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By the Committee on Appropriations; and Senator Simpson

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A bill to be entitled An act relating to the Department of Children and Families; amending s. 20.19, F.S.; revising duties and membership of community alliances; requiring the department to establish an Office of Quality; providing duties of the office; requiring the office to develop and submit a report to the Governor and the Legislature annually by a specified date; authorizing the department to adopt rules; amending s. 402.402, F.S.; deleting obsolete language; requiring the department to implement certain policies and programs; expanding requirements for an annual report required to be submitted by the department to the Governor and the Legislature; requiring that attorneys contracted with the department receive certain training; amending s. 409.988, F.S.; requiring community-based care lead agencies to identify an employee to serve as a liaison with the community alliance and community-based and faith-based organizations; requiring community-based care lead agencies to ensure that appropriate lead agency staff and subcontractors are informed of specified services and assistance; amending s. 409.991, F.S.; defining the term "core services funds"; requiring the department to develop a methodology to identify and report the optimal level of funding for community-based care lead agencies; providing requirements for the allocation of core services funds; requiring the Secretary of Children and Families to submit a report to the Governor and

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Legislature annually by a specified date; providing requirements for such report; authorizing the department to adopt rules; requiring certain funding to be allocated based on the department's methodology, unless otherwise specified in the General Appropriations Act; amending s. 409.996, F.S.; deleting a provision requiring the department to contract with the state attorney for certain services; authorizing the department to contract for the provision of children's legal services; providing requirements for contracted attorneys; requiring the department and contracted attorneys to collaborate to monitor program performance; requiring the department to conduct annual program performance evaluations; providing requirements for such evaluations; requiring the department to annually publish a report; providing requirements for such report; requiring the department to annually submit such report to the Governor and Legislature by a specified date; requiring the department to develop a statewide accountability system; requiring that such system be implemented by a specified date; providing requirements for such accountability system; requiring the department and lead agencies to promote enhanced quality service delivery; requiring the department to submit a report to the Governor and the Legislature annually by a specified date; authorizing the department to adopt rules; requiring the department to implement pilot projects to improve child welfare outcomes in

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specified judicial circuits; requiring the department to establish performance metrics and standards to implement the pilot projects; requiring lead agencies in specified judicial circuits to provide certain data to the department each quarter; requiring the department to review such data; authorizing the department to advance incentive funding to certain lead agencies that meet specified requirements; requiring the department to include certain results in a specified report; providing for future expiration; amending s. 1004.615, F.S.; requiring the Florida Institute for Child Welfare and the Florida State University College of Social Work to design and implement a child welfare practice curriculum; requiring the institute to disseminate the curriculum to certain state universities and colleges; requiring the institute to contract with a person or entity by a specified date to evaluate the curriculum and make recommendations for improvement; requiring the college to implement the curriculum during a specified school year; requiring the institute, in collaboration with specified entities and individuals, to design and implement professional development curriculum for child welfare professionals; providing requirements for such curriculum; requiring that such curriculum be available by a specified date; requiring the department to approve the curriculum before implementation; requiring the institute to establish a consulting program; providing that specified

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provisions are subject to an appropriation; requiring the department, in collaboration with the institute, to develop a proposal for a career ladder for child protective investigations staff; providing requirements for such career ladder; requiring the department to submit a proposal for such career ladder to the Governor and the Legislature by a specified date; providing appropriations; providing a short title; providing an effective date.

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

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Section 1. Paragraphs (b) and (d) of subsection (5) of section 20.19, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

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20.19 Department of Children and Families.—There is created a Department of Children and Families.

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(5) COMMUNITY ALLIANCES.-

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(b) The duties of the community alliance include, but are not limited to:

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1. Joint planning for resource utilization in the community, including resources appropriated to the department and any funds that local funding sources choose to provide.

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2. Needs assessment and establishment of community priorities for service delivery.

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3. Determining community outcome goals to supplement state-required outcomes.

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4. Serving as a catalyst for community resource development, including, but not limited to, identifying existing

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programs and services delivered by and assistance available from community-based organizations and faith-based organizations, and encouraging the development and availability of such programs, services, and assistance by such organizations. The community alliance shall ensure that the community-based care lead agency is aware of such programs, services, and assistance and work to facilitate the lead agency's appropriate use of these resources.

- 5. Providing for community education and advocacy on issues related to delivery of services.
  - 6. Promoting prevention and early intervention services.
- (d) The initial membership of the community alliance in a county, at a minimum, must shall be composed of the following:
  - 1. A representative from the department.
  - 2. A representative from county government.
  - 3. A representative from the school district.
  - 4. A representative from the county United Way.
  - 5. A representative from the county sheriff's office.
- 6. A representative from the circuit court corresponding to the county.
- 7. A representative from the county children's board, if one exists.
- 8. A representative of a faith-based organization involved in efforts to prevent child maltreatment, strengthen families, or promote adoption.
- (7) OFFICE OF QUALITY.—The department shall establish an enterprise-wide Office of Quality to ensure that the department and contracted service providers meet the highest levels of performance standards.
  - (a) Duties of the office include, but are not limited to,

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all of the following:

1. Identifying performance standards and metrics for department programs and all other service providers, including, but not limited to, behavioral health managing entities, community-based care lead agencies, and attorney services.

- 2. Conducting ongoing quality assurance reviews of department programs and contracted service providers on at least a quarterly basis using cases randomly selected by the department.
- 3. Strengthening the department's data and analytic capabilities to identify systemic strengths and deficiencies.
- 4. In consultation with the department's program offices, recommending unique and varied initiatives to correct programmatic and systemic deficiencies.
- 5. Collaborating and engaging partners of the department to improve service quality, efficiency, and effectiveness.
- 6. Reporting any persistent failure by the department or contracted providers to meet performance standards and recommending corrective actions to the secretary.
- 7. By each December 1, developing and submitting an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives for the preceding fiscal year which encompasses all legislatively mandated statewide reports required to be issued by the department.
- (b) The department may adopt rules to administer this subsection.
- Section 2. Section 402.402, Florida Statutes, is amended to read:
  - 402.402 Child protection and child welfare personnel;

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attorneys employed by the department.-

- (1) CHILD PROTECTIVE INVESTIGATION PROFESSIONAL STAFF REQUIREMENTS.—The department is responsible for recruitment of qualified professional staff to serve as child protective investigators and child protective investigation supervisors. The department shall make every effort to recruit and hire persons qualified by their education and experience to perform social work functions. The department's efforts shall be guided by the goal that by July 1, 2019, at least half of all child protective investigators and supervisors will have a bachelor's degree or a master's degree in social work from a college or university social work program accredited by the Council on Social Work Education. The department, in collaboration with the lead agencies, subcontracted provider organizations, the Florida Institute for Child Welfare created pursuant to s. 1004.615, and other partners in the child welfare system, shall develop a protocol for screening candidates for child protective positions which reflects the preferences specified in paragraphs (a)-(f). The following persons shall be given preference in the recruitment of qualified professional staff, but the preferences serve only as guidance and do not limit the department's discretion to select the best available candidates:
- (a) Individuals with baccalaureate degrees in social work and child protective investigation supervisors with master's degrees in social work from a college or university social work program accredited by the Council on Social Work Education.
- (b) Individuals with baccalaureate or master's degrees in psychology, sociology, counseling, special education, education, human development, child development, family development,

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marriage and family therapy, and nursing.

- (c) Individuals with baccalaureate degrees who have a combination of directly relevant work and volunteer experience, preferably in a public service field related to children's services, demonstrating critical thinking skills, formal assessment processes, communication skills, problem solving, and empathy; a commitment to helping children and families; a capacity to work as part of a team; an interest in continuous development of skills and knowledge; and personal strength and resilience to manage competing demands and handle workplace stresses.
- (2) SPECIALIZED TRAINING.—All child protective investigators and child protective investigation supervisors employed by the department or a sheriff's office must complete specialized training either focused on serving a specific population, including, but not limited to, medically fragile children, sexually exploited children, children under 3 years of age, or families with a history of domestic violence, mental illness, or substance abuse, or focused on performing certain aspects of child protection practice, including, but not limited to, investigation techniques and analysis of family dynamics. The specialized training may be used to fulfill continuing education requirements under s. 402.40(3)(e). Individuals hired before July 1, 2014, shall complete the specialized training by June 30, 2016, and individuals hired on or after July 1, 2014, shall complete the specialized training within 2 years after hire. An individual may receive specialized training in multiple areas.
  - (3) STAFF SUPPORT.—The department shall implement policies

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233 and programs that mitigate and prevent the impact of secondary
234 traumatic stress and burnout among child protective
235 investigations staff, including, but not limited to:

- (a) Initiatives to encourage and inspire child protective investigations staff, including recognizing their achievements on a recognition wall within their unit.
- (b) Formal procedures for providing support to child protective investigations staff after a critical incident such as a child fatality.
- (c) Initial training upon appointment to a supervisory position and annual continuing education for all supervisors on how to prevent secondary traumatic stress and burnout among the employees they supervise.
- (d) Monitoring levels of secondary traumatic stress and burnout among individual employees and intervening as needed.

  The department shall closely monitor and respond to levels of secondary traumatic stress and burnout among employees during the first 2 years after hire.
- (e) Ongoing training in self-care for all child protective investigations staff.

Such programs may also include, but are not limited, to formal peer counseling and support programs.

(4)(3) REPORT.—By each October 1, the department shall submit a report on the educational qualifications, turnover, professional advancement, and working conditions of the child protective investigators and supervisors to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

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(5)(4) ATTORNEYS EMPLOYED BY OR CONTRACTING WITH THE DEPARTMENT TO HANDLE CHILD WELFARE CASES.—Attorneys hired or contracted with on or after July 1, 2014, whose primary responsibility is representing the department in child welfare cases shall, within the first 6 months of employment, receive training in:

- (a) The dependency court process, including the attorney's role in preparing and reviewing documents prepared for dependency court for accuracy and completeness.
- (b) Preparing and presenting child welfare cases, including at least 1 week shadowing an experienced children's legal services attorney preparing and presenting cases.
- (c) Safety assessment, safety decisionmaking tools, and safety plans.  $\div$
- (d) Developing information presented by investigators and case managers to support decisionmaking in the best interest of children.; and
- (e) The experiences and techniques of case managers and investigators, including shadowing an experienced child protective investigator and an experienced case manager for at least 8 hours.

Section 3. Paragraph (1) is added to subsection (1) of section 409.988, Florida Statutes, to read:

- 409.988 Lead agency duties; general provisions.-
- (1) DUTIES.—A lead agency:
- (1) Shall identify an employee to serve as a liaison with the community alliance and community-based and faith-based organizations interested in collaborating with the lead agency or offering services or other assistance on a volunteer basis to

following:

576-04302-20 20201326c1 291 the children and families served by the lead agency. The lead 292 agency shall ensure that appropriate lead agency staff and 293 subcontractors, including, but not limited to, case managers, 294 are informed of the specific services or assistance available 295 from community-based and faith-based organizations. 296 Section 4. Section 409.991, Florida Statutes, is amended to 297 read: 298 (Substantial rewording of section. See s. 409.991, 299 F.S., for present text.) 300 409.991 Allocation of funds for community-based care lead 301 agencies.-302 (1) As used in this section, the term "core services funds" means all funds allocated to lead agencies operating under 303 304 contract with the department pursuant to s. 409.987, with the following exceptions: 305 306 (a) Funds appropriated for independent living services; 307 (b) Funds appropriated for maintenance adoption subsidies; 308 (c) Funds allocated by the department for child protective 309 investigative service training; 310 (d) Nonrecurring funds; 311 (e) Designated mental health wrap-around service funds; 312 (f) Funds for special projects for a designated lead 313 agency; and 314 (g) Funds appropriated for the Guardianship Assistance 315 Program established under s. 39.6225. 316 (2) The department shall use an objective, workload-based 317 methodology to identify and report the optimal level of funding for each lead agency considering demand for each of the 318 319

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(a) Prevention services;

- (b) Client services;
- (c) Licensed out-of-home care costs; and
- (d) Staffing, using the ratio for case managers compared to the caseload requirements specified in s. 20.19(4)(c)2.
- (3) The allocation of core services funds must be based on the following:
- (a) The total optimal funding amount as determined by adding together the funding for prevention services, client services, licensed out-of-home care, and staffing.
- (b) A comparison of the total optimal funding amount to the actual allocated funding for the most recent fiscal year to determine the percentage of optimal funding the lead agency is currently receiving.
- (4) By November 1 of each year, the secretary must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes the current funding level of each lead agency based on the optimal funding level as determined by using each lead agency workload using the department's methodology. The report must identify any lead agency that is persistently funded at less than the optimal funding level and recommend strategies to address the shortfall including, but not limited to, business process redesign, the adoption of best practices, and requesting additional funding.
- (5) The department may adopt rules to establish the optimal funding levels for lead agencies.
- (6) Unless otherwise specified in the General
  Appropriations Act, the department shall allocate any new funding for core services, based on the department's

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methodology, to achieve optimal funding for all lead agencies inversely proportional to each lead agency optimal funding percentage.

(7) Unless otherwise specified in the General
Appropriations Act, the department shall consider a lead
agency's funding level compared to its optimal funding level
when allocating funding from the risk pool, as provided in s.
409.990.

Section 5. Subsections (18) through (23) of section 409.996, Florida Statutes, are renumbered (19) through (24), respectively, a new subsection (18) and subsections (25) and (26) are added to that section, and paragraph (a) of subsection (1) and subsection (17) of that section are amended, to read:

409.996 Duties of the Department of Children and Families.—
The department shall contract for the delivery, administration, or management of care for children in the child protection and child welfare system. In doing so, the department retains responsibility for the quality of contracted services and programs and shall ensure that services are delivered in accordance with applicable federal and state statutes and regulations.

- (1) The department shall enter into contracts with lead agencies for the performance of the duties by the lead agencies pursuant to s. 409.988. At a minimum, the contracts must:
- (a) Provide for the services needed to accomplish the duties established in s. 409.988 and provide information to the department which is necessary to meet the requirements for a quality assurance program pursuant to subsection (19) (18) and the child welfare results-oriented accountability system

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pursuant to s. 409.997.

(17) The department shall directly or through contract provide attorneys to prepare and present cases in dependency court and shall ensure that the court is provided with adequate information for informed decisionmaking in dependency cases, including, at a minimum, a face sheet for each case which lists the names and contact information for any child protective investigator, child protective investigation supervisor, case manager, and case manager supervisor, and the regional department official responsible for the lead agency contract. The department shall provide to the court the case information and recommendations provided by the lead agency or subcontractor. For the Sixth Judicial Circuit, the department shall contract with the state attorney for the provision of these services.

(18) (a) The department may contract for the provision of children's legal services to prepare and present cases in dependency court. The contracted attorneys shall ensure that the court is provided with adequate information for informed decisionmaking in dependency cases, including, at a minimum, a face sheet for each case which lists the names and contact information for any child protective investigator, child protective investigator supervisor, and the regional department official responsible for the lead agency contract. The contracted attorneys shall provide to the court the case information and recommendations provided by the lead agency or subcontractor. For the Sixth Judicial Circuit, the department shall contract with the state attorney for the provision of these services.

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(b) The contracted attorneys shall adopt the child welfare practice model, as periodically updated by the department, that is used by attorneys employed by the department. The contracted attorneys shall operate in accordance with the same federal and state performance standards and metrics imposed on children's legal services attorneys employed by the department.

- (c) The department and contracted attorneys providing children's legal services shall collaborate to monitor program performance on an ongoing basis. The department and contracted attorneys, or a representative from such contracted attorneys' offices, shall meet at least quarterly to collaborate on federal and state quality assurance and quality improvement initiatives.
- (d) The department shall conduct an annual program performance evaluation which shall be based on the same child welfare practice model principles and federal and state performance standards that are imposed on children's legal services attorneys employed by the department. The program performance evaluation must be standardized statewide and the department shall select random cases for evaluation. The program performance evaluation shall be conducted by a team of peer reviewers from the respective contracted attorneys' offices that perform children's legal services and representatives from the department.
- (e) The department shall publish an annual report regarding, at a minimum, performance quality, outcome-measure attainment, and cost efficiency of the services provided by the contracted attorneys. The annual report must include data and information on the performance of both the contracted attorneys' and the department's attorneys. The department shall submit the

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annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than November 1 of each year that the contracted attorneys are receiving appropriations to provide children's legal services for the department.

- (25) In collaboration with lead agencies, service providers, and other community stakeholders, the department shall develop a statewide accountability system based on measurable quality standards. The accountability system must be implemented by July 1, 2021.
  - (a) The accountability system must:
- 1. Assess the overall health of the child welfare system, by circuit, using grading criteria established by the department.
- 2. Include a quality measurement system with domains and clearly defined levels of quality. The system must measure the performance standards for child protective investigators, lead agencies, and children's legal services throughout the system of care, using criteria established by the department, and, at a minimum, address applicable federal— and state—mandated metrics.
- 3. Align with the principles of the results-oriented accountability program established under s. 409.997.
- (b) After the development and implementation of the accountability system under this subsection, the department and each lead agency shall use the information from the accountability system to promote enhanced quality service delivery within their respective areas of responsibility.
- (c) By December 1 of each year, the department shall submit a report on the overall health of the child welfare system to

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the Governor, the President of the Senate, and the Speaker of the House of Representatives.

- (d) The department may adopt rules to implement this subsection.
- (26) Subject to an appropriation, for the 2020-2021 and 2021-2022 fiscal years, the department shall implement a pilot project in the Sixth and Thirteenth Judicial Circuits, respectively, aimed at improving child welfare outcomes.
- (a) In implementing the pilot projects, the department shall establish performance metrics and performance standards to assess improvements in safety, permanency, and the well-being of children in the local system of care for the lead agencies in those judicial circuits. Such metrics and standards must be aligned with indicators used in the most recent federal Child and Family Services Reviews.
- (b) The lead agencies in the Sixth and Thirteenth Judicial Circuits shall provide performance data to the department each quarter. The department shall review the data for accuracy and completeness and then shall compare the actual performance of the lead agencies to the established performance metrics and standards. Each lead agency that exceeds performance metrics and standards is eligible for incentive funding.
- (c) For the first quarter of each fiscal year, the department may advance incentive funding to the lead agencies in an amount equal to one quarter of the total allocated to the pilot project. After each quarter, the department shall assess the performance of the lead agencies for that quarter and adjust the subsequent quarter's incentive funding based on its actual prior quarter performance.

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(d) The department shall include the results of the pilot projects in the report required under s. 20.19(7). The report must include the department's findings and recommendations relating to the pilot projects.

(e) This subsection expires July 1, 2022.

Section 6. Present subsections (6) and (7) of section 1004.615, Florida Statutes, are renumbered as subsections (9) and (10), respectively, and new subsections (6) and (7) and subsection (8) are added to that section, to read:

1004.615 Florida Institute for Child Welfare.

- (6) The institute and the Florida State University College of Social Work shall design and implement a curriculum that enhances knowledge and skills for the child welfare practice. The institute and the college shall create the curriculum using interactive and interdisciplinary approaches and include opportunities for students to gain an understanding of real—world child welfare cases. The institute shall disseminate the curriculum to other interested state universities and colleges and provide implementation support. The institute shall contract with a person or entity of its choosing, by November 1, 2020, to evaluate the curriculum and make recommendations for improvement. The college shall implement the curriculum during the 2021-2022 school year. This subsection is subject to an appropriation.
- (7) The institute, in collaboration with the department, community-based care lead agencies, providers of case management services, and other child welfare stakeholders, shall design and implement a career-long professional development curriculum for child welfare professionals at all levels and from all

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enhance the performance of the current child welfare workforce, address issues related to retention, complement the social work curriculum, and be developed using social work principles. The professional development curriculum shall provide career-long coaching, training, certification, and mentorship. The institute must provide the professional support on a continuous basis through online and in-person services. The professional development curriculum must be available by July 1, 2021. The Department of Children and Families must approve the curriculum prior to implementation. This subsection is subject to an appropriation.

(8) The institute shall establish a consulting program for child welfare organizations to enhance workforce culture, supervision, and related management processes to improve retention, effectiveness, and overall well-being of staff to support improved child welfare outcomes. The institute shall select child welfare organizations through a competitive application process and provide ongoing analysis, recommendations, and support from a team of experts on a longterm basis to address systemic and operational workforce challenges. This subsection is subject to an appropriation.

Section 7. The Department of Children and Families, in collaboration with the Florida Institute of Child Welfare, shall develop an expanded career ladder for child protective investigations staff. The career ladder shall include multiple levels of child protective investigator classifications, corresponding milestones and professional development opportunities necessary for advancement, and compensation

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552 ranges. The department must submit a proposal for the expanded career ladder to the Governor, the President of the Senate, and 553 554 the Speaker of the House of Representatives no later than 555 November 1, 2020. 556 Section 8. (1) For the 2020-2021 fiscal year, the sum of 557 \$8,235,052 in recurring funds is appropriated from the General 558 Revenue fund to the Department of Children and Families for 559 incentive funding for the pilot projects required in s. 560 409.996(25), Florida Statutes, as created by this act. 561 (2) For the 2020-2021 fiscal year the sum of \$5,350,000 in 562 recurring funds from the General Revenue Fund is appropriated to 563 the Department of Children and Families, and 2,907,885 in rate 564 is authorized for the establishment of the Office of Quality, as required in s. 20.19(7), Florida Statutes. The department is 565 authorized to reassign up to 125 currently authorized positions 566 567 and submit budget amendments pursuant to chapter 216, Florida Statutes, for the Office of Quality to administer and implement 568 569 the provisions of this act. Section 9. Sections 1., 2., and 3. of this act may be cited 570 571 as the "State of Hope Act." 572 Section 10. This act shall take effect upon becoming a law.