

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 509 Children's Services
SPONSOR(S): Healthcare Council; Ausley and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 564

DIRECTOR	REFERENCE	ACTION	ANALYST	STAFF
1)	<u>Committee on Healthy Families</u>	<u>7 Y, 0 N</u>	<u>Mitchell</u>	<u>Mitchell</u>
2)	<u>Healthcare Council</u>	<u>15 Y, 0 N, As CS</u>	<u>Mitchell</u>	<u>Gormley</u>
3)	<u>Policy & Budget Council</u>	<u></u>	<u></u>	<u></u>
4)	<u></u>	<u></u>	<u></u>	<u></u>
5)	<u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

CS/HB 509 creates a Children and Youth Cabinet in the Office of the Governor.

The bill also does the following:

- Provides legislative intent and findings;
- Designs the structure of the Cabinet including membership of state agency heads and others;
- Outlines the duties and responsibility of the Cabinet that include a strategic plan, outcome measures, an impact statement on proposed legislation, a children and youth based budget through a children and youth estimating conference, and identify existing and potential funding streams for children's services;
- Gives authority to the Governor to appoint an advisory board; and
- Requires the adoption of an Annual Report.

The bill appears to have an insignificant fiscal impact on state government.

The effective date of the bill is July 1, 2007.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

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DATE: 4/18/2007

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – The bill establishes a Children and Youth Cabinet in the Executive Office of the Governor.

Empower Families – The bill specifies that one of the responsibilities of the Cabinet is to improve child, youth and family outcomes.

B. EFFECT OF PROPOSED CHANGES:

HB 509 creates within the Executive Office of the Governor a Children and Youth Cabinet. The bill also does the following:

- Provides legislative intent and findings;
- Designs the structure of the Cabinet including the members;
- Outlines the duties and responsibility of the Cabinet that include a strategic plan, outcome measures, an impact statement on proposed legislation, and a children and youth based budget through a children and youth estimating conference;
- Gives authority to the Governor to appoint an advisory board; and
- Requires the adoption of an Annual Report.

The bill provides that the Legislature recognizes all state agencies providing services to youth should work together to provide a full continuum of services to youth. The bill charges the Cabinet to foster public awareness of children's issues and promote children's issues to the Legislature. The Cabinet is responsible for promoting children's issues and developing new partners to serve children.

Members of the Cabinet are established in statute as:

- The Governor, who serves as the chair of the Cabinet;
- The Secretary of Children and Family Services;
- The Secretary of Juvenile Justice;
- The Director of the Agency for Persons with Disabilities;
- The Director of the Agency for Workforce Innovation;
- The Secretary of Health;
- The Secretary of Health Care Administration;
- The Commissioner of Education;
- The Director of the Statewide Guardian Ad Litem Office;
- The Director of the Office of Child Abuse Prevention; and
- Five members representing children and youth advocacy organizations, who are not service providers and who are appointed by the Governor by October 1, 2007.

The bill requires the Children and Youth Cabinet to develop a strategic plan by December 31, 2007, to align all of the public resources to serve youth and their families. The strategic plan will consist of services from prenatal care through the transition to adulthood and create measurable outcomes for those services. The Children and Youth Cabinet is required to measure the outcomes developed in the strategic plan continuously.

The bill requires the cabinet to design action plans that will promote collaboration, creativity, increased efficiency, information sharing, and improved service delivery among and within state governmental organizations that provide services for children and youth and their families.

The bill requires the cabinet to create an impact statement for evaluating proposed legislation, develop a children-and-youth-based budget through a children and youth estimating conference, and identify existing and potential funding streams for children's services.

The bill requires an annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the public concerning the cabinet's activities and progress.

The effective date of the bill is July 1, 2007.

THE PRESENT SITUATION:

Over the last several years, several states have adopted the children's cabinet to improve and streamline children's services. Florida has a long history of efforts to coordinate children's services at both the state and local level, but has not created a Governor's level cabinet for this purpose.

Currently, all but three of the departments that make up the membership of the cabinet report directly to the Governor. The exceptions are the Commissioner of Education, Director of Statewide Guardian Ad Litem Office, and the Director of the Office of Child Abuse Prevention. Under the Governor's direction, the other seven agencies have the opportunity to collaborate on the development and delivery of children's services.

The proposal for a children's cabinet in the Governor's office has wide support among child advocates statewide. The proposed structure and functions of the cabinet are based on experiences and activities of children's cabinets in other states.

CHILDREN'S CABINETS IN OTHER STATES

According to A Governor's Guide to Children's Cabinets from the National Governor's Association (NGA Center for Best Practices, 2004) at least 16 states have a Children's Cabinet. The cabinets' missions vary from single-purpose, short-term initiatives to more comprehensive, continuous efforts. Some cabinets disappear with new administrations. Others are codified in statute.

Children's cabinets in states such as Arizona and Tennessee, for example, were established by governors in response to a crisis, such as the death of a foster care child. In these circumstances, cabinet members serve in an advisory capacity to the Governor to identify and resolve problems that contributed to the crisis.

In other states, cabinets may pool funding and resources across member departments, set budgets or create strategic plans around children's issues and policies for the state, or even leverage new resources to support children's initiatives. Cabinets may set policies, track outcomes, and provide technical assistance to local government, or distribute and oversee grants to local initiatives or organizations.

The Cabinet structures in Ohio, Oregon, and West Virginia, for example, are more complex, and work with county-level commissions or councils to improve the service delivery system. In Kansas the Children's Cabinet grew out of an advisory committee to a special trust fund established in 1980 to provide grants to community based programs to prevent child abuse and neglect.

Typical duties of children's cabinets in other states include:

- Creating strategic plans around children's issues and policies for the state.
- Setting goals with measurable outcomes for their member agencies to achieve.
- Making funding and policy recommendations to their governor.
- Pooling diverse funding streams to improve service delivery across agencies or even leveraging new resources to support children's initiatives.
- Setting policies, tracking outcomes and providing technical assistance to local government, and/or distributing and overseeing grants to local initiatives or organizations.

For an effective structure and function, the Governor's association report recommends appointing members with decision-making authority who are representative of key stakeholder groups, and formally launching the cabinet with guidelines on how to do so, through an executive order, legislation, or less formal means.

Children's cabinets typically involve senior state officials, including cabinet executives from a range of state agencies (i.e., health, mental health, education, child care, income supports, child and family services, youth development, labor, and juvenile justice services.). Many include representatives of key stakeholders from the private sector.

Some children's cabinets produce a cross-department "Children's Budget" for the governor, which includes funding recommendations for children's initiatives. The cabinet can help identify all existing funding streams and resources for children's services and help the governor prioritize funding decisions in alignment with his/her goals for child outcomes. This may be useful especially in times of state fiscal hardship. Louisiana's Cabinet is charged with developing a Children's Budget based on the recommendations of its members, the advisory board, and other stakeholders. The Budget includes recommended line items and amounts, as well as priority rankings for each item in terms of the Cabinet's overall agenda.

Children's cabinets often pool different federal, state, or private funding streams to make service delivery more efficient across departments. The West Virginia Children's Cabinet has pooled funding across departments and from different federal sources to support the operational grants awarded to local Family Resource Networks. Federal funds pooled in West Virginia include Medicaid, Temporary Assistance for Needy Families (TANF), Community Services Block Grant, Safe and Stable Families, and Community Based Family Resource and Support (Child Abuse and Prevention Treatment Act, Title II). The pooled funding also includes state and private foundation resources. In past years, the Cabinet also has pooled state appropriations, federal and foundation funds for specific initiatives.

Because of such strategic duties, the Governor's association report recommends that cabinets have dedicated staff and funding. Some Cabinets have dedicated staff directors or support staff, while others expect cabinet members to donate their own department's staff time to support Cabinet activities. Staff duties vary widely, including research, needs assessment, policy analysis and grants management. Staff often represent the cabinet across the state, leading town hall meetings or other public forums to collect information and build public will for cabinet efforts. The staff can assure that the information provided to the Cabinet is correct and comprehensive and can provide support for the Cabinet meetings. Many cabinets also deploy their staff to provide technical assistance to local initiatives.

Cabinet operations require some financial or in-kind resources in order to implement their plans. Some cabinets are funded directly in the state budget, often with Tobacco settlement or general funds, while others receive funding or in-kind donations of staff time from member agencies. In one state, cabinet funding is provided through small interagency transfers from each agency involved in the cabinet. Cabinets also raise funds from private foundations or federal programs.

C. SECTION DIRECTORY:

Section 1. Creates an unnumbered section of the Florida Statutes to establish a Children and Youth Cabinet in the Executive Office of the Governor.

Section 2. Provides an effective date July 1, 2007.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See fiscal comments below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

Travel expenses of the Children's Cabinet would be funded with existing budget in state agencies. Non-governmental members would be entitled to per diem and travel expenses. Based on estimates of required travel to at least 6 meetings outside of Tallahassee and assuming an average cost of \$500 per occasion, travel expenses would be \$3,000 per person for at least 15 people for a total of at least \$45,000, which must be absorbed by the budget in the Executive Office of the Governor.

The requirements to develop strategic plans, reports, and a children's budget may necessitate dedicated staff for the cabinet. Any staff time required to carry out these functions would need to be provided by existing resources in state agencies.

No appropriation is contained in the bill.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

No statement provided.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On April 17, 2007, the Healthcare Council adopted the amendment traveling with the bill, and voted the bill favorably as a council substitute.

On March 20, 2007, the Committee on Healthy Families adopted an amendment by the bill sponsor that is traveling with the bill, and voted the bill favorably.

- The amendment adds the requirement that the Children and Youth Cabinet identify existing and potential funding streams and resources.