

By the Committee on Children, Families and Seniors and Senator
Rossin

300-1658E-98

1 A bill to be entitled
2 An act relating to family safety; amending s.
3 20.19, F.S.; providing legislative findings and
4 intent; providing for the appointment of a
5 Deputy Secretary for Family Services of the
6 Department of Children and Family Services;
7 providing qualifications; providing
8 responsibilities; requiring an annual review of
9 child protection resources and an annual report
10 to the Governor and the Legislature; requiring
11 a district program administrator for family
12 safety in each service district; requiring
13 administrative services centers; requiring an
14 implementation plan for administrative services
15 centers; increasing the membership of the
16 Statewide Health and Human Services Board;
17 creating s. 402.401, F.S.; providing for
18 competency-based training for child protection
19 staff; amending s. 409.1671, F.S.; providing
20 legislative intent; defining the terms
21 "privatize" and "related services"; requiring
22 the Department of Children and Family Services
23 to develop a plan to accomplish statewide
24 privatization within a specified time period
25 and to submit the plan to the Governor and to
26 designated legislative officials by a specified
27 date; requiring the department to state whether
28 and why privatization cannot be accomplished in
29 a particular district or portion of a district
30 and how the department will address the
31 obstacles to privatization; providing

1 requirements for and restrictions upon funding
2 for privatization; providing that
3 community-based agencies that provide foster
4 care and related services are agents of the
5 state for specified purposes; providing for
6 indemnification of the state; creating s.
7 415.5145, F.S.; providing for the family safety
8 quality assurance and improvement process;
9 providing effective dates.

10

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

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13 Section 1. Section 20.19, Florida Statutes, is amended
14 to read:

15 20.19 Department of Children and Family
16 Services.--There is created a Department of Children and
17 Family Services.

18 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
19 declares that the protection of children, the elderly, and
20 vulnerable adults from abuse is one of its most important
21 priorities. It is the intent of the Legislature that the
22 department integrate child protection services, services to
23 victims of domestic violence, and services to elders and
24 disabled adults who are victims of abuse. Greater integration
25 of planning and delivery of services related to child and
26 adult protection and domestic violence is essential because it
27 is becoming increasingly clear that these forms of abuse are
28 interrelated. Research strongly indicates that violence within
29 the family is intergenerational and cyclical: persons who are
30 abused as children are more likely than others to become
31 abusive parents themselves, and persons who abuse one member

1 of their family are likely to abuse other vulnerable family
2 members as well. Further, research suggests that early
3 exposure to violence in the family, including witnessing
4 violence or physical abuse, significantly increases the risk
5 of violent behavior during adolescence and adulthood. It is
6 the intent of the Legislature that the department focus on the
7 safety and service needs of abused or neglected children and
8 adults with the goal of delivering the most appropriate
9 services in a timely and professional manner. It is the intent
10 of the Legislature that all family safety services be
11 delivered by trained and skilled persons and integrated to the
12 extent possible with other social, health, and educational
13 services.

14 (2)~~(1)~~ MISSION AND PURPOSE.--

15 (a) The mission of the Department of Children and
16 Family Services is to work in partnership with local
17 communities to help people be self-sufficient and live in
18 stable families and communities.

19 (b) The purposes of the Department of Children and
20 Family Services are to deliver, or provide for the delivery
21 of, all family services offered by the state through the
22 department to its citizens and include, but are not limited
23 to:

24 1. Cooperating with other state and local agencies in
25 integrating the delivery of all family and health services
26 offered by the state to those citizens in need of assistance.

27 2. Providing such assistance as is authorized to all
28 eligible clients in order that they might achieve or maintain
29 economic self-support and self-sufficiency to prevent, reduce,
30 or eliminate dependency.

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1 3. Preventing or remedying the neglect, abuse, or
2 exploitation of children and of adults unable to protect their
3 own interests.

4 4. Aiding in the preservation, rehabilitation, and
5 reuniting of children and families when it is in the
6 children's best interest to do so, and when the children
7 cannot remain with the family, achieving permanence for those
8 children as quickly as possible.

9 5. Preventing or reducing inappropriate institutional
10 care by providing for community-based care, home-based care,
11 or other forms of less intensive care.

12 6. Securing referral or admission for institutional
13 care when other forms of care are not appropriate, or
14 providing services to individuals in institutions when
15 necessary.

16 7. Improving the quality of life for persons with
17 mental illnesses and persons with developmental disabilities.

18 8. Addressing the problems and behaviors that result
19 from intergenerational family violence, including abuse of
20 children, spouses, and vulnerable adults.

21 (c) In fulfillment of this mission and these purposes,
22 the department shall create a 5-year strategic plan which
23 reflects broad societal outcomes, sets forth a broad framework
24 within which the district plans are developed, and establishes
25 a set of measurable goals and objectives consistent with
26 performance outcomes, outputs, and standards under chapter
27 94-249, Laws of Florida, the Government Performance and
28 Accountability Act,~~and operational performance standards~~ to
29 ensure that the department is accountable to the people of
30 Florida.

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1 (d) The secretary, deputy secretary, deputy secretary
2 for family safety, district administrators, and assistant
3 secretaries are authorized to appoint ad hoc advisory
4 committees when necessary. The problem or issue that an ad hoc
5 committee is asked to address, and the timeframe within which
6 the committee is to complete its work, shall be specified at
7 the time of the initial appointment of the committee. Ad hoc
8 advisory committees shall include representatives of
9 individuals, groups, associations, or institutions that may be
10 affected by the issue or problem that the committee is asked
11 to examine. Committee members shall receive no compensation,
12 but may, within existing resources of the department, be
13 reimbursed for travel expenses as provided for in s. 112.061.

14 (2) SECRETARY OF CHILDREN AND FAMILY SERVICES; DEPUTY
15 SECRETARY.--

16 (a) The head of the department is the Secretary of
17 Children and Family Services. The secretary is appointed by
18 the Governor subject to confirmation by the Senate. The
19 secretary serves at the pleasure of the Governor.

20 (b) The secretary shall appoint a deputy secretary who
21 shall act in the absence of the secretary. The deputy
22 secretary is directly responsible to the secretary, performs
23 such duties as are assigned by the secretary, and serves at
24 the pleasure of the secretary.

25 (c) The secretary shall ensure the establishment of
26 statewide needs assessment methodologies for all departmental
27 client target groups, to be applied uniformly across the state
28 in order to identify the total statewide need for the target
29 group and ensure comparability of data from one service
30 district region to another. As appropriate, these
31 methodologies shall include health, economic, and

1 sociodemographic indicators of need and shall ensure the use
2 of uniform waiting list criteria.

3 (d) The secretary has the authority and responsibility
4 to ensure that the purpose of the department is fulfilled in
5 accordance with state and federal laws, rules, and
6 regulations.

7 (e) The secretary is responsible for evaluation,
8 departmental legal services, and inspector general functions.
9 The secretary may assign performance of evaluation functions
10 or departmental legal services to any appropriate unit within
11 the department.

12 (f) The secretary is responsible for assuring that the
13 district administrators equitably share the districts'
14 administrative and support functions with family safety
15 programs and services.

16 ~~(f) The secretary may establish regional processing~~
17 ~~centers to provide selected administrative functions designed~~
18 ~~to support multiple districts. These offices may not have line~~
19 ~~authority over district offices and may not be interposed~~
20 ~~between district management and the secretary. These offices~~
21 ~~may be created, consolidated, restructured, or rearranged by~~
22 ~~the secretary, within the limitations provided for in chapter~~
23 ~~216, in order to achieve more effective and efficient~~
24 ~~performance of service delivery and support functions to~~
25 ~~multiple districts. In the establishment of any administrative~~
26 ~~processing centers pursuant to this paragraph, the department~~
27 ~~is directed to avoid consolidation of functions that support~~
28 ~~service-delivery decisionmaking such as budgetary functions;~~
29 ~~discretionary decisions regarding procurement of goods and~~
30 ~~services; and decisions regarding recruitment, hiring, and~~
31 ~~evaluation of staff. This paragraph does not restrict local~~

1 ~~decisionmaking by supervisors or managers regarding~~
2 ~~discretionary functions. Any consolidation of administrative~~
3 ~~functions under this paragraph shall be designed to minimize~~
4 ~~any adverse impact on service districts or institutions.~~

5 (3) OFFICE OF STANDARDS AND EVALUATION.--There is
6 created under the secretary the Office of Standards and
7 Evaluation which has the following responsibilities:

8 (a) With the assistance of the Deputy Secretary for
9 Family Safety, assistant secretaries, district administrators,
10 and health and human services boards, establishing outcome
11 measures and performance and productivity standards related to
12 service delivery, support, and procedures.

13 (b) Directing the development of monitoring and
14 quality assurance and improvement systems for statewide and
15 district services that will routinely assess the efficiency
16 and effectiveness of departmental and provider staff and
17 services.

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

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

1 Legislature and to the extent that funding is provided by the
2 Legislature.

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

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

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

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

16 (4) PROGRAM OFFICES.--

17 (a) There are created program offices, each of which
18 shall be headed by an assistant secretary who shall be
19 appointed by and serve at the pleasure of the secretary. Each
20 program office shall have the following responsibilities:

21 1. Ensuring that family services programs are
22 implemented according to legislative intent and as provided in
23 state and federal laws, rules, and regulations.

24 2. Establishing program standards and performance
25 objectives.

26 3. Reviewing, monitoring, and ensuring compliance with
27 statewide standards and performance objectives.

28 4. Conducting outcome evaluations and ensuring program
29 effectiveness.

30 5. Developing workload and productivity standards.

31 6. Developing resource allocation methodologies.

1 7. Compiling reports, analyses, and assessment of
2 client needs on a statewide basis.

3 8. Ensuring the continued interagency collaboration
4 with the Department of Education for the development and
5 integration of effective programs to serve children and their
6 families.

7 9. Other duties as are assigned by the secretary.

8 (b) The following program offices are established and
9 may be consolidated, restructured, or rearranged by the
10 secretary; provided any such consolidation, restructuring, or
11 rearranging is for the purpose of encouraging service
12 integration through more effective and efficient performance
13 of the program offices or parts thereof:

14 1. Economic Self-Sufficiency Program Office.--The
15 responsibilities of this office encompass income support
16 programs within the department, such as temporary assistance
17 to families with dependent children, food stamps, welfare
18 reform, and state supplementation of the supplemental security
19 income (SSI) program.

20 2. Developmental Services Program Office.--The
21 responsibilities of this office encompass programs operated by
22 the department for developmentally disabled persons.
23 Developmental disabilities include any disability defined in
24 s. 393.063.

25 ~~3. Children and Families Program Office.--The~~
26 ~~responsibilities of this program office encompass early~~
27 ~~intervention services for children and families at risk;~~
28 ~~intake services for protective investigation of abandoned,~~
29 ~~abused, and neglected children; interstate compact on the~~
30 ~~placement of children programs; adoption; child care;~~
31 ~~out-of-home care programs and other specialized services to~~

1 ~~families; and child protection and sexual abuse treatment~~
2 ~~teams created under chapter 415, excluding medical direction~~
3 ~~functions.~~

4 3.4. Alcohol, Drug Abuse, and Mental Health Program
5 Office.--The responsibilities of this office encompass all
6 alcohol, drug abuse, and mental health programs operated by
7 the department.

8 (5) DEPUTY SECRETARY FOR FAMILY SAFETY.--

9 (a) The secretary shall appoint a Deputy Secretary for
10 Family Safety who serves at the pleasure of, and is directly
11 responsible to, the secretary. The Deputy Secretary for Family
12 Safety must have program expertise in family safety programs
13 and management experience which is sufficient to enable him or
14 her to successfully meet the programmatic and organizational
15 challenges of the position.

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

29 (c) The Deputy Secretary for Family Safety is
30 responsible for planning, coordinating, and managing the
31 delivery of all family safety programs and services. The

1 Deputy Secretary for Family Safety is responsible and
2 accountable for the department's fulfillment of its mission as
3 articulated by the Legislature through such means as the
4 assignment of program standards and performance outcomes. The
5 Deputy Secretary for Family Safety has line authority over all
6 departmental employees engaged in directly providing or
7 managing the delivery of family safety programs and services
8 offered by the department or provided by agencies that are
9 under contract with the department. The Deputy Secretary for
10 Family Safety has the following responsibilities, which
11 include, but are not limited to:

12 1. Ensuring that the family safety programs and
13 services are implemented in accordance with state and federal
14 laws, rules, and regulations.

15 2. Establishing program, staffing, and workload
16 standards and objectives, and establishing performance
17 outcomes for programs and services.

18 3. Conducting short-term and long-term program
19 planning activities, including interprogram planning.

20 4. Developing legislative budget requests.

21 5. Performing quality assurance and improvement
22 functions.

23 6. Developing program policies and rules, and
24 providing policy interpretations in order to achieve statewide
25 consistency.

26 7. Reviewing and monitoring programs and spending
27 plans and providing technical assistance to programs in order
28 to ensure compliance and accountability with statewide
29 programs standards, performance objectives, and state and
30 federal laws, rules, and regulations.

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1 8. Conducting activities related to program research
2 and conducting activities related to outcome evaluation and
3 program effectiveness.

4 9. Developing budget and resource allocation
5 methodologies and strategies, including district budget
6 allocations.

7 10. Developing funding sources external to state
8 government.

9 11. Obtaining, approving, monitoring, and coordinating
10 research and program development grants.

11 12. Compiling reports, analyses, and assessments of
12 client needs and services statewide.

13 13. Conducting staff development and training.

14 14. Entering contracts.

15 15. Working with other states, associations, and
16 experts in the field of family safety in creating innovative
17 and effective strategies for addressing family violence and
18 achieving family safety.

19 16. Ensuring collaboration with other appropriate
20 departments for the development and integration of effective
21 programs to serve children and their families.

22 (d) The Deputy Secretary for Family Safety shall
23 conduct an annual review of the child protection resources
24 distributed to the 15 districts to determine the need to
25 transfer resources among the districts to address specific
26 client service needs. This review must use specified
27 allocation methodologies and formulas for achieving defined
28 program or service standards and shall consider any stressors
29 unique to a district or to any portion of a district. The
30 decision to reallocate resources may not be based in part or
31 in whole on the inefficiency of a district to manage its

1 resources but may be an incentive for exceptional achievement
2 of outcomes. The secretary must approve the transfer of child
3 protection resources among districts resulting from this
4 review. The secretary's current authority to periodically
5 reallocate staff resources is not affected by this review. The
6 secretary and the Deputy Secretary for Family Safety shall
7 submit a report by October 1 of each year to the Governor, the
8 President of the Senate, and the Speaker of the House of
9 Representatives on the findings and actions associated with
10 the allocation review.

11 (6)~~(5)~~ ASSISTANT SECRETARY FOR ADMINISTRATION.--

12 (a) The secretary shall appoint an Assistant Secretary
13 for Administration who serves at the pleasure of the
14 secretary. The Assistant Secretary for Administration is
15 responsible for:

16 1. Supervising all of the budget management activities
17 of the department and serving as the chief budget officer of
18 the department.

19 2. Providing administrative and management support
20 services above the district level.

21 3. Monitoring administrative and management support
22 services in the districts.

23 4. Developing and implementing uniform policies,
24 procedures, and guidelines with respect to personnel
25 administration, finance and accounting, budget, grants
26 management and disbursement, contract administration,
27 procurement, information and communications systems,
28 management evaluation and improvement, and general services,
29 including housekeeping, maintenance, and leasing of
30 facilities.

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

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

9 (7)~~(6)~~ SERVICE DISTRICTS.--The department shall plan
10 and administer its programs of family services through service
11 districts and subdistricts composed of the following counties:

12 District 1.--Escambia, Santa Rosa, Okaloosa, and Walton
13 Counties;

14 District 2, Subdistrict A.--Holmes, Washington, Bay,
15 Jackson, Calhoun, and Gulf Counties;

16 District 2, Subdistrict B.--Gadsden, Liberty, Franklin,
17 Leon, Wakulla, Jefferson, Madison, and Taylor Counties;

18 District 3.--Hamilton, Suwannee, Lafayette, Dixie,
19 Columbia, Gilchrist, Levy, Union, Bradford, Putnam, and
20 Alachua Counties;

21 District 4.--Baker, Nassau, Duval, Clay, and St. Johns
22 Counties;

23 District 5.--Pasco and Pinellas Counties;

24 District 6.--Hillsborough and Manatee Counties;

25 District 7, Subdistrict A.--Seminole, Orange, and
26 Osceola Counties;

27 District 7, Subdistrict B.--Brevard County;

28 District 8, Subdistrict A.--Sarasota and DeSoto
29 Counties;

30 District 8, Subdistrict B.--Charlotte, Lee, Glades,
31 Hendry, and Collier Counties;

1 District 9.--Palm Beach County;
2 District 10.--Broward County;
3 District 11, Subdistrict A.--Dade County;
4 District 11, Subdistrict B.--Monroe County;
5 District 12.--Flagler and Volusia Counties;
6 District 13.--Marion, Citrus, Hernando, Sumter, and
7 Lake Counties;
8 District 14.--Polk, Hardee, and Highlands Counties; and
9 District 15.--Indian River, Okeechobee, St. Lucie, and
10 Martin Counties.

11 (8)~~(7)~~ HEALTH AND HUMAN SERVICES BOARDS.--

12 (a) There is created at least one health and human
13 services board in each service district for the purpose of
14 encouraging the initiation and support of interagency
15 cooperation and collaboration in addressing family services
16 needs and promoting service integration. The initial
17 membership and the authority to appoint the members shall be
18 allocated among the counties of each district as follows:

19 1. District 1 has a board composed of 15 members, with
20 3 at-large members to be appointed by the Governor, and 12
21 members to be appointed by the boards of county commissioners
22 of the respective counties, as follows: Escambia County, 6
23 members; Okaloosa County, 3 members; Santa Rosa County, 2
24 members; and Walton County, 1 member.

25 2. District 2 has a board composed of 23 members, with
26 5 at-large members to be appointed by the Governor, and 18
27 members to be appointed by the boards of county commissioners
28 in the respective counties, as follows: Holmes County, 1
29 member; Washington County, 1 member; Bay County, 2 members;
30 Jackson County, 1 member; Calhoun County, 1 member; Gulf
31 County, 1 member; Gadsden County, 1 member; Franklin County, 1

1 member; Liberty County, 1 member; Leon County, 4 members;
2 Wakulla County, 1 member; Jefferson County, 1 member; Madison
3 County, 1 member; and Taylor County, 1 member.

4 3. District 3 has a board composed of 19 members, with
5 4 at-large members to be appointed by the Governor, and 15
6 members to be appointed by the boards of county commissioners
7 of the respective counties, as follows: Hamilton County, 1
8 member; Suwannee County, 1 member; Lafayette County, 1 member;
9 Dixie County, 1 member; Columbia County, 1 member; Gilchrist
10 County, 1 member; Levy County, 1 member; Union County, 1
11 member; Bradford County, 1 member; Putnam County, 1 member;
12 and Alachua County, 5 members.

13 4. District 4 has a board composed of 15 members, with
14 3 at-large members to be appointed by the Governor, and 12
15 members to be appointed by the boards of county commissioners
16 of the respective counties, as follows: Baker County, 1
17 member; Nassau County, 1 member; Duval County, 7 members; Clay
18 County, 2 members; and St. Johns County, 1 member.

19 5. District 5 has a board composed of 15 members, with
20 3 at-large members to be appointed by the Governor, and 12
21 members to be appointed by the boards of county commissioners
22 of the respective counties, as follows: Pasco County, 3
23 members; and Pinellas County, 9 members.

24 6. District 6 has a board composed of 15 members, with
25 3 at-large members to be appointed by the Governor, and 12
26 members to be appointed by the boards of county commissioners
27 of the respective counties, as follows: Hillsborough County, 9
28 members; and Manatee County, 3 members.

29 7. District 7 has a board composed of 15 members, with
30 3 at-large members to be appointed by the Governor, and 12
31 members to be appointed by the boards of county commissioners

1 in the respective counties, as follows: Seminole County, 3
2 members; Orange County, 5 members; Osceola County, 1 member;
3 and Brevard County, 3 members.

4 8. District 8 has a board composed of 15 members, with
5 3 at-large members to be appointed by the Governor, and 12
6 members to be appointed by the boards of county commissioners
7 in the respective counties, as follows: Sarasota County, 3
8 members; DeSoto County, 1 member; Charlotte County, 1 member;
9 Lee County, 3 members; Glades County, 1 member; Hendry County,
10 1 member; and Collier County, 2 members.

11 9. District 9 has a board composed of 15 members, with
12 3 at-large members to be appointed by the Governor, and 12
13 members to be appointed by the Board of County Commissioners
14 of Palm Beach County.

15 10. District 10 has a board composed of 15 members,
16 with 3 at-large members to be appointed by the Governor, and
17 12 members to be appointed by the Board of County
18 Commissioners of Broward County.

19 11. District 11 has two boards, one from Dade County
20 and one from Monroe County. Each board is composed of 15
21 members, with 3 at-large members to be appointed to each board
22 by the Governor, and 12 members to be appointed by each of the
23 respective boards of county commissioners.

24 12. District 12 has a board composed of 15 members,
25 with 3 at-large members to be appointed by the Governor, and
26 12 members to be appointed by the boards of county
27 commissioners of the respective counties, as follows: Flagler
28 County, 3 members; and Volusia County, 9 members.

29 13. District 13 has a board composed of 15 members,
30 with 3 at-large members to be appointed by the Governor, and
31 12 members to be appointed by the boards of county

1 commissioners of the respective counties, as follows: Marion
2 County, 4 members; Citrus County, 2 members; Hernando County,
3 2 members; Sumter County, 1 member; and Lake County, 3
4 members.

5 14. District 14 has a board composed of 15 members,
6 with 3 at-large members to be appointed by the Governor, and
7 12 members to be appointed by the boards of county
8 commissioners of the respective counties, as follows: Polk
9 County, 9 members; Highlands County, 2 members; and Hardee
10 County, 1 member.

11 15. District 15 has a board composed of 15 members,
12 with 3 at-large members to be appointed by the Governor, and
13 12 members to be appointed by the boards of county
14 commissioners of the respective counties, as follows: Indian
15 River County, 3 members; Okeechobee County, 1 member; St.
16 Lucie County, 5 members; and Martin County, 3 members.

17
18 Notwithstanding any other provisions of this subsection, in
19 districts consisting of two counties, the number of members to
20 be appointed by any one board of county commissioners may not
21 be fewer than three nor more than nine.

22 (b) At any time after the adoption of initial bylaws
23 pursuant to paragraph (o), a district health and human
24 services board may adopt a bylaw that enlarges the size of the
25 board up to a maximum of 23 members, or otherwise adjusts the
26 size or composition of the board, including a decision to
27 change from a district board to subdistrict boards, or from a
28 subdistrict board to a district board, if in the judgment of
29 the board, such change is necessary to adequately represent
30 the diversity of the population within the district or
31 subdistrict. In the creation of subdistrict boards, the bylaws

1 shall set the size of the board, not to exceed 15 members, and
2 shall set the number of appointments to be made by the
3 Governor and the respective boards of county commissioners in
4 the subdistrict. The Governor shall be given the authority to
5 appoint no fewer than one-fifth of the members. Current
6 members of the district board shall become members of the
7 subdistrict board in the subdistrict where they reside.
8 Vacancies on a newly created subdistrict board shall be filled
9 from among the list of nominees submitted to the subdistrict
10 nominee qualifications review committee pursuant to subsection
11 (9)~~(8)~~.

12 (c) The appointments by the Governor and the boards of
13 county commissioners are from nominees selected by the
14 appropriate district nominee qualifications review committee
15 pursuant to subsection (9)~~(8)~~. Membership of each board must
16 be representative of its district with respect to age, gender,
17 and ethnicity. For boards having 15 members or fewer, at least
18 two members must be consumers of the department's services.
19 For boards having more than 15 members, there must be at least
20 three consumers on the board. Members must have demonstrated
21 their interest and commitment to, and have appropriate
22 expertise for, meeting the health and family services needs of
23 the community. The Governor shall appoint nominees whose
24 presence on the health and human services board will help
25 assure that the board reflects the demographic characteristics
26 and consumer perspective of each of the service districts.

27 (d)1. Board members shall submit annually a disclosure
28 statement of health and family services interests to the
29 department's inspector general and the board. Any member who
30 has an interest in a matter under consideration by the board
31 must abstain from voting. Board members are subject to the

1 provisions of s. 112.3145, relating to disclosure of financial
2 interests.

3 2. Individual providers or employees of provider
4 agencies, other than employees of units of local or state
5 government, may not serve as health and human services board
6 members but may serve in an advisory capacity to the board.
7 Salaried employees of units of local or state government
8 occupying positions providing services under contract with the
9 department may not serve as members of the board. Elected
10 officials who have authority to appoint members to a health
11 and human services board may not serve as members of a board.
12 The district administrator shall serve as a nonvoting ex
13 officio member of the board. A department employee may not be
14 a member of the board.

15 (e) Appointments to fill vacancies created by the
16 death, resignation, or removal of a member are for the
17 unexpired term. A member may not serve more than two full
18 consecutive terms.

19 (f) A member who is absent from three meetings within
20 any 12-month period, without having been excused by the
21 chairperson, is deemed to have resigned, and the board shall
22 immediately declare the seat vacant. Members may be suspended
23 or removed for cause by a majority vote of the board members
24 or by the Governor.

25 (g) Members of the health and human services boards
26 shall serve without compensation, but are entitled to receive
27 reimbursement for per diem and travel expenses as provided in
28 s. 112.061. Payment may also be authorized for preapproved
29 child care expenses or lost wages for members who are
30 consumers of the department's services and for preapproved

31

1 child care expenses for other members who demonstrate
2 hardship.

3 (h) Appointees to the health and human services board
4 are subject to the provisions of chapter 112, part III, Code
5 of Ethics for Public Officers and Employees.

6 (i) Actions taken by the board must be consistent with
7 departmental policy and state and federal laws, rules, and
8 regulations.

9 (j) The department shall provide comprehensive
10 orientation and training to the members of the boards to
11 enable them to fulfill their responsibilities.

12 (k) Each health and human services board, and each of
13 its subcommittees, shall hold periodic public meetings and
14 hearings throughout the district to receive input on the
15 development of the district service delivery plan, the
16 legislative budget request, and the performance of the
17 department.

18 (l) Except as otherwise provided in this section,
19 responsibility and accountability for local family services
20 planning rests with the health and human services boards. All
21 local family-services-related planning or advisory councils
22 shall submit their plans to the health and human services
23 boards. The boards shall provide input on the plan's attention
24 to integrating service delivery at the local level. The
25 health and human services boards may establish additional
26 subcouncils or technical advisory committees.

27 (m) The health and human services boards shall operate
28 through an annual agreement negotiated between the secretary
29 and the board. Such agreements must include expected outcomes
30 and provide for periodic reports and evaluations of district
31 and board performance and must also include a core set of

1 service elements to be developed by the secretary and used by
2 the boards in district needs assessments to ensure consistency
3 in the development of district legislative budget requests.

4 (n) The annual agreement between the secretary and the
5 board must include provisions that specify the procedures to
6 be used by the parties to resolve differences in the
7 interpretation of the agreement or disputes as to the adequacy
8 of the parties' compliance with their respective obligations
9 under the agreement.

10 (o) Except for the programs and services under the
11 Deputy Secretary for Family Safety, health and human services
12 boards have the following responsibilities, with respect to
13 those programs and services assigned to the districts, as
14 developed jointly with the district administrator:

15 1. Establish district outcome measures consistent with
16 statewide outcomes.

17 2. Conduct district needs assessments using
18 methodologies consistent with those established by the
19 secretary.

20 3. Negotiate with the secretary a district performance
21 agreement that:

22 a. Identifies current resources and services
23 available;

24 b. Identifies unmet needs and gaps in services;

25 c. Establishes service and funding priorities;

26 d. Establishes outcome measures for the district; and

27 e. Identifies expenditures and the number of clients
28 to be served, by service.

29 4. Provide budget oversight, including development and
30 approval of the district's legislative budget request.

31

- 1 5. Provide policy oversight, including development and
2 approval of district policies and procedures.
- 3 6. Act as a focal point for community participation in
4 department activities such as:
- 5 a. Assisting in the integration of all health and
6 social services within the community;
- 7 b. Assisting in the development of community
8 resources;
- 9 c. Advocating for community programs and services;
- 10 d. Receiving and addressing concerns of consumers and
11 others; and
- 12 e. Advising the district administrator on the
13 administration of service programs throughout the district.
- 14 7. Advise the district administrator on ways to
15 integrate the delivery of family and health care services at
16 the local level.
- 17 8. Make recommendations which would enhance district
18 productivity and efficiency, ensure achievement of performance
19 standards, and assist the district in improving the
20 effectiveness of the services provided.
- 21 9. Review contract provider performance reports.
- 22 10. Immediately upon appointment of the membership,
23 develop bylaws that clearly identify and describe operating
24 procedures for the board. At a minimum, the bylaws must
25 specify notice requirements for all regular and special
26 meetings of the board, the number of members required to
27 constitute a quorum, and the number of affirmative votes of
28 members present and voting that are required to take official
29 and final action on a matter before the board.
- 30 11.a. Determine the board's internal organizational
31 structure, including the designation of standing committees.

1 In order to foster the coordinated and integrated delivery of
2 family services in its community, a local board shall use a
3 committee structure that is based on issues, such as children,
4 housing, transportation, or health care. Each such committee
5 must include consumers, advocates, providers, and department
6 staff from every appropriate program area. In addition, each
7 board and district administrator shall jointly identify
8 community entities, including, but not limited to, the Area
9 Agency on Aging, and resources outside the department to be
10 represented on the committees of the board.

11 b. The district juvenile justice boards established in
12 s. 39.025 constitute the standing committee on issues relating
13 to planning, funding, or evaluation of programs and services
14 relating to the juvenile justice continuum.

15 12. Participate with the secretary in the selection of
16 a district administrator according to the provisions of
17 paragraph~~(11)(b)(9)(b)~~.

18 13. Complete an annual evaluation of the district and
19 review the evaluation at a meeting of the board at which the
20 public has an opportunity to comment.

21 14. Provide input to the secretary on the annual
22 evaluation of the district administrator. The board may
23 request that the secretary submit a written report on the
24 actions to be taken to address negative aspects of the
25 evaluation. At any time, the board may recommend to the
26 secretary that the district administrator be discharged. Upon
27 receipt of such a recommendation, the secretary shall make a
28 formal reply to the board stating the action to be taken with
29 respect to the board's recommendation. The board does not
30 participate in the selection or the retention of the district
31 program administrator for family safety.

1 15. Advise the district program administrator for
2 family safety on family issues.

3 16.15. Elect a chair and other officers, as specified
4 in the bylaws, from among the members of the board.

5 (9)(8) DISTRICT NOMINEE QUALIFICATIONS REVIEW
6 COMMITTEES.--

7 (a) There is created a nominee qualifications review
8 committee in each service district for the purpose of
9 screening and evaluating applicants and recommending nominees
10 for the district health and human services board. A member of
11 a nominee qualifications review committee must be a resident
12 of the district and is not eligible to be nominated for
13 appointment to a health and human services board.

14 (b) The appointments to a nominee qualifications
15 review committee are made as follows:

16 1. In a district composed of one county, the Governor
17 shall appoint two members, the board of county commissioners
18 shall appoint two members, the district school board shall
19 appoint one member, the chief judge of the circuit shall
20 appoint one member, and these appointees shall appoint three
21 additional members.

22 2. In a district composed of two counties, the
23 Governor shall appoint two members, each board of county
24 commissioners shall appoint two members, each district school
25 board shall appoint one member, the chief judge of the circuit
26 containing the most populous county shall appoint one member,
27 and these appointees shall appoint three additional members.

28 3. In a district composed of three counties, the
29 Governor shall appoint two members, each board of county
30 commissioners shall appoint two members, each district school
31 board shall appoint one member, the chief judge of the circuit

1 containing the most populous county shall appoint one member,
2 and these appointees shall appoint four additional members.

3 4. In a district composed of four counties, the
4 Governor shall appoint two members, each board of county
5 commissioners shall appoint one member, except that the board
6 of county commissioners of the most populous county shall
7 appoint two members, each district school board shall appoint
8 one member, the chief judge of the circuit containing the most
9 populous county shall appoint one member, and these appointees
10 shall appoint four additional members.

11 5. In a district composed of five counties, the
12 Governor shall appoint three members, each board of county
13 commissioners shall appoint one member, except that the board
14 of county commissioners of the most populous county shall
15 appoint two members, each district school board shall appoint
16 one member, the chief judge of the circuit containing the most
17 populous county shall appoint one member, and these appointees
18 shall appoint five additional members.

19 6. In a district composed of six counties, the
20 Governor shall appoint three members, each board of county
21 commissioners shall appoint one member, except that the board
22 of county commissioners of the most populous county shall
23 appoint two members, each district school board shall appoint
24 one member, the chief judge of the circuit containing the most
25 populous county shall appoint one member, and these appointees
26 shall appoint three additional members.

27 7. In a district composed of eight counties, the
28 Governor shall appoint three members, each board of county
29 commissioners shall appoint one member, except that the board
30 of county commissioners of the most populous county shall
31 appoint two members, each district school board shall appoint

1 one member, the chief judge of the circuit containing the most
2 populous county shall appoint one member, and these appointees
3 shall appoint three additional members.

4 8. In a district composed of 11 counties, the Governor
5 shall appoint 2 members, each board of county commissioners
6 shall appoint 1 member, except that the board of county
7 commissioners of the most populous county shall appoint 2
8 members, each district school board shall appoint 1 member,
9 the chief judge of the circuit containing the most populous
10 county shall appoint 1 member, and these appointees shall
11 appoint 3 additional members.

12 (c) Appointees to a district nominee qualifications
13 review committee must have substantial professional or
14 volunteer experience in planning, delivering, or evaluating
15 health and family services within their communities. In
16 addition to these qualifications, it is the intent of the
17 Legislature that nominee qualifications review committees
18 represent the diversity of their respective districts by the
19 inclusion of representation of such groups as:

- 20 1. County government;
- 21 2. District school systems;
- 22 3. The judiciary;
- 23 4. Law enforcement;
- 24 5. Consumers of departmental services;
- 25 6. Advocates for persons receiving or eligible to
26 receive services provided or funded by the department;
- 27 7. Funders of health and family services in the
28 community;
- 29 8. The medical community;
- 30 9. Chambers of commerce;
- 31 10. Major cities; and

- 1 11. Universities and community colleges.
- 2 (d) The initial terms of persons appointed by the
3 Governor or board of county commissioners are for 2 years.
4 Persons initially appointed by other appointing authorities
5 have 4-year terms. Thereafter, the terms of all appointees are
6 4 years. A person who, at the expiration of his or her term,
7 has served on a nominee qualifications review committee for
8 more than 5 years is not eligible for reappointment.
- 9 (e) Members of a nominee qualifications review
10 committee shall serve without compensation, but are entitled
11 to receive reimbursement for per diem and travel expenses as
12 provided in s. 112.061. Payment may also be authorized for
13 preapproved child care expenses or lost wages for members who
14 are consumers of the department and for preapproved child care
15 expenses for other members who demonstrate hardship.
- 16 (f) Each district nominee qualifications review
17 committee shall conduct its business according to the
18 following procedures:
- 19 1. The public shall be provided reasonable advance
20 notice of regular and special meetings;
- 21 2. A majority of the members, plus one, is necessary
22 to constitute a quorum, and the affirmative vote of a majority
23 of those present is necessary to take official action;
- 24 3. All meetings and records shall be open to the
25 public pursuant to s. 286.011;
- 26 4. The deadline for submission of nominee applications
27 may not be less than 30 days after the date of publication of
28 a notice of vacancy and solicitation of nominee applications
29 from interested persons; and
- 30 5. A person may not be nominated for appointment to a
31 district health and human services board except by submission

1 of a standard nominee application form, which shall be
2 developed by the department and distributed to all nominee
3 qualifications review committees.

4 (g) Each district nominee qualifications review
5 committee shall submit to the appointing authorities in its
6 respective district a pool of nominees equal to three times
7 the number of vacancies on the district health and human
8 services board. The pool of nominees submitted by each
9 district nominee qualifications review committee must be
10 balanced with respect to age, gender, ethnicity, and other
11 demographic characteristics so that the appointees to the
12 district health and human services board reflect the diversity
13 of the population within its service district. It is the
14 further intent of the Legislature that the Governor appoint
15 nominees whose presence on the health and human services board
16 will help assure that the board reflects the demographic
17 characteristics and consumer perspectives of each of the
18 service districts. If, following the appointments by the
19 boards of county commissioners, the remaining nominees in the
20 pool do not, in the judgment of the Governor, provide
21 sufficient diversity to effectuate the intent of this
22 paragraph, the Governor may request that the district nominee
23 qualifications review committee submit the names of three
24 additional nominees for each vacant position on the board.

25 (10) DISTRICT PROGRAM ADMINISTRATOR FOR FAMILY
26 SAFETY.--

27 (a) A district program administrator for family safety
28 who is exempt from the Career Service System established in
29 part II of chapter 110 is to be appointed in each district. A
30 district program administrator for family safety shall be
31 appointed in each district who has program expertise in family

1 safety services and management experience and who is directly
2 responsible to the Deputy Secretary for Family Safety. The
3 district administrator and the deputy secretary for family
4 safety shall jointly make decisions regarding the appointment
5 and dismissal of the district program administrator for family
6 safety, except that if the district administrator does not
7 concur with the decision regarding dismissal, the decision of
8 the deputy secretary shall be final. The district program
9 administrator for family safety has direct line authority over
10 all family safety programs and services within his district.
11 The Deputy Secretary for Family Safety is to provide overall
12 policy direction to the district program administrator for
13 family safety, but in order to tailor programs and services to
14 address local needs and build on local strengths, the
15 day-to-day operational decisions for local family safety
16 services and programs are to be made by the district program
17 administrator for family safety or by staff as delegated by
18 the district program administrator for family safety either
19 directly or through contract. The district program
20 administrator for family safety is responsible to the Deputy
21 Secretary for Family Safety for implementing statewide policy.
22 The district program administrator for family safety is
23 directly accountable for the organization and delivery of
24 services to meet the needs of the clients within the district.
25 The district program administrator for family safety must
26 involve the appropriate local community-based departmental
27 staff, consumers of the department's services, community
28 leaders, organizations, and the public as frequently as
29 possible in policy and operational decisions that affect
30 programs and services in their community. The evaluation of
31 the performance of the district program administrator for

1 family safety is based on the performance of his duties and
2 responsibilities as specified in this subsection in fulfilling
3 the mission of the department at the district level. The
4 responsibilities of the district program administrator for
5 family safety include, but are not limited to:

6 1. Directing, supervising, and monitoring district
7 service programs in conformity with state and federal laws,
8 rules, and regulations; district and statewide service plans;
9 and all other policies, procedures, and guidelines established
10 by the Deputy Secretary for Family Safety.

11 2. Administering the continuum of programs and
12 services of the district and managing the personnel and
13 facilities associated with those programs that serve the
14 district.

15 3. Administering state funds allocated to the district
16 as well as proper claiming of federal funds.

17 4. Identifying county and district needs.

18 5. Establishing district policies and procedures as
19 required to discharge the duties of the district program
20 administrator for family safety and to implement and adapt the
21 policies, procedures, and guidelines established by the
22 department to the needs of the district.

23 6. Identifying and developing community resources,
24 including the development of and assistance to local providers
25 who are interested in becoming privatized providers of all or
26 a portion of the department's services as described in this
27 section.

28 7. Coordinating the programs and services provided by
29 the department with those of other public and private agencies
30 that provide health, social, educational, and rehabilitative
31

1 services to the same children and their families within the
2 district.

3 8. Developing the legislative budget requests and
4 providing technical assistance and consultation on pertinent
5 program issued as needed.

6 9. Serving as program spokesperson in educating the
7 public as to the availability of programs and the needs of
8 clients.

9 10. Serving as primary staff-development adviser in
10 assessing the needs of staff and developing training and
11 staff-development programs.

12 11. Performing other duties assigned by the Deputy
13 Secretary for Family Safety.

14 (b) In order to enhance service coordination and
15 integration with other health and human services, each
16 district, in conjunction with the Deputy Secretary for Family
17 Safety, must develop a service integration strategy for
18 linking family safety programs with the department's programs
19 under the planning authority of the district administrator and
20 the district health and human services boards. At a minimum,
21 the strategy must identify problems and issues hindering
22 service delivery and develop corrective actions for
23 alleviating those problems and barriers.

24 (c) There shall be an annual agreement between the
25 district program administrator for family safety and the
26 Deputy Secretary for Family Safety which must include expected
27 district performance outcomes and provide for periodic reports
28 and evaluations to the Deputy Secretary of Family Safety of
29 district performance. The agreement must specify the
30 disciplinary actions that will be taken by the Deputy
31 Secretary for Family Safety when the district program

1 administrator for family safety fails to meet the outcomes
2 specified in the agreement and must specify rewards when
3 performance expectations are exceeded.

4 (11)~~(9)~~ DISTRICT ADMINISTRATOR.--

5 (a) The secretary shall appoint a district
6 administrator for each of the service districts. Each district
7 administrator serves at the pleasure of the secretary and has
8 the same standing within the department as an assistant
9 secretary. Except for family safety services as defined in s.
10 20.19(5) and as otherwise provided in this section, each
11 district administrator has direct line authority over all
12 departmental programs assigned to the district. In addition to
13 those responsibilities assigned by law, the district
14 administrator shall carry out those duties delegated by the
15 secretary.

16 (b) Upon the resignation or removal of a district
17 administrator, the secretary shall notify the chairperson of
18 the health and human services board in the district and shall
19 advertise the position in accordance with departmental policy.
20 The board, or a designated committee of the board, shall
21 solicit applications for the position of district
22 administrator, screen applicants, and submit the names of not
23 more than five nor fewer than three qualified candidates to
24 the secretary. The secretary shall appoint the district
25 administrator from among the nominees submitted by the health
26 and human services board. If the secretary determines that
27 none of the nominees should be appointed, the secretary shall
28 notify the board and request that additional recruitment
29 efforts be initiated and that, following such efforts, the
30 names of additional qualified nominees be submitted.
31 Applications for the position of district administrator are

1 public records; and meetings of the board or a committee of
2 the board for the purpose of screening, evaluating, or
3 interviewing an applicant for the position of district
4 administrator are open to the public.

5 (c) The duties of the district administrator include,
6 but are not limited to:

7 1. Ensuring jointly with the health and human services
8 board that the administration of all service programs is
9 carried out in conformity with state and federal laws, rules,
10 and regulations, statewide service plans, and any other
11 policies, procedures, and guidelines established by the
12 secretary.

13 2. Administering the offices of the department within
14 the district and directing and coordinating all personnel,
15 facilities, and programs of the department located in that
16 district, except as otherwise provided herein.

17 3. Applying standard information, referral, intake,
18 diagnostic and evaluation, and case management procedures
19 established by the secretary. Such procedures shall include,
20 but are not limited to, a protective investigation system for
21 dependency programs serving abandoned, abused, and neglected
22 children.

23 4. Centralizing to the greatest extent possible the
24 administrative functions associated with the provision of
25 services of the department within the district.

26 5. Coordinating the services provided by the
27 department in the district with the District Program
28 Administrator for Family Safety, with those of other
29 districts, with the Secretary of Juvenile Justice, the
30 district juvenile justice manager, and public and private
31 agencies that provide health, social, educational, or

1 rehabilitative services within the district. Such coordination
2 of services includes cooperation with the superintendent of
3 each school district in the department's service district to
4 achieve the first state education goal, readiness to start
5 school.

6 6. Except as otherwise provided in this section,
7 appointing all personnel within the district. The district
8 administrator and the secretary shall jointly appoint the
9 superintendent of each institution under the jurisdiction of
10 the department within the district. The district administrator
11 and the deputy secretary for family safety shall jointly make
12 decisions regarding the appointment and dismissal of the
13 district program administrator for family safety, except that
14 if the district administrator does not concur with the
15 decision regarding dismissal, the decision of the deputy
16 secretary is final.

17 7. Establishing, with the approval of the health and
18 human services board, such policies and procedures as may be
19 required to discharge his or her duties and implement and
20 conform the policies, procedures, and guidelines established
21 by the secretary to the needs of the district.

22 8. Assuring that the administrative and support
23 functions retained under the jurisdiction of the district
24 administrator are shared equitably with family safety programs
25 and services.

26 ~~9.8.~~ Transferring up to 10 percent of the total
27 district budget, with the approval of the secretary, to
28 maximize effective program delivery, the provisions of ss.
29 216.292 and 216.351 notwithstanding.

30 ~~(d) Two or more district administrators may, with the~~
31 ~~approval of the secretary, consolidate administrative~~

1 ~~functions in order to achieve more efficient and effective~~
2 ~~performance of service delivery and support functions.~~

3 (d)~~(e)~~ Programs at the district level are in the
4 following areas: alcohol, drug abuse, and mental health;
5 developmental services; and economic self-sufficiency
6 services; ~~and children and family services~~. There may be a
7 program supervisor for each program, or the district
8 administrator may combine programs under a program manager or
9 program supervisor if such arrangement is approved by the
10 secretary.

11 (e) The administrative and support services that are
12 not performed by the administrative services centers,
13 including the preparation of the district budget request and
14 administration of the approved operating budget, are the
15 responsibility of the district.

16 ~~(f) The district manager for administrative services~~
17 ~~shall provide the following administrative and management~~
18 ~~support services to the district in accordance with the~~
19 ~~uniform policies, procedures, and guidelines established by~~
20 ~~the Assistant Secretary for Administration:~~

- 21 ~~1. Finance and accounting.~~
- 22 ~~2. Grants management and disbursement.~~
- 23 ~~3. Personnel administration.~~
- 24 ~~4. Purchasing and procurement.~~
- 25 ~~5. General services, including housekeeping and~~
26 ~~maintenance of facilities.~~
- 27 ~~6. Assisting the district administrator in preparation~~
28 ~~of the district budget request and administration of the~~
29 ~~approved operating budget.~~
- 30 ~~7. The district manager for administrative services is~~
31 ~~the chief budget officer of the district.~~

1 ~~8. Other administrative duties as assigned by the~~
2 ~~district administrator.~~

3 (f)(g) To ensure effective contract management, each
4 district administrator and the district program administrator
5 for family safety shall establish an interdisciplinary
6 contract evaluation team to assess the efficacy of district
7 contracts and evaluate contractor performance and
8 administrative compliance. The contract evaluation team shall
9 report their findings to, and coordinate their activities
10 with, the Office of Standards and Evaluation.

11 (12) ADMINISTRATIVE SERVICES CENTERS.--

12 (a) The department shall deliver its programs and
13 services through no more than two administrative services
14 centers that are defined by the secretary. These centers are
15 responsible for providing selected administrative functions
16 designed to support multiple districts. The administrative
17 services functions that may be performed by these
18 administrative services centers include the following:

- 19 1. Finance and accounting.
- 20 2. Grants management and disbursement.
- 21 3. Personnel administration.
- 22 4. Purchasing and procurement.
- 23 5. General services, including housekeeping and
24 maintenance of facilities.

25 (b) The administrative services centers may not have
26 line authority over district offices and may not be interposed
27 between the secretary and district administrators or between
28 the district program administrators for family safety and the
29 Deputy Secretary for Family Safety. These centers may be
30 created, consolidated, restructured, or rearranged by the
31 secretary, within the limitations provided in chapter 216, in

1 order to achieve more effective and efficient performance of
2 service delivery and support functions to multiple districts.
3 In the establishment of any administrative services centers
4 under this paragraph, the department shall avoid consolidation
5 of functions that support service-delivery decisionmaking,
6 such as budgetary functions; discretionary decisions regarding
7 procurement of goods and services; and decisions regarding
8 recruitment, hiring, and evaluation of staff. Any
9 consolidation of administrative functions under this paragraph
10 shall be designed to minimize any adverse impact on service
11 districts or institutions.

12 (c) Each administrative services center shall report
13 to the Assistant Secretary for Administration, who shall
14 provide appropriate policy direction to the centers to assure
15 the implementation of uniform policies and procedures.

16 (d) The Legislature intends for the department to save
17 at least 20 percent in district administrative expenditures
18 through the operation of administrative services centers. The
19 cost savings that result from the creation of administrative
20 services centers must be used to enhance the family safety
21 quality assurance and improvement program.

22 (e) The department shall submit an implementation plan
23 to the Governor, the President of the Senate, and the Speaker
24 of the House of Representatives by October 1, 1998. The plan
25 must include the following: the number of centers, location
26 of the centers, the districts assigned to each center, and the
27 services assigned to each center; the number of and type of
28 FTEs and amount of funds for salaries, benefits, and expenses
29 to be transferred from the 15 administrative services
30 operations of the districts to the centers; the proposed cost
31 savings associated with the development of the centers; an

1 itemized description of those family safety programs and
2 services to be established with cost savings; and the
3 timeframes for establishing centers and programs. The
4 administrative services centers must be operational no later
5 than July 1, 1999.

6 (13)~~(10)~~ STATEWIDE HEALTH AND HUMAN SERVICES

7 BOARD.--There is created the Statewide Health and Human
8 Services Board consisting of the chairs of the district health
9 and human services boards or their designees. The board shall
10 also include experts in child protection services, domestic
11 violence, abuse of elders, and financial management who are
12 appointed by the Governor.The statewide board shall meet at
13 least twice annually and as needed, upon the call of the
14 secretary. The statewide board shall advise the secretary on
15 statewide issues and identify barriers to and opportunities
16 for effective and efficient local service delivery and the
17 integration of health and family services. The statewide board
18 shall advise the secretary and the Deputy Secretary for Family
19 Safety on issues relating to family safety.Each member
20 attending these meetings is entitled to receive reimbursement
21 for per diem and travel expenses as provided in s. 112.061.

22 (15)~~(11)~~ DEPARTMENTAL BUDGET.--

23 (a) The secretary shall develop and submit annually to
24 the Legislature a comprehensive departmental summary budget
25 document which arrays each district budget request along
26 program lines and, for the purpose of legislative
27 appropriation, consists of the following distinct budget
28 entities:

- 29 1. Department Administration.
- 30 2. Statewide Services.
- 31 3. Entitlement Benefits and Services.

1 4. District Services.

2
3 The department shall revise its budget entity designations to
4 conform with the four budget entities. The department, in
5 accordance with chapter 216, shall transfer, as necessary,
6 funds and positions among budget entities to realign
7 appropriations with the revised budget entity designations.
8 Such authorized revisions must be consistent with the intent
9 of the approved operating budget. The various district budget
10 requests developed pursuant to paragraph (d) shall be included
11 in the comprehensive departmental summary budget document.

12 (b) To fulfill this responsibility, the secretary may
13 review, amend, and approve the annual budget request of all
14 departmental activities pursuant to s. 216.023.

15 (c) It is the responsibility of the Assistant
16 Secretary for Administration to promulgate the necessary
17 budget timetables, formats, and data requirements for all
18 departmental budget requests in accordance with the statewide
19 budget requirements of the Executive Office of the Governor.

20 (d) It is the responsibility of the district
21 administrator, jointly with the health and human services
22 board, to develop an annual district budget request to be
23 reviewed, amended, and approved by the secretary. Annual
24 budget requests are based on units of service and the costs of
25 those services.

26 (e) The department's program planning, budgeting, and
27 information systems capabilities are required to be linked.
28 Identification of resource requirements and legislative
29 appropriations are based upon systematic identification of
30 target client populations and appropriate service arrays,
31 defined units of measurement and data captured for unit

1 costing purposes, and tracking services delivered in a manner
2 so that program outcomes can be determined. The department
3 shall implement an integrated, unit cost based budgeting
4 system across target client populations.

5 (16)~~(12)~~ CONFORMITY WITH FEDERAL STATUTES AND
6 REGULATIONS.--It is the intent of the Legislature that this
7 section not conflict with any federal statute or implementing
8 regulation governing federal grant-in-aid programs
9 administered by the department. Whenever such a conflict is
10 asserted by the applicable agency of the Federal Government,
11 the secretary of the department shall submit to the United
12 States Department of Health and Human Services, or other
13 applicable federal agency, a request for a favorable policy
14 response or a waiver of the conflicting portions. If such
15 request is approved, as certified in writing by the Secretary
16 of the United States Department of Health and Human Services
17 or head of the other applicable federal agency, the secretary
18 of the department is authorized to make the adjustments in the
19 organization and state service plan prescribed by this section
20 which are necessary for conformity to federal statutes and
21 regulations. Prior to making such adjustments, the secretary
22 shall provide to the Speaker of the House of Representatives
23 and the President of the Senate an explanation and
24 justification of the position of the department and shall
25 outline all feasible alternatives consistent with the
26 provisions of this section. These alternatives may include the
27 state supervision of local service agencies by the department
28 if such agencies are designated by the Governor. The Governor
29 is hereby authorized to designate local agencies of county
30 governments to provide services pursuant to federally required
31 state plans administered by the department. These local

1 agencies shall provide services for and on behalf of the
2 county governments included within the geographic boundaries
3 of the local agency. The board of commissioners of each county
4 within the local agency shall annually approve the service
5 plan to be provided by the local service agency. In order to
6 assure coordination with other health and family services
7 provided to citizens within each county, local service
8 agencies designated by the Governor pursuant to this section
9 shall correspond to the service districts created pursuant to
10 subsection (7)~~(6)~~. The district administrator of each service
11 district is designated the head of the local service agency.
12 As head of the local service agency, the district
13 administrator shall administer the service programs in
14 conformity with statewide policies, procedures, and guidelines
15 established by the department. The local agency shall
16 administer its program pursuant to a written agreement with
17 the department which:

18 (a) Indicates that the local agency will conduct its
19 program under the supervision of the department in accordance
20 with the state plan and in compliance with statewide standards
21 as established by the department, including standards of
22 organization and administration.

23 (b) Sets forth the methods to be followed by the
24 department in its supervision of the local agency, including
25 an evaluation of the effectiveness of the program of the local
26 agency.

27 (c) Sets forth the basis on which the department
28 participates financially in its locally administered programs.

29 (d) Indicates whether the local agency will utilize
30 another local public or nonprofit agency in the provision of
31 services and the arrangements for such utilization.

1
2 The local agency is responsible for the administration of all
3 aspects of the program within the political subdivisions which
4 it serves. In order to assure uniformity of personnel
5 standards, the local agency shall utilize the state personnel
6 rules and regulations, including provisions related to tenure,
7 selection, appointment, and qualifications of personnel.

8 (17)~~(13)~~ INFORMATION SYSTEMS.--

9 (a) The secretary shall appoint a Chief Information
10 Officer with the authority for agency development and
11 management information systems maintenance, policies, and
12 procedures as provided for in chapter 282. The Chief
13 Information Officer shall direct and promote information as a
14 strategic asset and facilitate integration of data systems and
15 agency and interagency resource sharing as allowed by
16 applicable statutes. The Chief Information Officer serves at
17 the pleasure of the secretary.

18 (b) The Chief Information Officer is directly
19 responsible for the management of the management information
20 systems service center that provides primary information
21 systems support for all entities within the department and
22 maintains fee-for-service provisions for use by other
23 agencies. The Chief Information Officer shall negotiate
24 service-level agreements between the management information
25 systems service center and users and shall facilitate
26 integrated information systems practices and procedures
27 throughout the service districts and with local service
28 providers.

29 (c) The secretary shall implement a priority program
30 aimed at the design, testing, and integration of automated
31 information systems necessary for effective and efficient

1 management of the department and clients. These systems shall
2 contain, minimally, management data, client data, and program
3 data deemed essential for the ongoing administration of
4 service delivery, as well as for the purpose of management
5 decisions. It is the intent of the Legislature that these
6 systems be developed with the idea of providing maximum
7 administrative support to the delivery of services and to
8 allow for the development of a more logical alignment of
9 programs, services, and budget structures to effectively
10 address the problems of any person who receives the services
11 of the department. It is also essential that these systems
12 comply with federal program requirements and ensure
13 confidentiality of individual client information.

14 (d) The department's information systems are developed
15 to support a client outcome-based budget and management
16 system. At a minimum, these systems must use a unit of service
17 basis to measure contract performance, integrate client
18 demographic and unit cost information, and provide for program
19 outcome measurement.

20 (e) For the purpose of funding this effort, the
21 department shall include in its annual budget request a
22 comprehensive summary of costs involved, as well as human
23 resources saved, and the availability of costs for private
24 sector systems in the establishment of these automated
25 systems. Such budget request shall also include a complete
26 inventory of current staff, equipment, and facility resources
27 available for completion of the desired systems. The
28 department shall review all forms for duplicative content and,
29 to the maximum extent possible, reduce, consolidate, and
30 eliminate such duplication to provide for a uniform,
31 integrated, and concise management information collection

1 system. The department is authorized to charge reasonable
2 administrative fees to other state agencies using the
3 department's information systems.

4 (18)~~(14)~~ ELIGIBILITY REQUIREMENTS.--The department
5 shall review the eligibility requirements of its various
6 programs and, to the maximum extent possible, consolidate them
7 into a single eligibility system.

8 (19)~~(15)~~ PURCHASE OF SERVICES.--Whenever possible, the
9 department, in accordance with the established program
10 objectives and performance criteria, shall contract for the
11 provision of services by counties, municipalities,
12 not-for-profit corporations, for-profit corporations, and
13 other entities capable of providing needed services, if
14 services so provided are more cost-efficient than those
15 provided by the department.

16 (20)~~(16)~~ HEADQUARTERS; SERVICE FACILITIES.--

17 (a) The department shall maintain its headquarters and
18 all offices above the district office level in Tallahassee.

19 (b) Within each of its service districts, the
20 department shall locate its service facilities in the same
21 place when it is possible to do so without removing service
22 facilities from proximity to the clients they serve. The
23 department shall implement a plan by which all or
24 substantially all services within a district are moved, as
25 existing leases expire, to centers located close to
26 prospective users or clients. These centers may be shared with
27 other public users and may be designated as community service
28 centers.

29 (21)~~(17)~~ PROCUREMENT OF HEALTH SERVICES.--Nothing
30 contained in chapter 287 requires competitive bids for health
31 services involving examination, diagnosis, or treatment.

1 (22)~~(18)~~ CONSULTATION WITH COUNTIES ON MANDATED
2 PROGRAMS.--It is the intent of the Legislature that when
3 county governments are required by law to participate in the
4 funding of programs, the department shall consult with
5 designated representatives of county governments in developing
6 policies and service delivery plans for those programs.

7 (23)~~(19)~~ OUTCOME EVALUATION AND PROGRAM
8 EFFECTIVENESS.--

9 (a) It is the intent of the Legislature to:

- 10 1. Ensure that information be provided to
11 decisionmakers so that resources are allocated to programs of
12 the department that achieve desired performance levels.
- 13 2. Provide information about the cost of such programs
14 and their differential effectiveness so that the quality of
15 such programs can be compared and improvements made
16 continually.
- 17 3. Provide information to aid in the development of
18 related policy issues and concerns.
- 19 4. Provide information to the public about the
20 effectiveness of such programs in meeting established goals
21 and objectives.
- 22 5. Provide a basis for a system of accountability so
23 that each client is afforded the best programs to meet his or
24 her needs.
- 25 6. Improve service delivery to clients.
- 26 7. Modify or eliminate activities that are not
27 effective.

28 (b) To accomplish these purposes, the effectiveness of
29 department programs shall be evaluated and reported to the
30 Governor and the Legislature pursuant to chapter 94-249, Laws
31 of Florida, the Government Performance and Accountability Act.

1 (24)~~(20)~~ INNOVATION ZONES.--The health and human
2 services board may propose designation of an innovation zone
3 for any experimental, pilot, or demonstration project that
4 furthers the legislatively established goals of the
5 department. An innovation zone is a defined geographic area
6 such as a district, county, municipality, service delivery
7 area, school campus, or neighborhood providing a laboratory
8 for the research, development, and testing of the
9 applicability and efficacy of model programs, policy options,
10 and new technologies for the department.

11 (a)1. The district administrator shall submit a
12 proposal for an innovation zone to the secretary. If the
13 purpose of the proposed innovation zone is to demonstrate that
14 specific statutory goals can be achieved more effectively by
15 using procedures that require modification of existing rules,
16 policies, or procedures, the proposal may request the
17 secretary to waive such existing rules, policies, or
18 procedures or to otherwise authorize use of alternative
19 procedures or practices. Waivers of such existing rules,
20 policies, or procedures must comply with applicable state or
21 federal law.

22 2. For innovation zone proposals that the secretary
23 determines require changes to state law, the secretary may
24 submit a request for a waiver from such laws, together with
25 any proposed changes to state law, to the chairs of the
26 appropriate legislative committees for consideration.

27 3. For innovation zone proposals that the secretary
28 determines require waiver of federal law, the secretary may
29 submit a request for such waivers to the applicable federal
30 agency.

31

1 (b) An innovation zone project may not have a duration
2 of more than 2 years, but the secretary may grant an
3 extension.

4 (c) The Statewide Health and Human Services Board, in
5 conjunction with the secretary, shall develop a family
6 services innovation transfer network for the purpose of
7 providing information on innovation zone research and projects
8 or other effective initiatives in family services to the
9 health and human services boards established under subsection
10 ~~(8)(7)~~.

11 (d) Prior to implementing an innovation zone pursuant
12 to the requirements of this subsection and chapter 216, the
13 secretary shall, in conjunction with the Auditor General,
14 develop measurable and valid objectives for such zone within a
15 negotiated reasonable period of time. No more than 15
16 innovative zones shall be in operation at any one time within
17 the districts.

18 Section 2. Section 402.401, Florida Statutes, is
19 created to read:

20 402.401 Competency-based training for child protection
21 staff.--

22 (1) The Legislature intends that family safety
23 services shall be delivered by trained and competent
24 professional staff. The Legislature intends to reward
25 exemplary persons among its direct services staff as well as
26 attract and retain the most competent professionals. To that
27 end, competency-based training requirements are established.

28 (2) Child protection staff, whether employed by the
29 department or under contract with the department, who perform
30 the functions of professional child protection staff in the
31 family services personnel classes, must be certified based on

1 competency-based training and testing programs approved by the
2 department. The department shall provide for oversight of the
3 statewide child protection training and certification system,
4 which must include basic and advanced competency-based
5 training and testing programs, as described in s. 402.40.

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

10 Section 3. Section 409.1671, Florida Statutes, is
11 amended to read:

12 409.1671 Foster care and related services;
13 privatization.--

14 (1) It is the intent of the Legislature that to
15 ~~encourage~~ the Department of Children and Family Services
16 privatize the provision of to contract with competent
17 ~~community-based agencies to provide~~ foster care and related
18 services statewide. As used in this section, the term
19 "privatize" means to contract with competent, community-based
20 agencies. The department shall submit a plan to accomplish
21 privatization statewide, through a competitive process phased
22 in over a 3-year period beginning January 1, 2000. This plan
23 is to be submitted by July 1, 1999, to the President of the
24 Senate, the Speaker of the House of Representatives, the
25 Governor, and the Minority leaders of both houses. This plan
26 must be developed with local community participation,
27 including input from community-based providers that are
28 currently under contract with the department to furnish
29 community-based foster care and related services, and must
30 include a methodology for determining and transferring all
31 available funds, including federal funds that the provider is

1 eligible for and agrees to earn and that portion of general
2 revenue funds which is currently associated with the services
3 that are being furnished under contract. The methodology must
4 provide for the transfer of funds appropriated and budgeted
5 for all services and programs that have been incorporated into
6 the project, including all management, capital (including
7 current furniture and equipment), and administrative funds to
8 accomplish the transfer of these programs. This methodology
9 must address expected workload and at least the 3 previous
10 years' experience in expenses and workload. With respect to
11 any district or portion of a district in which privatization
12 cannot be accomplished within the 3 years' timeframe, the
13 department must clearly state in its plan the reasons the
14 timeframe cannot be met and the efforts that should be made to
15 remediate the obstacles, which may include alternatives to
16 total privatization, such as public/private partnerships.~~By~~
17 ~~privatizing these services, the support and commitment of~~
18 ~~communities to the reunification of families and care of~~
19 ~~children and their families will be strengthened, and~~
20 ~~efficiencies as well as increased accountability will be~~
21 ~~gained.~~As used in this section, the term "related These
22 services" means may include family preservation, independent
23 living, emergency shelter, residential group care, foster
24 care, therapeutic foster care, intensive residential
25 treatment, ~~postadjudication legal services,~~ foster care
26 supervision, ~~postadjudication case management,~~ postplacement
27 supervision, permanent foster care, family reunification, the
28 filing of a petition for the termination of parental rights,
29 and adoption. Beginning in fiscal year 1999-2000, either the
30 state attorney or the Attorney General shall provide
31 preadjudication and postadjudication legal services. When a

1 private, nonprofit agency has received case management
2 responsibilities, transferred from the state under this
3 section, for a child who is sheltered or found to be dependent
4 and is assigned to the care of the privatization project, the
5 agency may act as the child's guardian for the purpose of
6 registering the child in school if a parent or guardian of the
7 child is unavailable and his or her whereabouts cannot
8 reasonably be ascertained. The private nonprofit agency may
9 also seek emergency medical attention for such a child, but
10 only if a parent or guardian of the child is unavailable, his
11 or her whereabouts cannot reasonably be ascertained, and a
12 court order for such emergency medical services cannot be
13 obtained because of the severity of the emergency or because
14 it is after normal working hours. However, the provider may
15 not consent to sterilization, abortion, or termination of life
16 support. If a child's parents' rights have been terminated,
17 the nonprofit agency shall act as guardian of the child in all
18 circumstances.

19 (2) The department may contract for the delivery,
20 administration, or management of protective services, the
21 services specified in subsection (1) relating to foster care,
22 and other related services or programs, as appropriate. The
23 department shall retain responsibility for the quality of
24 contracted services and programs and shall ensure that
25 services are delivered in accordance with applicable federal
26 and state statutes and regulations.

27 (3)(a) The department shall establish a quality
28 assurance program for privatized ~~the privatization of~~
29 services. The quality assurance program may be performed by a
30 national accrediting organization such as the Council on
31 Accreditation of Services for Families and Children, Inc.

1 (COA) or the Council on Accreditation of Rehabilitation
2 Facilities (CARF). The department shall develop a request for
3 proposal for such oversight. This program must be developed
4 and administered at a statewide level. The Legislature intends
5 that the department be permitted to have limited flexibility
6 to use funds for improving quality assurance. To this end,
7 effective January 1, 2000, the department may transfer up to
8 0.125 percent of the total funds from categories used to pay
9 for these contractually provided services, but the total
10 amount of such transferred funds may not exceed \$300,000 in
11 any fiscal year. When necessary, the department may establish,
12 in accordance with s. 216.177, additional positions that will
13 be exclusively devoted to these functions. Any positions
14 required under this paragraph may be established,
15 notwithstanding ss. 216.262(1)(a) and 216.351.~~The quality~~
16 ~~assurance program must include standards for each specific~~
17 ~~component of these services.~~The department, in consultation
18 with the community-based agencies that are undertaking the
19 privatized projects, shall establish minimum thresholds for
20 each component of service consistent with standards
21 established by the Legislature. Each program operated under
22 ~~pursuant to~~ contract with a community-based agency must be
23 evaluated annually by the department ~~or by an objective~~
24 ~~competent entity designated by the department under the~~
25 ~~provisions of the quality assurance program. The evaluation~~
26 ~~must be financed from cost savings associated with the~~
27 ~~privatization of services.~~The department shall submit an
28 annual report regarding quality performance, outcome measure
29 attainment, and cost efficiency to the President of the
30 Senate, the Speaker of the House of Representatives, the
31 Minority leader of each house of the Legislature, and the

1 Governor no later than January 31 of each year for each
2 project in operation during the preceding fiscal year,
3 ~~beginning in 1998. The quality assurance program must be~~
4 ~~funded through administrative savings generated by this act.~~

5 (b) ~~The department shall establish and operate a~~
6 ~~comprehensive system to measure and report annually the~~
7 ~~outcomes and effectiveness of the services that have been~~
8 ~~privatized.~~The department shall use these findings in making
9 recommendations to the Governor and the Legislature for future
10 program and funding priorities in the child welfare system.

11 (4)~~(a)~~ The community-based agency must comply with
12 statutory requirements and agency regulations in the provision
13 of contractual services. Each foster home, therapeutic foster
14 home, emergency shelter, or other placement facility operated
15 by the community-based agency or agencies must be licensed by
16 the Department of Children and Family Services under chapter
17 402 or this chapter. Each community-based agency must be
18 licensed as a child-caring or child-placing agency by the
19 department under this chapter. The department, in order to
20 eliminate or reduce the number of duplicate inspections by
21 various program offices, shall coordinate inspections required
22 pursuant to licensure of agencies under this section.

23 ~~(b) A community-based agency providing contractual~~
24 ~~services under this section may be issued a Medicaid provider~~
25 ~~number pursuant to s. 409.907 to enable the agency to maximize~~
26 ~~federal support for these services under the state's Medicaid~~
27 ~~plan. A community-based agency must also participate in and~~
28 ~~cooperate with any federal program that will assist in the~~
29 ~~maximization of federal support for those services, as~~
30 ~~directed by the department.~~

31

1 (5) Beginning January 1, 1999, and continuing at least
2 through December 31, 1999, the Department of Children and
3 Family Services shall privatize all foster care and related
4 services in district 5 while continuing to contract with the
5 current model programs in districts 1, 4, and 13, and in
6 subdistrict 8A, and shall expand the subdistrict 8A pilot
7 program to incorporate Manatee County. Planning for the
8 district 5 privatization shall be done by providers that are
9 currently under contract with the department for foster care
10 and related services and shall be done in consultation with
11 the department.~~Beginning in fiscal year 1996-1997, the~~
12 ~~Department of Children and Family Services shall establish a~~
13 ~~minimum of five model programs. These models must be~~
14 ~~established in the department's districts 1, 4, and 13; in~~
15 ~~subdistrict 8A; and in a fifth district to be determined by~~
16 ~~the department, with the concurrence of the appropriate~~
17 ~~district health and human services board. For comparison of~~
18 ~~privatization savings, the fifth model program must be~~
19 ~~contracted with a competent for-profit corporation.~~The
20 provider or group of providers of the district 5 these model
21 programs shall be competitively selected ~~may be selected from~~
22 ~~a single source pursuant to s. 287.057(3)(c) and must be~~
23 ~~established, community-based organizations within the district~~
24 ~~or subdistrict. Contracts with organizations responsible for~~
25 ~~the model programs must~~ shall ~~include the management and~~
26 ~~administration of all privatized services specified in~~
27 ~~subsection (1), except for funds necessary to manage the~~
28 ~~contract.~~ However, the department may use funds for contract
29 management only after obtaining written approval from the
30 Executive Office of the Governor. The request for such
31 approval must include, but is not limited to, a statement of

1 the proposed amount of such funds and a description of the
2 manner in which such funds will be used.If the
3 community-based organization selected for a model program
4 under this subsection is not a Medicaid provider, the
5 organization shall be issued a Medicaid provider number
6 pursuant to s. 409.907 for the provision of services currently
7 authorized under the state Medicaid plan to those children
8 encompassed in this model and in a manner not to exceed the
9 current level of state expenditure.

10 (6) Each district and subdistrict that participates in
11 the model program effort or any future privatization effort as
12 described in this section must thoroughly analyze and report
13 the complete direct and indirect costs of delivering these
14 services through the department and the full cost of
15 privatization, including the cost of monitoring and evaluating
16 the contracted services.

17 (7)(a) Community-based agencies, or any of their
18 employees or agents, that have contractually agreed to act on
19 behalf of the state as agents of the Department of Children
20 and Family Services to provide foster care and related
21 services under this section are, solely with respect to such
22 services, agents of the state for purposes of this section
23 while acting within the scope of and pursuant to guidelines
24 established in the contract or by rule. A contract must
25 provide for the indemnification of the state by the agent for
26 any liabilities incurred up to the limits set out in chapter
27 768.

28 (b) This subsection does not designate a person who
29 provides foster care and related services as an employee or
30 agent of the state for purposes of chapter 440.
31

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

3 415.5145 Family safety quality assurance and
4 improvement program.--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 are
10 to resolve identified problems in programs and services.

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

31

1 (e) Written reports of the internal and external
2 reviews which 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
11 the 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. This act shall take effect October 1, 1998,
24 except that this section and section 3 shall take effect July
25 1, 1998.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 1050

- 4 - Deletes the Department of Family Safety and the Human
5 Services Commission.
- 6 - Creates the Deputy Secretary for Family Safety and a
7 District Program Administrator for Family Safety in each
8 of the 15 service districts.
- 9 - Requires the Deputy Secretary for Family Safety to
10 conduct an annual review of the child protection
11 resources distributed to the 15 districts in order to
12 determine the need to transfer resources among the
13 districts to address specific client service needs.
- 14 - Requires the Department of Children and Family Services
15 to establish no more than two administrative services
16 centers.
- 17 - Deletes the \$250,000 appropriation for the Human Services
18 Commission.
- 19 - Eliminates the Statewide Family Safety Advisory board and
20 increases the membership of the Statewide Health and
21 Human Services Board to include experts in child
22 protection services, domestic violence, abuse of elders,
23 and financial management.
- 24 - Requires that the district administrator and the deputy
25 secretary for family safety jointly make decision
26 regarding the appointment and dismissal of the district
27 program administrator for family safety and that the
28 decision of the deputy secretary prevail when the
29 district administrator does not concur with the decision
30 regarding dismissal.
- 31 - Specifies that cost savings associated with the
administrative services centers must be used to enhance
quality assurance, rather than to fund new or enhanced
services.
- Changes provisions for the privatization of services by
requiring an operational plan to accomplish privatization
statewide by January 1, 2003, be developed by the
Department of Children and Family Services and that
privatization of all foster care and other related child
welfare services be continued in Districts 1, 4, 13, and
8A (and expanded in District 8A) and be implemented in
District 5 by December 31, 1999.