

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 279 Certification of Child Welfare Personnel
SPONSOR(S): Health & Human Services Access Subcommittee; Davis
TIED BILLS: **IDEN./SIM. BILLS:** SB 380

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Health & Human Services Access Subcommittee	12 Y, 0 N, As CS	Batchelor	Schoolfield
2) Health Care Appropriations Subcommittee			
3) Health & Human Services Committee			

SUMMARY ANALYSIS

The bill amends legislative intent by eliminating the responsibility of the Department of Children and Family Services (DCF) to establish, maintain and oversee child welfare training academies and by requiring that persons providing child welfare services earn and maintain a certification from a third party credentialing entity that is approved by DCF.

The bill creates definitions for the terms "child welfare certification," "core competency," "pre-service curriculum," and "professional credentialing entity."

The bill also provides requirements for a credentialing entity to secure DCF approval and requires the department to approve core competencies and related pre-service curricula.

The use of the Child Welfare Training Trust Fund is amended, and the child welfare training academies are eliminated.

The bill provides for entities to contract for training and grants reciprocity to individuals who hold certificates issued by the department for a specified period of time. The bill also eliminates the ability of the department to develop certification programs.

The bill is estimated to create a net savings of approximately \$950,968 in the first year and \$1,123,393 in recurring years.

Provides an effective date of October 1, 2011.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Statewide Training

Currently, DCF is required to provide a systematic approach to staff development and training for persons providing child welfare services.¹ The department is authorized to create certification programs to ensure that only qualified employees and service providers provide client services.² The department works with various stakeholders to ensure that minimum curriculum standards and core competencies are uniform and that service providers (e.g. Sheriff's Offices and Community Based Care Organizations (CBC's)) can adjust those standards to meet local needs.

The department has the authority to develop rules that include qualifications for certification, including training and testing requirements, continuing education requirements for ongoing certification, and decertification procedures to be used to determine when an individual no longer meets the qualifications for certification and to implement the decertification of an employee or agent.³

The department is also required to establish child welfare training academies to perform one or more of the following: to offer developed training curricula; to administer the certification process; to develop, validate, and periodically evaluate additional training curricula determined to be necessary, including advanced training that is specific to a region or contractor, or that meets a particular training need; or to offer any additional training curricula. The department currently contracts with Florida Atlantic University and the University of South Florida to provide the child welfare training academy.

Child Welfare Certification Process

The certification process requires that each individual demonstrate the knowledge, skills and ability to competently carry out their duties as a Florida Child Protection Professional. Each individual in a position requiring certification must be certified within one year of the date of hire, or within one year of having successfully completed a post-test or a waiver test, whichever is earlier.⁴ Currently, there are 11 types of certification designations for child protection professionals:

- Child Protective Investigator;
- Child Protective Investigations Supervisor;
- Child Protective Investigations Specialist;
- Child Protection Case Manager;
- Child Protection Case Management Supervisor;
- Child Protection Case Management Specialist;
- Child Protection Licensing Counselor;
- Child Protection Licensing Supervisor;
- Child Protection Licensing Specialist;
- Child Protection Specialized Services Professional; and
- Child Welfare Trainer.⁵

¹s. 402.40(1), F.S.

² s.402.731, F.S.

³ *Id*

⁴ Chapter 65C-33.001,F.A.C.

⁵ Chapter 65C-33.001,F.A.C.

Each position classification has a different training, testing and certification requirement depending on the duties they perform. DCF estimates that during calendar year 2010, they initially certified 1,098 and recertified 1,239 child welfare professionals in the investigative, case management, and licensing specialties. There are currently 1,475 child protective investigators (employed either through DCF or sheriff's offices) and 2,200 case managers (employed by CBCs or subcontractors) statewide. More than half of the state's child welfare professionals (2,377 or 64%) who are required to be certified are currently certified. The remaining individuals are in the process of achieving certification, as newly hired staff or they have not yet met minimum certification requirements.⁶

In addition, there are currently 344 child welfare professionals who have met certification requirements to be a Child Welfare Trainer. These staff are employed by community-based care agencies, sheriff's offices, or the department. Certified child welfare trainers teach the department-approved standard pre-service curriculum, and the content must be delivered in its entirety to all newly-hired child protective investigative and case management staff statewide.⁷ The intent of this model is to ensure that all necessary statutory, policy, procedural and best practice information is conveyed to child welfare personnel by qualified child welfare trainers and that minimum competency requirements are consistent statewide.⁸

Federal Requirements for Child Welfare Training, Child and Family Services Plan

Federal regulations require states to prepare a five-year plan, the Child Family Services Plan (CFSP), which lays out the framework for a system of coordinated, integrated, culturally relevant family focused services in the state child welfare agencies.⁹ All training activities and funding for Title IV-E must be included in the agencies training plan.¹⁰ This plan must be submitted and approved by the federal Administration of Families (ACF). According to DCF, failure to obtain approval prior to changing training requirements could jeopardize federal funding.¹¹

Child Welfare Training Trust Fund

The Child Welfare Training Trust Fund was created to be used by DCF for the purpose of funding child welfare training and for securing consultants to develop the training system.¹² The trust fund receives \$1 dollar from certain non-criminal traffic infractions,¹³ receives monies from an additional fee on birth certificates and dissolution of marriage filings¹⁴ and may receive funds from any other public or private source.¹⁵

The Florida Certification Board

According to DCF, The Florida Certification Board (FCB) is currently the only certification board in the state that provides a child welfare certification. The FCB provides a number of certifications, including those for substance abuse counselors, prevention specialists, criminal justice professionals, mental health professionals, and behavioral health technicians in Florida. FCB does not offer or provide child welfare training.¹⁶ However, the FCB does offer a Child Welfare Case Manager (CWCM) certification as one of its professional certification programs. The FCB reports that 193 individuals have an active CWCM certification, and almost all of those individuals are employed by CBCs.

⁶ HB 279 (2011) Department of Children and Families Bill Analysis, on file with committee staff.

⁷ F.S.

⁸ s.402.40, F.S.

⁹ 45 CFR 1357.15

¹⁰ 45 CFR 1356.60(b)(2)

¹¹ HB 279 (2011) Department of Children and Families Bill Analysis, on file with committee staff.

¹² s.402.40(5)(a), F.S.

¹³ ss.318.14(19)(b) and 318.18, F.S.

¹⁴ ss.382.0255 and 28.101, F.S.

¹⁵ s. 402.40, F.S.

¹⁶ The Florida Certification Board, <http://www.flcertificationboard.org>

Effect of Proposed Changes

The bill provides that the department work in collaboration with child welfare stakeholders to ensure that child welfare staff have the knowledge and skills to competently provide child welfare services. Eliminates DCF's child welfare training program established in s. 402.40 and replaces it with a child welfare personnel certification from a professional credentialing organization approved by DCF.

The bill provides definitions for:

- child welfare certification;
- core competency;
- preservice curriculum;
- third party credentialing entity

The bill establishes that DCF shall approve one or more professional credentialing entities for awarding child welfare certification. The professional credentialing agency will:

- establish requirements and standards for obtaining a child welfare certification,
- develop core competencies,
- maintain a code of ethics and disciplinary process for persons holding certification,
- maintain a database accessible to the public of all persons holding certifications and
- require annual continuing education requirements.

The bill provides that community based care agencies, sheriff's offices, and the department may contract for the delivery of preservice and additional training for persons delivering child welfare services if that training satisfies department approved core competencies.

The bill amends the purpose of the Child Welfare Training Trust Fund, to be used for funding the professional development of persons providing child welfare services.

The bill provides that credentialing entities shall for a period of no less than a year from the implementation of certification programs grant reciprocity and award certification to individuals in good standing who hold certification issued by the department at no cost to the state or the individual.

The bill restores DCF's rulemaking authority and eliminates DCF's the ability to create certification programs.

B. SECTION DIRECTORY:

Section 1: Amends s. 402.40, F.S., as it relates to Certification of Child Welfare Personnel.

Section 2: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DCF estimates that by eliminating contracts for the development and maintenance of curriculum and training as well as the services provided by the training academies there could be a \$1.3 million dollar savings, including reductions in training academy staff at the University of South Florida and Florida Atlantic University.

However, DCF also estimates that first year costs to certify the DCF employed Child Protective Investigators (CPI) would be about \$349,031.25. The recurring annual cost to account for turnover will be about \$176,606.25.

It is estimated that DCF will have a net savings of \$950,968.75 in the first year and \$1,123,393.75 in recurring years.

DCF Child Protective Investigator (CPI)/CPI Supervisor Cost Calculation

First-Year Costs:

1,241 x 225 =	\$279,225.00
1,241 x .25 x \$225 =	\$ <u>69,806.25</u>
Total First Year Costs:	\$349,031.25

Since the bill imposes both initial and ongoing certification costs, given the approximate 25% annual turnover rate of child welfare staff statewide, subsequent estimated recurring annual costs would be approximately:

Recurring Annual Costs:

1,241 x .75 x \$100 =	\$106,800.00
1,241 x .25 x \$225 =	\$ <u>69,806.25</u>
Total Recurring Costs:	\$176,606.25

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Currently, the child welfare case managers employed by CBC's and subcontractors receive the training required by s.402.40, F.S. from DCF at no additional cost. . With the changes proposed in the bill, certification costs would be the responsibility of the CBC's and or subcontractors to certify the 2200 child welfare case managers in the state. In addition, there are 234 child protective investigators at various contracted Sheriff's offices who will also need to be certified. The cost for certifying these staff will be the responsibility of the Sheriff's offices.

First Year Costs:

2200 CBC case managers x \$225 =	\$495,000
234 CPI's in Sheriff's offices x \$225 =	\$ 52,650
2200 CBC case managers x .25 x \$225 =	\$123,750
234 CPI's in Sheriff's offices x .25 x \$225 =	\$ <u>13,162</u>
Total First Year Costs:	\$ 684,562.

Since the bill imposes both initial and ongoing certification costs, given the approximate 25% annual turnover rate of child welfare staff statewide, subsequent estimated recurring annual costs would be approximately:

Recurring Annual Costs:

2200 CBC case managers x .75 x 100 =	\$ 165,000
234 CPI's in Sheriffs offices x .75 x 100 =	\$ 17,550
2200 CBC case managers x .25 x 225 =	\$ 123,750
234 CPI's in Sheriffs offices x .25 x 225 =	<u>\$ 13,162</u>
Total Recurring Costs:	<u>\$ 319,462</u>

D. FISCAL COMMENTS:

The cost to provide child welfare certification by private sector CBCs and their contractors will be a potentially new cost to be covered by these organizations.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The 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:

According to DCF, failure to obtain approval from the Administration on Children and Families prior to changing and implementing new training requirements could jeopardize federal funding.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 16, 2011, the Health and Human Services Access Subcommittee adopted a proposed committee substitute for House Bill 279. The proposed committee substitute made the following changes to HB 279:

- Provides that the department work in collaboration with child welfare stakeholders to ensure that child welfare staff have the knowledge and skills to competently provide child welfare services;
- Adds a definition for the terms “core competencies” and “pre-service curricula;
- Provides for the department to approve core competencies and related pre-service curricula;
- Provides that the development of pre-service curricula be a collaborative effort that includes third-party credentialing entities;

- Provides that community-based care agencies, sheriff's offices, and the department may contract for the delivery of pre-service and any additional child welfare training as long as the curriculum satisfies the approved core competencies;
- Provides that credentialing entities shall for a period of no less than a year from the implementation of certification programs grant reciprocity and award certification to individuals in good standing who hold certification issued by the department at no cost to the state or the individual;
- Restores the department's rulemaking authority; and
- Eliminates the ability of DCF to create certification programs.

The bill was reported favorably as a committee substitute. The analysis reflects the committee substitute.