

**The Florida Senate**  
**PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Children, Families, and Elder Affairs Committee

BILL: CS/SB 1394

INTRODUCER: Senator Storms

SUBJECT: Department of Children and Families

DATE: April 20, 2007

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Adelstein/Jameson	Jameson	CF	<b>Fav/CS</b>
2.	_____	_____	JU	_____
3.	_____	_____	HA	_____
4.	_____	_____	RU	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill authorizes the Department of Children and Family Services (DCF or the department) to begin the process of departmental reorganization, subject to further legislative review. It directs DCF to integrate Substance Abuse and Mental Health programs into the overall structure and priorities of the department. It also authorizes DCF to plan for realignment of department districts with judicial circuits and to phase in organizational changes to ensure that children currently in the system are not adversely impacted.

The department is required to submit to the Legislature a report on its organizational modifications concurrently with the Sunset Review Report required by existing law.

The bill authorizes DCF to use the name Department of Children and Families.

The bill authorizes DCF to establish community partnerships at the request of local communities and permits the Secretary to establish advisory groups at the state level.

These provisions pertaining to departmental reorganization will expire on June 30, 2008.

The bill also amends s. 839.13(2), F.S., to make it clear that it is unlawful to create, as well as to alter, destroy, deface, overwrite, remove or discard, official records relating to individuals in the care and custody of a state agency and certain records of DCF.

The bill amends ss. 839.13(2)(a) and (c), F.S., and creates an undesignated section of the Florida Statutes.

## II. Present Situation:

The Department of Children and Family Services, formerly known as the Department of Health and Rehabilitative Services, has undergone major reorganizations and divestitures over the years. In 2002, Governor Jeb Bush's Blue Ribbon Panel on Child Protection found that 22 times in the preceding 33 years, the Florida Legislature had mandated some form of reorganization for DCF.<sup>1</sup>

In 1975, the Department of Health and Rehabilitative Services was reorganized, transferring operational responsibilities to a local service district level under a single administrator in an effort to resolve the problems associated with providing and coordinating health and human services to a multi-problem client. Divisions were abolished and program offices were created. Eleven service districts were established with a district administrator having line authority over all programs and services within that district.<sup>2</sup>

Since 1975, other major organizational changes or program divestitures have occurred, including the following:

- 1991 Programs relating to elderly services transferred to the newly created Department of Elderly Affairs.<sup>3</sup>
- 1992 Health regulation functions transferred to the newly created Agency for Health Care Administration.<sup>4</sup>  
Four additional service districts created for a total of 15.<sup>5</sup>
- 1993 Medicaid transferred to the Agency for Health Care Administration.<sup>6</sup>
- 1994 Child Support Enforcement program transferred to the Department of Revenue.<sup>7</sup>
- 1996 All health-related programs and functions transferred to the new Department of Health. The Department of Health and Rehabilitative Services renamed the Department of Children and Family Services with responsibility for: child welfare, child care, economic services, developmental services, mental health, substance abuse, disabled adults, and adult protective services.<sup>8</sup>
- 1998 Powers and duties relating to the child protection teams and the sexual abuse treatment program transferred to the Department of Health.<sup>9</sup>
- 2000 Significant reorganization, including the establishment of a prototype region and community alliances.<sup>10</sup>
- 2003 Creation of the Florida Substance Abuse and Mental Health Corporation. Secretary of DCF directed to appoint an Assistant Secretary for Substance Abuse and Mental Health, a Program Director for Substance Abuse, and a Program Director for Mental Health.<sup>11</sup>

<sup>1</sup> Blue Ribbon Panel on Child Protection, Final Report, (2002). Available at: <http://archives.cnn.com/2002/US/05/27/florida.child.report/index.html>

<sup>2</sup> ch. 75-48, L.O.F.

<sup>3</sup> ch. 91-115, L.O.F.

<sup>4</sup> ch. 92-33, L.O.F.

<sup>5</sup> s. 3, ch. 92-058, L.O.F.

<sup>6</sup> s. 2, ch. 92-33, L.O.F.

<sup>7</sup> ch. 94-124, L.O.F.

<sup>8</sup> ch. 96-403, L.O.F.

<sup>9</sup> s. 1, ch. 98-137, L.O.F.

<sup>10</sup> s. 2, ch. 2000-139, L.O.F.

2004 Developmental Services program moved to the newly created Agency for Persons with Disabilities (APD).<sup>12</sup>

Although APD was established in 2004 as a separate budget entity not subject to the control, supervision, or direction of DCF, the agency was required as of October 1, 2004, to enter into an interagency agreement with DCF for the provision of necessary day-to-day administrative and operational needs, including but not limited to:<sup>13</sup>

- Personnel;
- Purchasing;
- Information technology support;
- Legal support; and
- Other related services.

In addition to the changes which have been made in ch. 20, F.S., the agency has undergone numerous changes in operations, including the privatization of foster care. This transition to a privatized child protection system, known as the Community-Based Care (CBC) Initiative, began in 1996 as a response to mounting problems and public dissatisfaction with the department's Child Protection program. The state completed the transition to community-based care during the latter part of 2004-05.<sup>14</sup>

### **Organizational Requirements in Florida Law**

The Department of Children and Family Services is created and organizationally structured pursuant to s. 20.19, F.S., with the specified mission to work in partnership with local communities to ensure the safety, well-being, and self-sufficiency of the people served. Although the name established in statute is the Department of Children and Family Services, the department is now commonly referred to as the Department of Children and Families.

The department is headed by the Secretary of Children and Family Services, who is appointed by the Governor, subject to confirmation by the Senate. The Secretary is directed by current law to appoint the following specified positions:<sup>15</sup>

- Deputy Secretary who shall act in the absence of the secretary;
- Assistant Secretary for Substance Abuse and Mental Health;
- Program Director for Mental Health and Program Director for Substance Abuse;
- Program directors to whom the Secretary may delegate responsibilities for the management, policy, program, and fiscal functions of the department; and
- District administrators for each of the service districts delineated in s. 20.19(5), F.S.

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<sup>11</sup> ss. 2 and 5, ch. 2003-279, L.O.F. The Florida Substance Abuse and Mental Health Corporation, Inc., was established for the purpose of providing oversight of publicly funded substance abuse and mental health systems and for making policy and resource recommendations. Although administratively housed within DCF, it is not subject to the department's control.

<sup>12</sup> s. 87, ch. 2004-267, L.O.F.

<sup>13</sup> Id.

<sup>14</sup> Office of Program Policy Analysis & Government Accountability, Report No. 06-50, (June 2006).

<sup>15</sup> ss. 20.19(2) and (3), F.S., and s. 20.19(5)(b), F.S.

Section 20.04, F.S., provides that within DCF “there are organizational units called ‘program offices,’ headed by program directors.” Section 20.19(4)(b), F.S., establishes the following program offices:

- Adult Services;
- Child Care Services;
- Domestic Violence;
- Economic Self-Sufficiency Services;
- Family Safety;
- Mental Health;
- Refugee Services; and
- Substance Abuse.

The Secretary is authorized to consolidate, restructure, or rearrange program and support offices, in consultation with the Executive Office of the Governor, provided that any such changes are capable of meeting the functions, activities, and achieving outcomes delineated in law. The Secretary is likewise authorized to appoint additional managers and administrators at his or her discretion.<sup>16</sup> However, DCF is one of three executive agencies for which any additional divisions or offices may only be established by statutory enactment.<sup>17</sup>

Section 20.19(6), F.S., directs the department to establish a community alliance of the stakeholders, community leaders, client representatives and funders of human services in each county. The purpose of these alliances is to provide a focal point for community participation and governance of community-based services. An alliance may increase membership at any time to include other relevant parties, including the state attorney and public defender for the judicial circuit in which the community alliance is located. The initial membership must include:<sup>18</sup>

- The district administrator;
- A representative from county government;
- A representative from the school district;
- A representative from the county United Way;
- A representative from the sheriff’s office;
- A representative from the circuit court corresponding to the county; and
- A representative from the county children’s board, if one exists.

Section 20.19(7), F.S., authorizes the establishment of a prototype region by consolidating the management and administrative structure or function of the area including the sixth, twelfth and thirteenth judicial districts. Accordingly, DCF established the SunCoast region in 2001.<sup>19</sup>

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<sup>16</sup> s. 20.19(4)(c), F.S.

<sup>17</sup> s. 20.04(7)(b), F.S.

<sup>18</sup> s. 20.19(6)(d), F.S.

<sup>19</sup> The SunCoast prototype region includes the following Florida counties: Pasco, Pinellas, Hillsborough, Manatee, Sarasota, and De Soto.

## Current Organizational Structure of DCF

Services are provided by DCF in 13 operating districts and one region (SunCoast), supported by six administrative zones and the Central Office Headquarters. Each district has a district administrator or, in the case of the SunCoast prototype region, a regional director appointed by and responsible to the Secretary. The district administrator or regional director assumes responsibility for fiscal accountability in his or her district or region. In each zone, a district administrator acts as zone manager.

The department's organizational structure is divided into five broad categories: Office of the Secretary, Programs, Operations, Administration, and Substance Abuse and Mental Health.<sup>20</sup> The Office of the Secretary encompasses executive staff, legal services, communications, legislative affairs, the Inspector General, performance and planning, operations, administrative services, and programs.

The Deputy Secretary, appointed by the Secretary pursuant to s. 20.19(2)(b), F.S., has leadership responsibility for program or service areas, including:

- Adult Services;
- Child Care Services;
- Domestic Violence;
- Economic Self-Sufficiency;
- Child Welfare and Community-Based Care;<sup>21</sup>
- Homelessness;<sup>22</sup> and
- Refugee Services.

Each of these offices is managed by a program director in Tallahassee and has three distinct components: program support, provider relations, and quality management.<sup>23</sup>

Pursuant to s. 20.19(2), F.S., the Secretary appoints an Assistant Secretary for Substance Abuse and Mental Health, a Program Director for Substance Abuse, and a Program Director for Mental Health. These program directors have direct line authority over all district Substance Abuse and Mental Health program management. This includes direct control over the program's budget and contracts for services. The mental health institutions report directly to the Program Director for Mental Health.

All senior field managers, including district and regional administrators and district administrators responsible for administrative zones, report directly to the Assistant Secretary for Operations.

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<sup>20</sup> Florida Department of Children & Families, Agency Overview of the Department of Children and Families, (January 24, 2007).

<sup>21</sup> This is not a statutorily designated program.

<sup>22</sup> This is not a statutorily designated program.

<sup>23</sup> Id.

The Assistant Secretary for Administration provides administrative guidance and support to districts, zones, region, and Central Office. The leadership responsibilities of this Assistant Secretary include: fiscal management, budget, contract management, information technology, human resources, and general services.

### **Community-Based Care and Contracted Services Providers**

Community-based care is a major component of the department's service delivery strategy. The transition to community-based care began in 1996, when the Florida Legislature mandated the outsourcing of child welfare services.<sup>24</sup> This initiative was introduced as a response to the long-term and complex problems faced by the child welfare system. All of the districts in Florida have now implemented the community-based care model, based on the use of a lead agency design. Under this system, lead agencies are responsible for providing foster care and related services, including family preservation, emergency shelter, and adoption. The department is responsible for program oversight, operating the abuse hotline, child protective investigations, and provision of Child Welfare Legal Services.<sup>25</sup> During 2005-2006, there were 20 lead agencies with 22 contracts serving Florida's 67 counties.<sup>26</sup>

Contracted service providers in other service areas are also integral to the department's programmatic functions. Over half of the DCF operating budget is spent on procuring client services through contracted services.<sup>27</sup>

The community alliances established pursuant to s. 20.19(6), F.S., constitute an important element of the service delivery process. These local partnerships facilitate collaboration between the department, community agencies, and local government.

### **The SunCoast Prototype**

Chapter 2000-239, L.O.F., authorized DCF to proceed with the development of a prototype region. The goal in so doing was to improve efficiency and effectiveness of operation as well as to provide a model for subsequent regionalization of the rest of DCF. The SunCoast region was implemented in 2001 and consists of Pasco, Pinellas, Hillsborough, Manatee, Sarasota, and De Soto counties. Section 20.19(7)(a), F.S., stipulates that:

...The department shall evaluate the efficiency and effectiveness of the operation of the prototype region and upon a determination that there has been a demonstrated improvement in management and oversight of services or cost savings from more efficient administration of services, the secretary may consolidate management and administration of additional areas of the state...

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<sup>24</sup> s. 5, ch. 96-402, L.O.F.

<sup>25</sup> Office of Program Policy Analysis & Government Accountability, Report No. 06-50, (June 2006).

<sup>26</sup> University of South Florida, Evaluation of the Department of Children and Families Community-Based Care Initiative Fiscal Year 2005-2006, (January 15, 2007).

<sup>27</sup> Florida Department of Children & Families, Agency Overview of the Department of Children and Families, (January 24, 2007).

Unless the Legislature provides authorization, any such consolidation must conform to the division of districts established in s. 20.19(5), F.S. To date, no additional regions have been established.

Pursuant to the Legislature's directive, DCF contracted with independent evaluators to review the performance of the SunCoast region during the period covering July 1, 2001 – January 31, 2002.<sup>28</sup> The evaluation concluded that during this period the SunCoast region reduced administrative staff by 106 FTE's (full-time equivalents), or 23.8 percent, and administrative salary expenses by approximately \$2,130,000. An additional \$750,000 in salary savings were achieved in the reorganization and were redistributed to other areas of the department.<sup>29</sup>

Despite this reported success, the evaluation also cautioned that "care must be applied in generalizing SunCoast's cost savings to any other potential regionalization." The primary reasons cited for this concern were that:<sup>30</sup>

- The SunCoast region was formed by combining administrative staffs from three districts which had relatively higher levels of staffing than other districts.
- Subsequent to SunCoast's formation, DCF reduced overall administrative staffing by 12.5 percent to accommodate reductions in state funding.

Following are some of the significant ways in which the regional model differs from the district structure:<sup>31</sup>

- Consolidation of contracting functions;
- Consolidation of licensing functions;
- Establishment of a central educational and training program; and
- Enhanced ability for staff to specialize in technical areas such as disaster coordination, planning, quality assurance, contract evaluation, and data management.

### **Substance Abuse and Mental Health**

The department is responsible for planning, evaluating, and implementing comprehensive statewide Substance Abuse and Mental Health programs. These programs include adult community mental health, children's mental health, receiving and treatment facilities, and substance abuse prevention, intervention, and treatment services for adults and children. Prior to 2003, DCF Substance Abuse and Mental Health programs operated within the decentralized district structure. The department's Central Office performed administrative functions, while the 13 districts and one region operated somewhat autonomously and controlled

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<sup>28</sup> Because several of the elements required in the review were specific to community-based care (CBC) and lead agencies, the University of South Florida's Louis de la Parte Florida Mental Health Institute (USF) was selected to perform these aspects of the review in conjunction with an annual evaluation of community-based care required by law. Competitive Government Strategies, LLC, (CGS), was selected to perform the portion of the prototype evaluation not directly related to CBC.

<sup>29</sup> Florida Department of Children and Families, "Metasummary" of Prototype Region Evaluations, July 1, 2001 – January 31, 2001. Available at: <http://www.dcf.state.fl.us/publications/docs/newreptmeta4.pdf>

<sup>30</sup> Id.

<sup>31</sup> Id.

their own budgets, personnel, purchasing, contracting, and operations. A major issue which emerged as a result of this organizational structure was that staff reported to two separate chains of command. Local program supervisors reported to their district administrators, who reported to the department's Deputy Secretary for Operations. In the Central Office, Substance Abuse and Mental Health each had a separate director who answered to the department's Deputy Secretary for Programs. The Central Office had little influence with regard to district personnel and performance issues.<sup>32</sup>

In response to these issues and related concerns, in 2003 the Florida Legislature mandated significant restructuring of the program.<sup>33</sup> To increase visibility and focus, a new program structure was created which gave the Central Office more control over policy, programs, and budget. The Legislature also required the Secretary to appoint an Assistant Secretary of Substance Abuse and Mental Health as well as a Director for Substance Abuse and a Director for Mental Health. Each of these program directors exerts direct line authority over all district Substance Abuse and Mental Health programs, including state hospital and institutional staff and control of program budgets and contracts.<sup>34</sup> The Assistant Secretary for Substance Abuse and Mental Health is also required by law to enter into a memorandum of understanding with each district or region administrator describing their working relationship.<sup>35</sup>

According to a 2005 evaluation of the reorganization by the Office of Program Policy Analysis and Government Accountability (OPPAGA), the more centralized structure offered several benefits:<sup>36</sup>

- Greater visibility and support of the programs;
- Greater intradepartmental cohesion by bringing Mental Health and Substance Abuse programs together;
- Faster decision-making;
- Increased standardization of policies and practices; and
- Enhanced accountability.

Nevertheless, there also have been significant challenges associated with increased centralization which have prompted the department to consider changing the structure again. The OPPAGA report identified two major issues:

- Difficulty for both district and Central Office staff to maintain communication with other programs, both inside and outside of the department.
- Difficulty for Central Office staff to become familiar with local substance abuse and mental health issues.

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<sup>32</sup> This discussion is based on information contained in the following:

Office of Program Policy Analysis & Government Accountability, Report No. 05-07, (February 2005).

<sup>33</sup> ch. 2003-279, L.O.F.

<sup>34</sup> s. 20.19(2), F.S.

<sup>35</sup> Id.

<sup>36</sup> Office of Program Policy Analysis & Government Accountability, Report No. 05-07, (February 2005).

An additional concern has been that Substance Abuse and Mental Health programs were not included in the 2004 department restructuring which consolidated its districts into six large zones for administrative purposes. Although the department's rationale for keeping Substance Abuse and Mental Health programs at the district level was to retain the community-based nature of these programs, one consequence has been that they must work within an administrative structure different from their own.<sup>37</sup>

### **The Organizational Review Work Group**

On January 17, 2007, Secretary Butterworth established a Department Organizational Review Work Group to examine the organizational structure of DCF. As a result of its review, the Work Group recommended 22 actions to enhance departmental operations. These recommendations pertain to the following areas:<sup>38</sup>

- Adoption of a regional structure and implementation of a circuit-based model for the provision of community services;
- Adoption of a standardized template for the provision of community and administrative services at the regional and community levels;
- Reestablishment of the position of Assistant Secretary for Programs and related changes to the organizational structure;
- Reorganization of the Substance Abuse and Mental Health programs;
- Creation of an Office of Strategic Planning & Innovation;
- Enhanced quality management; and
- Information technology.

The Work Group also identified several areas for future review:<sup>39</sup>

- Organization of legal support functions;
- Organization, activities, and technology of the Headquarters Information Systems function;
- Departmental commitment to the Sterling approach to management;
- Criteria for performance measurements;
- Location of the purchasing function within the General Services Office; and
- Staffing of all Headquarters offices.

### *Regionalization of Services*

One of the guiding principles in proposing organizational changes was the idea that “policy guidance should come from the upper levels of the Department, and policy implementation should occur at the lowest appropriate level, closest to those whom the Department serves.”<sup>40</sup>

The recommendation to regionalize services and move towards a circuit-based model for service provision represents an effort to decentralize and localize efforts to provide effective services to Florida's vulnerable populations.

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<sup>37</sup> Id.

<sup>38</sup> Department of Children and Families Organizational Review Work Group, Final Report (Draft), (April 2, 2007).

<sup>39</sup> Id.

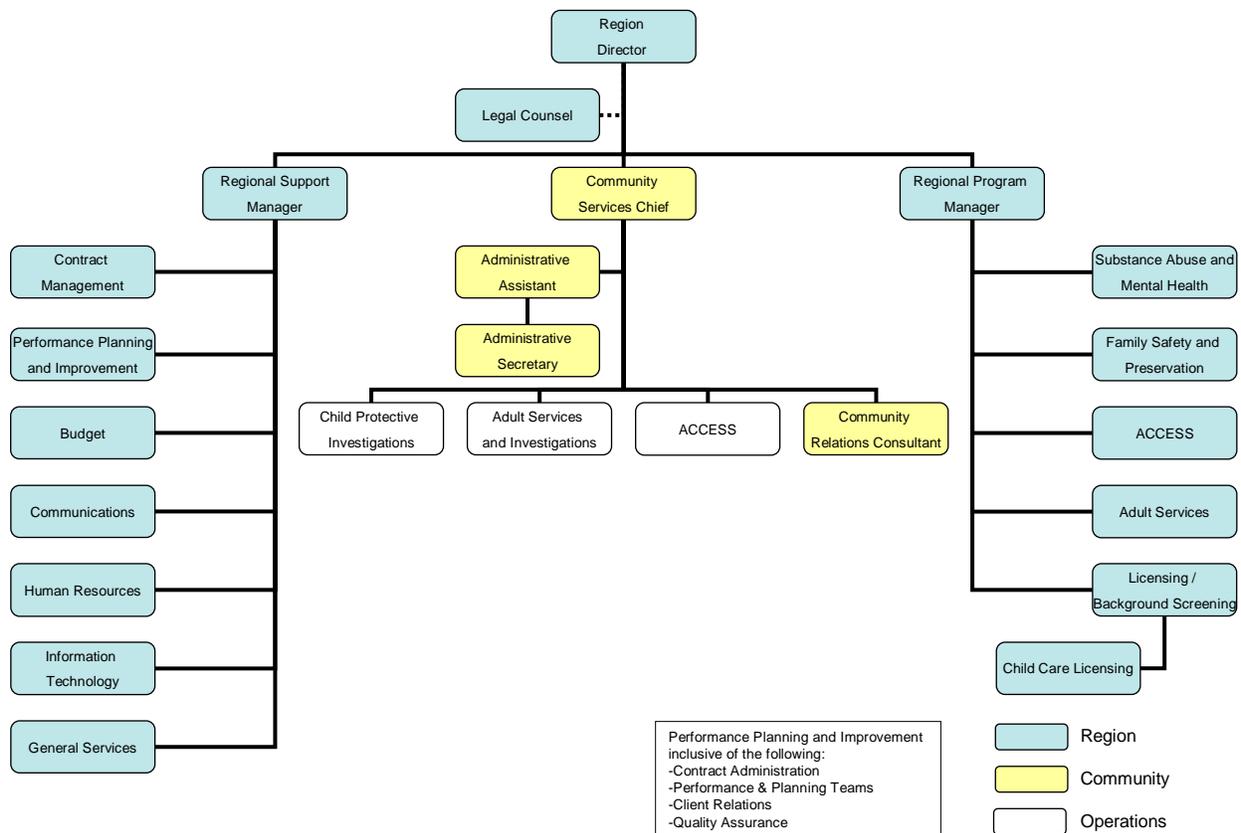
<sup>40</sup> Id.

Currently, the 15 service districts established in ch. 20, F.S., are not fully aligned with the existing boundaries of judicial circuits, such that implementation of a circuit-based model would expand the number of service districts to 20. Under the Work Group recommendations, regional headquarters would be located in Tallahassee, Jacksonville, Orlando, Ft. Lauderdale, and Tampa, with each regional director providing oversight and direction to all departmental programs, service delivery, administrative services and operations within the region.

When the first 11 service districts were established in the 1970s, it was anticipated that they would each have a similar organizational structure. Over time, however, the district organizational structures developed quite differently, resulting in a lack of standardization that made management more difficult. One of the goals of the regional structure implemented in the SunCoast region was to provide a basis for statewide standardization of structure and business practice.<sup>41</sup>

The Work Group report recommends the following standardized template for structuring the proposed regions:

Table 3  
Standard Organizational Structure for Region and Circuit



Source: Florida Department of Children and Families

<sup>41</sup> Florida Department of Children and Families, “Metasummary” of Prototype Region Evaluations, July 1, 2001 – January 31, 2002. Available at: <http://www.dcf.state.fl.us/publications/docs/newreptmeta4.pdf>

Under this proposal, many of the administrative functions currently performed at the zone and district levels would be consolidated under the authority of regional directors who would report directly to the Assistant Secretary for Operations. The recommended core structure for each community services circuit is designed with the intent of focusing on the community “with an absence of heavily bureaucratic administrative functions.”<sup>42</sup>

The template is intended to serve as a guide, although the Work Group also recommends that regional directors work with agency heads to determine appropriate personnel allocations for each circuit or region.

### *Substance Abuse and Mental Health*

In reviewing the organization of Substance Abuse and Mental Health, the Work Group concluded that “the creation of the position of Assistant Secretary for Substance Abuse and Mental Health (SAMH) with a separate chain of command for SAMH personnel in the field, albeit necessary at one time to assure proper attention to the issue, has created a silo which impedes both communication and effective management of Departmental field resources.”<sup>43</sup> Work Group recommendations pertaining to Substance Abuse and Mental Health include:<sup>44</sup>

- Integration of services into the department’s overall programmatic approach to service provision. These programs should fall within the purview of a reestablished Assistant Secretary for Programs, with regional field personnel reporting to the appropriate regional structure.
- Creation of an ombudsman position to deal with service providers.

### **Agency Sunset Review**

In 2006, the Legislature passed the Florida Government Accountability Act,<sup>45</sup> which established a Sunset Review process for state agencies. The Act specifies July 1, 2009, as the date of review for the Department of Children and Family Services.<sup>46</sup>

No later than January 1 of the year preceding the scheduled review (January 1, 2008), the department must provide a comprehensive report assessing its performance to the Legislative Sunset Advisory Committee appointed by the Senate and House of Representatives pursuant to s. 11.903, F.S.<sup>47</sup> Upon receipt of this report, OPPAGA must conduct a program evaluation and justification review before submitting a report of this review to the Legislature. The Legislative Sunset Advisory Committee must review these reports and provide recommendations regarding

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<sup>42</sup> Id.

<sup>43</sup> Id.

<sup>44</sup> Id.

<sup>45</sup> s. 1, ch. 2006-146, L.O.F.

<sup>46</sup> s. 11.905(2)(a), F.S.

<sup>47</sup> s. 11.9069, F.S., establishes detailed requirements for the content of the report.

the agency's continuation, abolition, or reorganization no later than March 1 of the year in which the agency is scheduled for review (March 1, 2009).<sup>48</sup>

### **Agency Records**

Currently, s. 839.13(2)(a), F.S., provides that “[a]ny person who knowingly falsifies by altering, destroying, defacing, overwriting, removing, or discarding an official record relating to an individual in the care and custody of a state agency, which act has the potential to detrimentally affect the health, safety or welfare of that individual, commits a felony of the third degree . . .”

Similarly, s. 839.13(2)(c), F.S., provides that “[a]ny person who knowingly falsifies by altering, destroying, defacing, overwriting, removing, or discarding records of the Department of Children and Family Services or its contract provider with the intent to conceal a fact material to a child abuse protective investigation, protective supervision, foster care and related services, or a protective investigation or protective supervision of a vulnerable adult . . . commits a felony of the third degree . . .”

Sections 839.13(2)(a) and (b), F.S., make it unlawful to falsify records if the falsification is made possible through certain actions: altering, destroying, defacing, overwriting, removing or discarding. These actions apply specifically to documents already in existence. The prohibitions against falsification do not include documents that are falsely created or generated.

For example, an investigator might document a home visit that did not in fact occur. Because the false document was *created* rather than altered, destroyed, defaced, overwritten, removed or discarded, s. 839.13, F.S., may not apply to the document or the investigator.

### **III. Effect of Proposed Changes:**

Section 1 of the bill provides that, notwithstanding s. 20.19, F.S., DCF is authorized to begin the process of reorganization. Any modifications to its organizational structure must be compatible with the Sunset Review scheduled pursuant to s. 11.905, F.S., and is subject to further Legislative review.

The bill directs DCF to integrate Substance Abuse and Mental Health programs into the overall structure and priorities of the department. It also authorizes the department to plan for realignment of department districts with judicial circuits and to phase in organizational changes to ensure that children currently in the system are not adversely impacted.

The department is required to submit to the Legislature a report on its organizational modifications which details progress in establishing regions and integrating Substance Abuse and Mental Health programs into the department's overall structure. This report must identify all actions taken or planned to be taken as well as a plan for the realignment of districts. It is to be submitted no later than January 1, 2008, concurrently with the Sunset Review Report.

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<sup>48</sup> s. 11.910, F.S., establishes criteria for review, and s. 11.9055, F.S., provides that an agency subject to review by the Legislative Committee on Sunset Review shall be abolished on June 30 following its specified date of review unless the Legislature continues the agency or advisory committee.

The bill authorizes DCF to establish community partnerships at the request of local communities. These partnerships may advise DCF regarding the improvement and coordination of community-based services. The Secretary may also establish advisory groups at the state level to enhance communication with stakeholders, community leaders, and client representatives.

Members of any community partnership or advisory groups will serve without compensation, but are entitled to reimbursement for per diem and travel expenses as well as pre-approved child care expenses or lost wages for members who are consumers of department services or who demonstrate hardship. Members are subject to the Code of Ethics for Public Officers and Employees, and all partnership and advisory group meetings are open to the public and subject to the public records provisions of s. 119.07(1), F.S.

This section will take effect upon becoming a law and expires on June 30, 2008.

Section 2 amends paragraphs (2)(a) and (c) of s. 839.13, F.S., making it clear that any person who knowingly falsifies, alters, destroys, defaces, overwrites, removes or discards certain records commits a felony of the third degree. As amended, the statute will address individuals who create or generate falsified records, as well as those who falsify existing records.

This section will take effect on July 1, 2007.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

**C. Government Sector Impact:**

The bill provides that members of community partnerships or advisory groups are entitled to receive reimbursement for certain expenses. However, the bill also specifies that all such payments must be within existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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## **VIII. Summary of Amendments:**

None.

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This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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