabilities get or keep a job.²

The Division of Vocational Rehabilitation (VR) is housed within the Florida Department of Education (DOE) and is the designated administrative unit for the state's compliance with the Vocational Rehabilitation Act of 1973, as amended.³ The division is responsible for maintaining an internal system of quality assurance and monitoring compliance with state and federal laws, rules, and regulations.⁴

The Workforce Innovation and Opportunity Act (WIOA) became law on July 22, 2014.⁵ WIOA replaces the federal Workforce Innovation Act of 1998 (WIA), which the state implemented under the Workforce Innovation Act of 2000.⁶ Until the enactment of WIOA, WIA was the primary federal platform that provided investment and support in employment services, workforce development activities, job training, adult education, and vocational training through the country.⁷

In general, WIOA maintains the framework of WIA but includes provisions aimed at streamlining programs, easing reporting requirements, and reducing administrative barriers. Under the WIOA provisions, VR is required to work with the Department of Economic Opportunity and CareerSource Florida on the development of a single, unified state plan with common performance standards and metrics aligned to outcomes designed to create opportunities for long-term career pathways and the delivery of market-relevant skills.

Additionally, WIOA increases individuals with disabilities' access to high-quality workforce services to prepare them for competitive integrated employment by requiring better employer engagement and promoting physical and programmatic accessibility to employment and training services. Youth with disabilities receive extensive pre-employment transition services to obtain and retain competitive integrated employment. WIOA also creates an Advisory Committee on strategies to increase competitive integrated employment for individuals with disabilities.⁸ WIOA requires state vocational rehabilitation agencies to set aside at least 15 percent of their funding to provide transition services to youth with disabilities and provides state grant programs aimed at engaging employers to improve participant employment outcomes.⁹

WIOA officially becomes effective on July 1, 2015, however the state unified plans and common performance accountability provisions become effective July 1, 2016.¹⁰ The United State Department

¹ U.S. Census Bureau, *2009-2013 American Community Survey 5-Year Estimates*, <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> (last visited March 23, 2015).

² Florida Department of Education, Division of Vocational Rehabilitation, *Frequently Asked Questions*, <http://www.rehabworks.org/faq.shtml> (last visited March 23, 2015).

³ Section 413.202, F.S.; *see also* Pub. L. No. 93-112, 87 Stat. 355 (Sep. 26, 1973).

⁴ Section 413.207, F.S.

⁵ Library of Congress, 113th Congress (2013-2014), H.R. 803 – Workforce Innovation and Opportunity Act, Congress.gov, *available at* <https://www.congress.gov/bill/113th-congress/house-bill/803/actions> (last visited March 23, 2015).

⁶ Ch. 445, F.S. and section 445.003, F.S.

⁷ Section 445.003, F.S.

⁸ U.S. Department of Labor, Employment and Training Administration, *WIOA Factsheet*, <http://www.doleta.gov/wioa/pdf/WIOA-Factsheet.pdf>.

⁹ U.S. Department of Labor, Employment and Training Administration, *WIOA Overview*, <http://www.doleta.gov/wioa/pdf/WIOA-Overview.pdf>.

¹⁰ *Id.*

of Labor is currently in the rulemaking process for WIOA, which it expects to complete by spring 2015. Until the rulemaking process is complete, the law's specific implementation procedures and processes remain unclear.¹¹

Effect of Proposed Changes

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B. SECTION DIRECTORY:

Section 1. Amends s. 445.003, F.S., to provide specific performance goals for the state plan to implement the federal Workforce Innovation and Opportunity Act.

Section 2. Provides an effective date of July 1, 2015.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

¹¹ U.S. Department of Labor, Employment and Training Administration, Workforce Innovation and Opportunity Act of 2014, available at <http://www.doleta.gov/WIOA/> (last visited March 23, 2015).

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES