

By Senator Rossin

35-973-98

1 A bill to be entitled
2 An act relating to family safety; creating s.
3 20.44, F.S.; creating the Department of Family
4 Safety contingent upon adoption of an
5 alternative budgeting process by the
6 Legislature; providing for the department's
7 mission, purposes, responsibilities, and
8 organizational structure; directing the
9 secretary of the department to appoint a
10 Statewide Family Safety Advisory Board and to
11 encourage the privatization of services;
12 creating the Human Services Commission to study
13 the organizational structure of the Department
14 of Children and Family Services and the
15 Department of Family Safety and to report its
16 findings to the Governor and the Legislature;
17 creating s. 402.401, F.S.; providing for
18 competency-based training for child protection
19 staff; creating s. 415.5145, F.S.; providing
20 for the family safety quality assurance and
21 improvement process; providing for the
22 effectiveness of rules; providing for the
23 substitution of parties in interest in certain
24 judicial or administrative proceedings;
25 providing an appropriation; providing effective
26 dates.

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28 Be It Enacted by the Legislature of the State of Florida:

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30 Section 1. Section 20.44, Florida Statutes, is created
31 to read:

1 20.44 Department of Family Safety.--There is created a
2 Department of Family Safety.

3 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
4 finds that the protection of children, the elderly, and other
5 vulnerable adults from abuse is one of its most important
6 priorities. It is the intent of the Legislature that the
7 Department of Family Safety encompass child protection
8 services, services to victims of domestic violence, and
9 services to elders and disabled adults who are victims of
10 abuse. Greater integration of planning and delivering services
11 related to child and adult protection and domestic violence is
12 essential because it is becoming increasingly clear that these
13 forms of abuse are interrelated. Research strongly indicates
14 that violence within the family is intergenerational and
15 cyclical: Persons who are abused as children are more likely
16 than others to become abusive parents themselves, and persons
17 who abuse one member of their family are likely to abuse other
18 vulnerable family members as well. Further, research suggests
19 that early exposure to violence in the family, including
20 witnessing violence or physical abuse, significantly increases
21 the risk of violent behavior during adolescence and adulthood.
22 It is the intent of the Legislature that the Department of
23 Family Safety focus on the safety and service needs of abused
24 or neglected children and adults with the goal of delivering
25 the most appropriate services in a timely and professional
26 manner. Within the Department of Family Safety, it is the
27 intent of the Legislature that all services be delivered by
28 trained and skilled persons and integrated to the extent
29 possible with other social, health, and educational services.

30 (2) MISSION AND PURPOSES.--
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1 (a) The mission of the Department of Family Safety is
2 to serve children, the elderly, and other vulnerable adults
3 who are or at risk of being abandoned, abused, or neglected
4 and to work in partnership with the private and public
5 segments of local communities, including privatization of
6 services, to help persons who are abandoned, abused, or
7 neglected live in stable families and communities.

8 (b) The purposes of the Department of Family Safety
9 are to deliver, or provide for the delivery of, all family
10 safety services offered by the state through the department,
11 including, but not be limited to:

12 1. Cooperating with other state and local agencies in
13 integrating the delivery of all children, family, and health
14 services offered by the state to those persons in need of
15 assistance.

16 2. Providing such assistance as is authorized to all
17 eligible clients so that they may achieve or maintain
18 self-sufficiency to prevent, reduce, or eliminate dependency.

19 3. Preventing or remedying the neglect, abuse, or
20 exploitation of children and of adults who are unable to
21 protect their own interests.

22 4. Aiding in the preservation, rehabilitation, and
23 reuniting of families when it is in the child's best interest
24 to do so and when the child cannot remain with the family,
25 thereby achieving permanence for that child as quickly as
26 possible.

27 5. Addressing the problems and behaviors that result
28 from intergenerational family violence, including abuse of
29 children, spouses, and other vulnerable adults.

30 (c) In fulfillment of this mission and these purposes,
31 the department shall create a 5-year strategic plan that

1 reflects broad societal outcomes, sets forth a broad framework
2 within which district planning activities are conducted, and
3 establishes a set of measurable goals and objectives
4 consistent with performance outcomes, outputs, and standards
5 under chapter 94-249, Laws of Florida, the Government
6 Performance and Accountability Act, to ensure that the
7 department is accountable to the public.

8 (d) In fulfilling its mission, the Secretary of the
9 Department of Family Safety may appoint ad hoc advisory
10 committees when necessary. The problem or issue that an ad hoc
11 committee is asked to address and the timeframe within which
12 the committee is to complete its work must be specified at the
13 time of the initial appointment of the committee. Ad hoc
14 advisory committees must include representatives of
15 individuals, groups, associations, or institutions that may be
16 affected by the issue or problem that the committee is asked
17 to examine. Committee members shall receive no compensation,
18 but may, within existing resources of the department, be
19 reimbursed for travel expenses as provided in s. 112.061.

20 (3) FAMILY SAFETY PROGRAMS.--Family safety programs
21 include, but are not limited to, prevention and early
22 intervention services for children and families at risk of
23 abuse or neglect; Florida abuse hotline for all reports of
24 abuse, neglect, or exploitation; investigations, family
25 preservation, support, and other in-home services; protective
26 supervision programs, licensure activities, child welfare
27 legal services; out-of-home care programs; in-home
28 supervision; adoptions; interstate compact on the placement of
29 children programs; specialized services to families; services
30 relating to domestic violence; child protection and sexual
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1 abuse treatment teams under chapter 415, excluding medical
2 direction functions; and adult protective services.

3 (4) SECRETARY OF FAMILY SAFETY.--

4 (a) The head of the department is the Secretary of
5 Family Safety. The secretary is to be appointed by the
6 Governor, subject to confirmation by the Senate. The secretary
7 serves at the pleasure of the Governor. The secretary must
8 have program expertise in family safety programs which is
9 sufficient to enable him or her to successfully meet the
10 programmatic and organizational challenges.

11 (b) The secretary has the authority and responsibilty
12 to ensure that the purpose of the department is fulfilled in
13 accordance with state and federal laws, rules, and
14 regulations. The secretary is responsible and accountable for
15 the department's fulfillment of its mission as articulated by
16 the Legislature through such means as the assignment of
17 program standards and performance outcomes.

18 (c) The secretary is responsible for the assessment of
19 client needs and services on a statewide basis; short-term and
20 long-term program planning activities; the development of
21 budget and resource allocation methodologies; the development
22 of legislative budget requests based on requests submitted by
23 the District Deputy Secretaries; the development of program
24 policies and rules and providing policy interpretations in
25 order to achieve statewide consistency; working with other
26 states, associations, and experts in the field of family
27 safety in creating innovative and effective strategies for
28 addressing family violence and achieving family safety; and
29 ensuring collaboration with other appropriate departments for
30 the development and integration of effective programs to serve
31 children and their families.

1 (5) DEPUTY SECRETARY FOR CENTRAL OPERATIONS.--The
2 secretary shall appoint a Deputy Secretary for Central
3 Operations who shall act in the absence of the secretary and
4 is directly responsible to the secretary and is responsible
5 for the office of administration, departmental legal services,
6 inspector general functions, and other duties assigned by the
7 secretary.

8 (6) OFFICE OF STANDARDS AND EVALUATION.--There is
9 created under the secretary the Office of Standards and
10 Evaluation which shall:

11 (a) Monitor the achievement of outcome measures and
12 performance and productivity standards related to service
13 delivery, support, and procedures.

14 (b) Develop monitoring and quality assurance systems
15 for statewide and district services which will routinely
16 assess the efficiency and effectiveness of departmental and
17 provider staff and services.

18 (c) Validate the monitoring and quality assurance
19 activities of statewide and district service providers and
20 staff to ensure that these activities are being conducted
21 routinely and that corrective action is being taken to
22 eliminate deficiencies detected by these activities.

23 (d) Conduct evaluations, directly or by contract, of
24 programs and services provided by the department to determine
25 whether improvement in the condition of individuals, families,
26 and communities has occurred as a result of these programs and
27 services. The evaluations must include an assessment of the
28 short-term effects on individuals and families and the
29 long-term effects on communities and the state. Outcome
30 evaluation studies must be conducted in response to priorities
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1 determined by the department and the Legislature and to the
2 extent that funding is provided by the Legislature.

3 (e) Consult with the inspector general to ensure the
4 integrity of the monitoring and evaluation process and the
5 validity of the data derived from these activities.

6 (f) Develop procedures for the competitive procurement
7 of external evaluations, including detailed specifications for
8 all evaluation contracts.

9 (g) Develop the budget for the department's evaluation
10 efforts and identify future evaluation needs, including
11 infrastructure needs to support the outcome evaluation
12 function.

13 (h) Perform such other duties relating to evaluation
14 as may be assigned to the Office of Standards and Evaluation
15 by the secretary.

16 (7) DIRECTOR OF ADMINISTRATION.--

17 (a) The secretary shall appoint a Director of
18 Administration who serves at the pleasure of the secretary and
19 is responsible to the Deputy Secretary for Central Operations.
20 The Director of Administration is responsible for:

21 1. Supervising all of the budget management activities
22 of the department and serving as the chief budget officer of
23 the department.

24 2. Providing administrative and management support
25 services above the district level.

26 3. Monitoring administrative and management support
27 services in the districts.

28 4. Developing and implementing uniform policies,
29 procedures, and guidelines with respect to personnel
30 administration, finance and accounting, budget, grants
31 management and disbursement, contract administration,

1 procurement, information and communications systems,
2 management evaluation and improvement, and general services,
3 including housekeeping, maintenance, and leasing of
4 facilities.

5 5. Performing such other administrative duties as are
6 assigned by the secretary.

7 (b) If reductions in a district's operating budget
8 become necessary during any fiscal year, the department shall
9 develop a formula to be used in its recommendations to the
10 Governor and Legislature which does not disproportionately
11 reduce a district's operating budget because of voluntary
12 county appropriations to department programs.

13 (7) SERVICE DISTRICTS.--The department shall plan and
14 administer its programs and services through no more than
15 seven geographic service districts that the department shall
16 define by rule.

17 (8) DISTRICT DEPUTY SECRETARY.--

18 (a) A district deputy secretary who is exempt from the
19 Career Service System established in part II of chapter 110 is
20 appointed in each district. The secretary shall appoint the
21 deputy secretary in each district who has program expertise in
22 family safety services and who serves at the pleasure of and
23 is directly responsible to the secretary. The district deputy
24 secretary has direct line authority over all family safety
25 programs and services within the district. The secretary
26 provides overall policy direction to the district deputy
27 secretary, but in order to tailor programs and services to
28 address local needs and build on local strengths, the
29 day-to-day operational decisions for local family safety
30 services and programs are made by the district deputy
31 secretary or by staff as delegated by the district deputy

1 secretary either directly or through contract. The district
2 deputy secretary is responsible to the secretary for
3 implementing statewide policy. The district deputy secretary
4 is directly accountable for the organization and delivery of
5 services to meet the needs of the clients within the district.
6 The district deputy secretary must involve the appropriate
7 local community-based departmental staff, consumers of the
8 department's services, community leaders, organizations, and
9 citizens as frequently as possible in policy and operational
10 decisions that affect programs and services in their
11 community. The evaluation of the performance of the district
12 deputy secretary is based on the performance of his or her
13 duties and responsibilities as specified in this subsection in
14 fulfilling the mission of the department at the district
15 level. The responsibilities of the district deputy secretary
16 include, but are not limited to:

17 1. Directing, supervising, and monitoring district
18 service programs in conformity with state and federal laws,
19 rules, and regulations; district and statewide service plans;
20 and all other policies, procedures, and guidelines established
21 by the secretary or the director.

22 2. Administering the continuum of programs and
23 services of the district and managing the personnel and
24 facilities associated with those programs that serve the
25 district.

26 3. Administering state funds allocated to the district
27 as well as proper claiming of federal funds.

28 4. Identifying county and district needs.

29 5. Establishing district policies and procedures as
30 required to discharge the duties of the district deputy
31 secretary and to implement and conform the policies,

1 procedures, and guidelines established by the department to
2 the needs of the district.

3 6. Identifying and developing community resources
4 including the development of and assistance to local providers
5 who are interested in becoming privatized providers of all or
6 a portion of the department's services as described in this
7 section.

8 7. Coordinating the programs and services provided by
9 the department with those of other public and private agencies
10 that provide health, social, educational, and rehabilitative
11 services to the same children and their families within the
12 district.

13 8. Developing the legislative budget requests and
14 providing technical assistance and consultation on pertinent
15 program issues as needed.

16 9. Serving as program spokesperson in educating the
17 public as to the availability of programs and the needs of
18 clients.

19 10. Serving as primary staff-development adviser in
20 assessing the needs of staff and developing training and
21 staff-development programs.

22 11. Performing other duties assigned by the secretary.

23 (b) In order to enhance service coordination and
24 integration with other health and human services, each
25 district must develop a service integration strategy that is
26 submitted to the secretary. At a minimum, the strategy must
27 specify that the district deputy secretary shall meet on a
28 regular basis with representatives from other related
29 departments to discuss problems and issues hindering service
30 delivery.

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1 (c) There must be an annual agreement between the
2 district deputy secretary and the secretary that includes
3 expected district performance outcomes and provides for
4 periodic reports and evaluations to the secretary of district
5 performance. The agreement must specify the disciplinary
6 actions that will be taken by the secretary when the district
7 deputy secretary fails to meet the outcomes specified in the
8 agreement.

9 (d) The district manager for administrative services
10 shall report directly to the district deputy secretary and
11 shall provide the following administrative and management
12 support services to the district in accordance with the
13 uniform policies, procedures, and guidelines established by
14 the Director of Administration:

- 15 1. Finance and accounting.
- 16 2. Grants management and disbursement.
- 17 3. Personnel administration.
- 18 4. Purchasing and procurement.
- 19 5. General services, including housekeeping and
20 maintenance of facilities.
- 21 6. Assisting the district deputy secretary in
22 preparation of the district budget request and administration
23 of the approved operating budget.
- 24 7. Chief budget officer of the district.
- 25 8. Other administrative duties as assigned by the
26 district deputy secretary.

27 (e) To ensure effective contract management, each
28 district deputy secretary shall establish an interdisciplinary
29 contract evaluation team to assess the efficacy of district
30 contracts and evaluate contractor performance and
31 administrative compliance. The contract evaluation team shall

1 report their findings to and coordinate their activities with
2 the Office of Standards and Evaluation.

3 (9) DEPARTMENTAL BUDGET.--

4 (a) The secretary shall develop and submit annually to
5 the Legislature a comprehensive departmental summary budget
6 document that arrays each district budget request along
7 program lines and, for the purpose of legislative
8 appropriation, consists of the following distinct budget
9 entities:

10 1. Department Administration.

11 2. Statewide Services.

12 3. District Services.

13 (b) The department shall revise its budget entity
14 designations to conform with the three budget entities. The
15 department, in accordance with chapter 216, shall transfer, as
16 necessary, funds and positions among budget entities to
17 realign appropriations with the revised budget entity
18 designations. Such authorized revisions must be consistent
19 with the intent of the approved operating budget. The various
20 district budget requests developed pursuant to paragraph (d)
21 shall be included in the comprehensive departmental summary
22 budget document.

23 (c) To fulfill this responsibility, the secretary may
24 review, amend, and approve the annual budget request of all
25 departmental activities under s. 216.023.

26 (d) It is the responsibility of the Director of
27 Administration to establish the necessary budget timetables,
28 formats, and data requirements for all departmental budget
29 requests in accordance with the statewide budget requirements
30 of the Executive Office of the Governor.

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1 (e) It is the responsibility of the district deputy
2 secretary, to develop an annual district budget request to be
3 reviewed, amended, and approved by the secretary. Annual
4 budget requests must be based on units of service and the
5 costs of those services.

6 (f) The department's program planning, budgeting, and
7 information systems capabilities are required to be linked.
8 Identification of resource requirements and legislative
9 appropriations are based upon systematic identification of
10 target client populations and appropriate service arrays,
11 defined units of measurement and data captured for unit
12 costing purposes, and tracking services delivered in a manner
13 so that program outcomes can be determined. The department
14 shall implement an integrated, unit cost based budgeting
15 system for each target client population.

16 (10) STATEWIDE FAMILY SAFETY ADVISORY BOARD.--The
17 secretary shall appoint a Statewide Family Safety Advisory
18 Board to advise the secretary on issues and programs that
19 impact on the safety and well-being of children, families, and
20 vulnerable adults. The advisory board shall be appointed by
21 the Governor from recommendations from each county commission.
22 The Governor shall appoint at least two members from each
23 service district and will ensure representation from both a
24 rural area and an urban area. Each member shall be appointed
25 for a 2-year term, and no member may serve for more than two
26 consecutive terms. In fulfilling vacancies and making any new
27 appointments, the Governor shall ensure that the members
28 rotate from among the counties within the service district.
29 The department shall adopt an administrative rule describing
30 the rotation process of board members within the service
31 districts. The board may have no more than 20 members

1 including experts in child protection services, domestic
2 violence, abuse of elders, and in other pertinent areas that
3 impact on child and family safety.

4 (11) PRIVATIZATION OF SERVICES.--The Legislature
5 believes that the planning, management, and delivery of family
6 safety services is the responsibility of local communities. It
7 is the intent of the Legislature that family safety services
8 be a joint endeavor between the private and public sectors and
9 that the role of community providers be strengthened when it
10 is in the clients' best interest and is economically and
11 programmatically feasible. To that end, the secretary is
12 responsible for encouraging and facilitating privatization of
13 services. It is the intent of the Legislature that the
14 feasibility of law enforcement agencies administering all
15 protective investigations be reviewed.

16 (a) Each district must determine annually whether
17 there is any interest on the part of local providers to
18 directly provide child protection services. When the
19 department determines that local communities have both an
20 interest in and a capacity to provide all or a portion of
21 family safety services, the department must competitively
22 procure, through the request for proposals process under
23 chapter 287, or through an appropriate alternative bid
24 process, the delivery of those specified services.

25 (b) Services may be provided by a single provider, by
26 a network of providers that may include partnerships between
27 the public and private sectors, or by a single or group of
28 counties, municipalities, or other governmental entities.

29 (c) In order to ensure that children are adequately
30 protected, services are effectively managed, and workers
31 receive proper supervision, service contracts for these

1 privatized services must include at least the following: a
2 detailed description of services; program standards; criteria
3 describing the clients to be served; service activities;
4 service units; unit costs; staffing and supervisory
5 requirements; program and financial reporting and
6 documentation requirements; performance outcomes, outputs, and
7 standards; service coordination requirements; service location
8 and equipment requirements; contract monitoring and evaluation
9 methodologies; and other provider or department
10 responsibilities, special provisions, or expenditure of funds
11 unique to the services being contracted.

12 (12) INFORMATION SYSTEMS.--

13 (a) The secretary shall appoint a chief information
14 officer with the authority for agency development and
15 management information systems maintenance, policies, and
16 procedures as provided in chapter 282. The chief information
17 officer shall direct and promote information as a strategic
18 asset and facilitate integration of data systems and agency
19 and interagency resource sharing as allowed by applicable
20 statutes. The chief information officer serves at the pleasure
21 of the secretary.

22 (b) The chief information officer is directly
23 responsible for the management of the management information
24 systems service center that provides primary information
25 systems support for all entities within the department and
26 maintains fee-for-service provisions for use by other
27 agencies. The chief information officer shall negotiate
28 service-level agreements between the management information
29 systems service center and users and shall facilitate
30 integrated information systems practices and procedures

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1 throughout the service districts and with local service
2 providers.

3 (c) The secretary shall implement a priority program
4 aimed at the design, testing, and integration of automated
5 information systems necessary for effective and efficient
6 management of the department and clients. These systems shall
7 contain, minimally, management data, client data, and program
8 data deemed essential for the ongoing administration of
9 service delivery, as well as for the purpose of management
10 decisions. It is the intent of the Legislature that these
11 systems be developed with the idea of providing maximum
12 administrative support to the delivery of services and to
13 allow for the development of a more logical alignment of
14 programs, services, and budget structures to effectively
15 address the problems of any person who receives the services
16 of the department. It is also essential that these systems
17 comply with federal program requirements and ensure
18 confidentiality of individual client information.

19 (14) HEADQUARTERS; SERVICE FACILITIES.--

20 (a) The department shall maintain its headquarters in
21 Tallahassee.

22 (b) Within each of its service districts, the
23 department shall co-locate its service facilities when it is
24 possible to do so without removing service facilities from
25 proximity to the clients they serve.

26 (15) CONSULTATION WITH COUNTIES ON MANDATED
27 PROGRAMS.--It is the intent of the Legislature that when
28 county governments are required by law to participate in the
29 funding of programs, the department shall consult with
30 designated representatives of county governments in developing
31 policies and service delivery plans for those programs.

1 Section 2. (1) The Human Services Commission is
2 created to study the organizational placement of the remaining
3 programs in the Department of Children and Family Services
4 including alcohol, drug abuse, and mental health services;
5 developmental services; the economic self-sufficiency program;
6 and adult services, excluding adult protective services, so
7 that these programs and services will be delivered in the most
8 effective and efficient manner preserving their integration
9 and coordination of each service with other health and human
10 services. The Human Services Commission is an adjunct to the
11 Executive Office of the Governor and must complete the
12 following activities:

13 (a) Study these referenced programs and recommend to
14 the Legislature the most appropriate organizational placement
15 and design within or outside of Florida's governmental
16 structure;

17 (b) Review the mission and the organizational
18 structure of the Department of Family Safety as created in
19 this act to propose any additional changes that will enhance
20 the delivery of these services and ensure the protection of
21 the state's children, adults, and families;

22 (c) Review the feasibility of law enforcement agencies
23 administering all or an increased portion of protective
24 investigations; and

25 (d) Determine the most credible method of projecting
26 the amount of resources needed to provide the most appropriate
27 family safety services to children and families which is an
28 alternative to the current budgeting method. In conducting
29 this activity, the commission shall investigate and report on
30 the feasibility of utilizing an estimating conference approach
31 to budgeting.

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2 The commission shall obtain expert consultation on all of
3 these issues from persons who are not currently employed by or
4 under contract with the Department of Children and Family
5 Services.

6 (2) The Human Services Commission shall be appointed
7 within 30 days after this act becomes a law and shall hold its
8 first meeting within 2 weeks after the appointments are made.
9 The commission shall include the following members: two
10 members of the Senate to be appointed by the President of the
11 Senate; two members of the House of Representatives to be
12 appointed by the Speaker of the House of Representatives; the
13 Secretary of the Department of Children and Family Services;
14 the Secretary of the Department of Health; the Secretary of
15 the Department of Labor and Employment Security; one judge
16 with extensive experience in dependency proceedings to be
17 appointed by the Chief Justice of the Supreme Court; the
18 Chairperson of the WAGES state board; a representative of the
19 Florida Association of Counties to be appointed by the
20 Governor; a representative of the Florida Sheriff's
21 Association to be appointed by the Governor; one consumer of
22 services to be selected from mental health, substance abuse,
23 developmental services, or adult services, to be appointed by
24 the Governor; and three persons representing the Florida
25 Clearinghouse on Human Services who are knowledgeable in human
26 services organizational issues, to be appointed by the
27 Governor. The Governor shall designate a chairperson for the
28 commission. Designees who attend meetings for commission
29 members will not be allowed to vote.

30 (3) The Human Services Commission shall submit a
31 report with findings, recommendations, and proposed

1 legislation no later than February 1, 1999, to the Governor,
2 the President of the Senate, and the Speaker of the House of
3 Representatives. Members of the Human Services Commission
4 shall serve without compensation but shall be entitled to per
5 diem and travel expenses as provided in s. 112.061. The
6 commission is abolished March 1, 1999.

7 Section 3. Section 402.401, Florida Statutes, is
8 created to read:

9 402.401 Competency-based training for child protection
10 staff.--

11 (1) The Legislature intends for family safety services
12 to be delivered by trained and competent professional staff.
13 To the degree that resources are available, the Legislature
14 intends to reward exemplary persons among its direct services
15 staff as well as attract and retain the most competent
16 professionals. To that end, competency-based training
17 requirements are established.

18 (2) Child protection staff, whether employed by the
19 department or under contract with the department, who perform
20 the functions of professional child protection staff in the
21 family services personnel classes, must be certified based on
22 competency-based training and testing programs approved by the
23 department. The department shall provide for oversight of the
24 statewide child protection training and certification system
25 which must include basic and advanced competency-based
26 training and testing programs, as described in s. 402.40.

27 (3) The department may adopt administrative rules
28 sufficient to administer this section which must address, at a
29 minimum, specific competencies to be mastered as well as
30 testing and retesting procedures.

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1 Section 4. Section 415.5145, Florida Statutes, is
2 created to read:

3 415.5145 Family safety quality assurance and
4 improvement process.--The purpose of the quality assurance and
5 improvement program is to objectively and systematically
6 monitor and evaluate the appropriateness and quality of child
7 protection services to ensure that services are rendered
8 consistent with reasonable, prevailing professional standards,
9 are based on outcomes and indicators of performance, and to
10 resolve identified problems in programs and services.

11 (1) Each service district shall develop a written plan
12 on the district's implementation of the department's family
13 safety quality assurance and improvement process that is
14 established statewide in accordance with uniform guidelines
15 developed by the secretary. These components must include,
16 but are not limited to:

17 (a) Outcomes in five practice domains: safety,
18 permanency, child well-being, family centered practice, and
19 program management, leadership, and community partnerships;

20 (b) The involvement of stakeholders in the quality
21 assurance and improvement process;

22 (c) Standardized case review and stakeholder interview
23 for each of the core processes in child protection, from
24 initial response through termination of parental rights and
25 adoption, and for foster care licensing;

26 (d) An internal district review process that includes
27 supervisory case review, internal peer reviews of each child
28 protection unit on a routine basis and a strong district
29 self-assessment component to support and build on quality
30 improvement efforts at the local level;

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1 (e) Written reports of the internal and external
2 reviews that focus on performance related to key indicators;
3 and

4 (f) Formal quality assurance and improvement plans
5 where needed.

6 (2) The secretary is responsible for:

7 (a) An external peer review process that includes
8 comprehensive annual onsite reviews of each district's child
9 protection system by central office staff and district staff
10 outside the district being reviewed and others external to the
11 department when appropriate, to validate internal review
12 findings.

13 (b) Peer review training for district and central
14 office staff in the quality assurance and improvement process
15 and their roles and responsibilities as peer reviewers.

16 (3) Each district shall designate a quality assurance
17 manager.

18 (4) Incident reporting is the affirmative duty of all
19 staff. Any person filing an incident report is not subject to
20 any civil action by virtue of the incident report.

21 (5) The department shall have access to all records
22 necessary to determine agency compliance with this section.

23 Section 5. Implementation of the provisions
24 establishing the Department of Family Safety is contingent
25 upon the adoption of legislation by the 1999 Legislature which
26 puts in place an alternative budgeting process in response to
27 the recommendations of the Human Services Commission.

28 Section 6. The administrative rules of the Department
29 of Children and Family Services that are in effect immediately
30 prior to the effective date of this act shall remain in effect
31 until specifically changed in the manner provided by law.

