

By the Committees on Governmental Reform and Oversight,
Children, Families and Seniors and Senator Rossin

302-2006A-98

1 A bill to be entitled
2 An act relating to family safety; amending s.
3 20.19, F.S.; providing legislative findings and
4 intent; providing for the appointment of a
5 Deputy Secretary for Family Services of the
6 Department of Children and Family Services;
7 providing qualifications; providing
8 responsibilities; requiring an annual review of
9 child protection resources and an annual report
10 to the Governor and the Legislature; requiring
11 a district program administrator for family
12 safety in each service district; requiring
13 administrative services centers; requiring an
14 implementation plan for administrative services
15 centers; increasing the membership of the
16 Statewide Health and Human Services Board;
17 creating s. 402.401, F.S.; providing for
18 competency-based training for child protection
19 staff; creating s. 415.5145, F.S.; providing
20 for the family safety quality assurance and
21 improvement process; providing effective dates.

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

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25 Section 1. Section 20.19, Florida Statutes, is amended
26 to read:

27 20.19 Department of Children and Family
28 Services.--There is created a Department of Children and
29 Family Services.

30 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
31 declares that the protection of children, the elderly, and

1 vulnerable adults from abuse is one of its most important
2 priorities. It is the intent of the Legislature that the
3 department integrate child protection services, services to
4 victims of domestic violence, and services to elders and
5 disabled adults who are victims of abuse. Greater integration
6 of planning and delivery of services related to child and
7 adult protection and domestic violence is essential because it
8 is becoming increasingly clear that these forms of abuse are
9 interrelated. Research strongly indicates that violence within
10 the family is intergenerational and cyclical: persons who are
11 abused as children are more likely than others to become
12 abusive parents themselves, and persons who abuse one member
13 of their family are likely to abuse other vulnerable family
14 members as well. Further, research suggests that early
15 exposure to violence in the family, including witnessing
16 violence or physical abuse, significantly increases the risk
17 of violent behavior during adolescence and adulthood. It is
18 the intent of the Legislature that the department focus on the
19 safety and service needs of abused or neglected children and
20 adults with the goal of delivering the most appropriate
21 services in a timely and professional manner. It is the intent
22 of the Legislature that all family safety services be
23 delivered by trained and skilled persons and integrated to the
24 extent possible with other social, health, and educational
25 services.

26 (2)~~(1)~~ MISSION AND PURPOSE.--

27 (a) The mission of the Department of Children and
28 Family Services is to work in partnership with local
29 communities to help people be self-sufficient and live in
30 stable families and communities.

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1 (b) The purposes of the Department of Children and
2 Family Services are to deliver, or provide for the delivery
3 of, all family services offered by the state through the
4 department to its citizens and include, but are not limited
5 to:

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

9 2. Providing such assistance as is authorized to all
10 eligible clients in order that they might achieve or maintain
11 economic self-support and self-sufficiency to prevent, reduce,
12 or eliminate dependency.

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

16 4. Aiding in the preservation, rehabilitation, and
17 reuniting of children and families when it is in the
18 children's best interest to do so, and when the children
19 cannot remain with the family, achieving permanence for those
20 children as quickly as possible.

21 5. Preventing or reducing inappropriate institutional
22 care by providing for community-based care, home-based care,
23 or other forms of less intensive care.

24 6. Securing referral or admission for institutional
25 care when other forms of care are not appropriate, or
26 providing services to individuals in institutions when
27 necessary.

28 7. Improving the quality of life for persons with
29 mental illnesses and persons with developmental disabilities.

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1 8. Addressing the problems and behaviors that result
2 from intergenerational family violence, including abuse of
3 children, spouses, and vulnerable adults.

4 (c) In fulfillment of this mission and these purposes,
5 the department shall create a 5-year strategic plan which
6 reflects broad societal outcomes, sets forth a broad framework
7 within which the district plans are developed, and establishes
8 a set of measurable goals and objectives consistent with
9 performance outcomes, outputs, and standards under chapter
10 94-249, Laws of Florida, the Government Performance and
11 Accountability Act, and operational performance standards to
12 ensure that the department is accountable to the people of
13 Florida.

14 (d) The secretary, deputy secretary, deputy secretary
15 for family safety, district administrators, and assistant
16 secretaries are authorized to appoint ad hoc advisory
17 committees when necessary. The problem or issue that an ad hoc
18 committee is asked to address, and the timeframe within which
19 the committee is to complete its work, shall be specified at
20 the time of the initial appointment of the committee. Ad hoc
21 advisory committees shall include representatives of
22 individuals, groups, associations, or institutions that may be
23 affected by the issue or problem that the committee is asked
24 to examine. Committee members shall receive no compensation,
25 but may, within existing resources of the department, be
26 reimbursed for travel expenses as provided for in s. 112.061.

27 (3)~~(2)~~ SECRETARY OF CHILDREN AND FAMILY SERVICES;
28 DEPUTY SECRETARY.--

29 (a) The head of the department is the Secretary of
30 Children and Family Services. The secretary is appointed by

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1 the Governor subject to confirmation by the Senate. The
2 secretary serves at the pleasure of the Governor.

3 (b) The secretary shall appoint a deputy secretary who
4 shall act in the absence of the secretary. The deputy
5 secretary is directly responsible to the secretary, performs
6 such duties as are assigned by the secretary, and serves at
7 the pleasure of the secretary.

8 (c) The secretary shall ensure the establishment of
9 statewide needs assessment methodologies for all departmental
10 client target groups, to be applied uniformly across the state
11 in order to identify the total statewide need for the target
12 group and ensure comparability of data from one service
13 district region to another. As appropriate, these
14 methodologies shall include health, economic, and
15 sociodemographic indicators of need and shall ensure the use
16 of uniform waiting list criteria.

17 (d) The secretary has the authority and responsibility
18 to ensure that the purpose of the department is fulfilled in
19 accordance with state and federal laws, rules, and
20 regulations.

21 (e) The secretary is responsible for evaluation,
22 departmental legal services, and inspector general functions.
23 The secretary may assign performance of evaluation functions
24 or departmental legal services to any appropriate unit within
25 the department.

26 (f) The secretary is responsible for assuring that the
27 district administrators equitably share the districts'
28 administrative and support functions with family safety
29 programs and services.

30 ~~(f) The secretary may establish regional processing~~
31 ~~centers to provide selected administrative functions designed~~

1 ~~to support multiple districts. These offices may not have line~~
2 ~~authority over district offices and may not be interposed~~
3 ~~between district management and the secretary. These offices~~
4 ~~may be created, consolidated, restructured, or rearranged by~~
5 ~~the secretary, within the limitations provided for in chapter~~
6 ~~216, in order to achieve more effective and efficient~~
7 ~~performance of service delivery and support functions to~~
8 ~~multiple districts. In the establishment of any administrative~~
9 ~~processing centers pursuant to this paragraph, the department~~
10 ~~is directed to avoid consolidation of functions that support~~
11 ~~service-delivery decisionmaking such as budgetary functions;~~
12 ~~discretionary decisions regarding procurement of goods and~~
13 ~~services; and decisions regarding recruitment, hiring, and~~
14 ~~evaluation of staff. This paragraph does not restrict local~~
15 ~~decisionmaking by supervisors or managers regarding~~
16 ~~discretionary functions. Any consolidation of administrative~~
17 ~~functions under this paragraph shall be designed to minimize~~
18 ~~any adverse impact on service districts or institutions.~~

19 (4)(3) OFFICE OF STANDARDS AND EVALUATION.--There is
20 created under the secretary the Office of Standards and
21 Evaluation which has the following responsibilities:

22 (a) With the assistance of the Deputy Secretary for
23 Family Safety, assistant secretaries, district administrators,
24 and health and human services boards, establishing outcome
25 measures and performance and productivity standards related to
26 service delivery, support, and procedures.

27 (b) Directing the development of monitoring and
28 quality assurance and improvement systems for statewide and
29 district services that will routinely assess the efficiency
30 and effectiveness of departmental and provider staff and
31 services.

1 (c) Validating the monitoring and quality assurance
2 and improvement activities of statewide and district service
3 providers and staff to ensure that these activities are being
4 conducted routinely and that corrective action is being taken
5 to eliminate deficiencies detected by these activities.

6 (d) Conducting evaluations, directly or by contract,
7 of programs and services provided by the department to
8 determine whether improvement in the condition of individuals,
9 families, and communities has occurred as a result of these
10 programs and services. The evaluations must include an
11 assessment of the short-term effects on individuals and
12 families and the long-term effects on communities and the
13 state. Outcome evaluation studies shall be conducted in
14 response to priorities determined by the department and the
15 Legislature and to the extent that funding is provided by the
16 Legislature.

17 (e) Consulting with the inspector general to ensure
18 the integrity of the monitoring and evaluation process and the
19 validity of the data derived from these activities.

20 (f) Developing procedures for the competitive
21 procurement of external evaluations, including detailed
22 specifications for all evaluation contracts.

23 (g) Developing the budget for the department's
24 evaluation efforts and identifying future evaluation needs,
25 including infrastructure needs to support the outcome
26 evaluation function.

27 (h) Such other duties relating to evaluation as may be
28 assigned to the Office of Standards and Evaluation by the
29 secretary.

30 (5)~~(4)~~ PROGRAM OFFICES.--

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

5 1. Ensuring that family services programs are
6 implemented according to legislative intent and as provided in
7 state and federal laws, rules, and regulations.

8 2. Establishing program standards and performance
9 objectives.

10 3. Reviewing, monitoring, and ensuring compliance with
11 statewide standards and performance objectives.

12 4. Conducting outcome evaluations and ensuring program
13 effectiveness.

14 5. Developing workload and productivity standards.

15 6. Developing resource allocation methodologies.

16 7. Compiling reports, analyses, and assessment of
17 client needs on a statewide basis.

18 8. Ensuring the continued interagency collaboration
19 with the Department of Education for the development and
20 integration of effective programs to serve children and their
21 families.

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

23 (b) The following program offices are established and
24 may be consolidated, restructured, or rearranged by the
25 secretary; provided any such consolidation, restructuring, or
26 rearranging is for the purpose of encouraging service
27 integration through more effective and efficient performance
28 of the program offices or parts thereof:

29 1. Economic Self-Sufficiency Program Office.--The
30 responsibilities of this office encompass income support
31 programs within the department, such as temporary assistance

1 to families with dependent children, food stamps, welfare
2 reform, and state supplementation of the supplemental security
3 income (SSI) program.

4 2. Developmental Services Program Office.--The
5 responsibilities of this office encompass programs operated by
6 the department for developmentally disabled persons.
7 Developmental disabilities include any disability defined in
8 s. 393.063.

9 ~~3. Children and Families Program Office.--The~~
10 ~~responsibilities of this program office encompass early~~
11 ~~intervention services for children and families at risk;~~
12 ~~intake services for protective investigation of abandoned,~~
13 ~~abused, and neglected children; interstate compact on the~~
14 ~~placement of children programs; adoption; child care;~~
15 ~~out-of-home care programs and other specialized services to~~
16 ~~families; and child protection and sexual abuse treatment~~
17 ~~teams created under chapter 415, excluding medical direction~~
18 ~~functions.~~

19 ~~3.4. Alcohol, Drug Abuse, and Mental Health Program~~
20 ~~Office.--The responsibilities of this office encompass all~~
21 ~~alcohol, drug abuse, and mental health programs operated by~~
22 ~~the department.~~

23 (6) DEPUTY SECRETARY FOR FAMILY SAFETY.--

24 (a) The secretary shall appoint a Deputy Secretary for
25 Family Safety who serves at the pleasure of, and is directly
26 responsible to, the secretary. The Deputy Secretary for Family
27 Safety must have program expertise in family safety programs
28 and management experience which is sufficient to enable him or
29 her to successfully meet the programmatic and organizational
30 challenges of the position.

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1 (b) Family safety programs include, but are not
2 limited to, prevention and early-intervention services for
3 children and families at risk of abuse or neglect; the Florida
4 abuse hotline for all reports of abuse, neglect, or
5 exploitation; investigations, family preservation, support,
6 and other in-home services; protective supervision programs;
7 licensure activities; child welfare legal services;
8 out-of-home care programs; in-home supervision; adoptions;
9 child care; programs concerning the interstate compact on the
10 placement of children; specialized services to families;
11 services relating to domestic violence; child protection and
12 sexual abuse treatment teams under chapter 415, excluding
13 medical direction functions; and adult protective services.

14 (c) The Deputy Secretary for Family Safety is
15 responsible for planning, coordinating, and managing the
16 delivery of all family safety programs and services. The
17 Deputy Secretary for Family Safety is responsible and
18 accountable for the department's fulfillment of its mission as
19 articulated by the Legislature through such means as the
20 assignment of program standards and performance outcomes. The
21 Deputy Secretary for Family Safety has line authority over all
22 departmental employees engaged in directly providing or
23 managing the delivery of family safety programs and services
24 offered by the department or provided by agencies that are
25 under contract with the department. The Deputy Secretary for
26 Family Safety has the following responsibilities, which
27 include, but are not limited to:

28 1. Ensuring that the family safety programs and
29 services are implemented in accordance with state and federal
30 laws, rules, and regulations.

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- 1 2. Establishing program, staffing, and workload
2 standards and objectives, and establishing performance
3 outcomes for programs and services.
- 4 3. Conducting short-term and long-term program
5 planning activities, including interprogram planning.
- 6 4. Developing legislative budget requests.
- 7 5. Performing quality assurance and improvement
8 functions.
- 9 6. Developing program policies and rules, and
10 providing policy interpretations in order to achieve statewide
11 consistency.
- 12 7. Reviewing and monitoring programs and spending
13 plans and providing technical assistance to programs in order
14 to ensure compliance and accountability with statewide
15 programs standards, performance objectives, and state and
16 federal laws, rules, and regulations.
- 17 8. Conducting activities related to program research
18 and conducting activities related to outcome evaluation and
19 program effectiveness.
- 20 9. Developing budget and resource allocation
21 methodologies and strategies, including district budget
22 allocations.
- 23 10. Developing funding sources external to state
24 government.
- 25 11. Obtaining, approving, monitoring, and coordinating
26 research and program development grants.
- 27 12. Compiling reports, analyses, and assessments of
28 client needs and services statewide.
- 29 13. Conducting staff development and training.
- 30 14. Entering contracts.
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1 15. Working with other states, associations, and
2 experts in the field of family safety in creating innovative
3 and effective strategies for addressing family violence and
4 achieving family safety.

5 16. Ensuring collaboration with other appropriate
6 departments for the development and integration of effective
7 programs to serve children and their families.

8 (d) The Deputy Secretary for Family Safety shall
9 conduct an annual review of the child protection resources
10 distributed to the 15 districts to determine the need to
11 transfer resources among the districts to address specific
12 client service needs. This review must use specified
13 allocation methodologies and formulas for achieving defined
14 program or service standards and shall consider any stressors
15 unique to a district or to any portion of a district. The
16 decision to reallocate resources may not be based in part or
17 in whole on the inefficiency of a district to manage its
18 resources but may be an incentive for exceptional achievement
19 of outcomes. The secretary must approve the transfer of child
20 protection resources among districts resulting from this
21 review. The secretary's current authority to periodically
22 reallocate staff resources is not affected by this review. The
23 secretary and the Deputy Secretary for Family Safety shall
24 submit a report by October 1 of each year to the Governor, the
25 President of the Senate, and the Speaker of the House of
26 Representatives on the findings and actions associated with
27 the allocation review.

28 ~~(7)~~~~(5)~~ ASSISTANT SECRETARY FOR ADMINISTRATION.--

29 (a) The secretary shall appoint an Assistant Secretary
30 for Administration who serves at the pleasure of the
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1 secretary. The Assistant Secretary for Administration is
2 responsible for:

3 1. Supervising all of the budget management activities
4 of the department and serving as the chief budget officer of
5 the department.

6 2. Providing administrative and management support
7 services above the district level.

8 3. Monitoring administrative and management support
9 services in the districts.

10 4. Developing and implementing uniform policies,
11 procedures, and guidelines with respect to personnel
12 administration, finance and accounting, budget, grants
13 management and disbursement, contract administration,
14 procurement, information and communications systems,
15 management evaluation and improvement, and general services,
16 including housekeeping, maintenance, and leasing of
17 facilities.

18 5. Performing such other administrative duties as are
19 assigned by the secretary.

20 (b) If reductions in a district's operating budget
21 become necessary during any fiscal year, the department shall
22 develop a formula to be used in its recommendations to the
23 Governor and Legislature which does not disproportionately
24 reduce a district's operating budget because of voluntary
25 county appropriations to department programs.

26 (8)~~(6)~~ SERVICE DISTRICTS.--The department shall plan
27 and administer its programs of family services through service
28 districts and subdistricts composed of the following counties:
29 District 1.--Escambia, Santa Rosa, Okaloosa, and Walton
30 Counties;
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1 District 2, Subdistrict A.--Holmes, Washington, Bay,
2 Jackson, Calhoun, and Gulf Counties;
3 District 2, Subdistrict B.--Gadsden, Liberty, Franklin,
4 Leon, Wakulla, Jefferson, Madison, and Taylor Counties;
5 District 3.--Hamilton, Suwannee, Lafayette, Dixie,
6 Columbia, Gilchrist, Levy, Union, Bradford, Putnam, and
7 Alachua Counties;
8 District 4.--Baker, Nassau, Duval, Clay, and St. Johns
9 Counties;
10 District 5.--Pasco and Pinellas Counties;
11 District 6.--Hillsborough and Manatee Counties;
12 District 7, Subdistrict A.--Seminole, Orange, and
13 Osceola Counties;
14 District 7, Subdistrict B.--Brevard County;
15 District 8, Subdistrict A.--Sarasota and DeSoto
16 Counties;
17 District 8, Subdistrict B.--Charlotte, Lee, Glades,
18 Hendry, and Collier Counties;
19 District 9.--Palm Beach County;
20 District 10.--Broward County;
21 District 11, Subdistrict A.--Dade County;
22 District 11, Subdistrict B.--Monroe County;
23 District 12.--Flagler and Volusia Counties;
24 District 13.--Marion, Citrus, Hernando, Sumter, and
25 Lake Counties;
26 District 14.--Polk, Hardee, and Highlands Counties; and
27 District 15.--Indian River, Okeechobee, St. Lucie, and
28 Martin Counties.
29 (9)~~(7)~~ HEALTH AND HUMAN SERVICES BOARDS.--
30 (a) There is created at least one health and human
31 services board in each service district for the purpose of

1 encouraging the initiation and support of interagency
2 cooperation and collaboration in addressing family services
3 needs and promoting service integration. The initial
4 membership and the authority to appoint the members shall be
5 allocated among the counties of each district as follows:

6 1. District 1 has a board composed of 15 members, with
7 3 at-large members to be appointed by the Governor, and 12
8 members to be appointed by the boards of county commissioners
9 of the respective counties, as follows: Escambia County, 6
10 members; Okaloosa County, 3 members; Santa Rosa County, 2
11 members; and Walton County, 1 member.

12 2. District 2 has a board composed of 23 members, with
13 5 at-large members to be appointed by the Governor, and 18
14 members to be appointed by the boards of county commissioners
15 in the respective counties, as follows: Holmes County, 1
16 member; Washington County, 1 member; Bay County, 2 members;
17 Jackson County, 1 member; Calhoun County, 1 member; Gulf
18 County, 1 member; Gadsden County, 1 member; Franklin County, 1
19 member; Liberty County, 1 member; Leon County, 4 members;
20 Wakulla County, 1 member; Jefferson County, 1 member; Madison
21 County, 1 member; and Taylor County, 1 member.

22 3. District 3 has a board composed of 19 members, with
23 4 at-large members to be appointed by the Governor, and 15
24 members to be appointed by the boards of county commissioners
25 of the respective counties, as follows: Hamilton County, 1
26 member; Suwannee County, 1 member; Lafayette County, 1 member;
27 Dixie County, 1 member; Columbia County, 1 member; Gilchrist
28 County, 1 member; Levy County, 1 member; Union County, 1
29 member; Bradford County, 1 member; Putnam County, 1 member;
30 and Alachua County, 5 members.

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

7 5. District 5 has a board composed of 15 members, with
8 3 at-large members to be appointed by the Governor, and 12
9 members to be appointed by the boards of county commissioners
10 of the respective counties, as follows: Pasco County, 3
11 members; and Pinellas County, 9 members.

12 6. District 6 has a board composed of 15 members, with
13 3 at-large members to be appointed by the Governor, and 12
14 members to be appointed by the boards of county commissioners
15 of the respective counties, as follows: Hillsborough County, 9
16 members; and Manatee County, 3 members.

17 7. District 7 has a board composed of 15 members, with
18 3 at-large members to be appointed by the Governor, and 12
19 members to be appointed by the boards of county commissioners
20 in the respective counties, as follows: Seminole County, 3
21 members; Orange County, 5 members; Osceola County, 1 member;
22 and Brevard County, 3 members.

23 8. District 8 has a board composed of 15 members, with
24 3 at-large members to be appointed by the Governor, and 12
25 members to be appointed by the boards of county commissioners
26 in the respective counties, as follows: Sarasota County, 3
27 members; DeSoto County, 1 member; Charlotte County, 1 member;
28 Lee County, 3 members; Glades County, 1 member; Hendry County,
29 1 member; and Collier County, 2 members.

30 9. District 9 has a board composed of 15 members, with
31 3 at-large members to be appointed by the Governor, and 12

1 members to be appointed by the Board of County Commissioners
2 of Palm Beach County.

3 10. District 10 has a board composed of 15 members,
4 with 3 at-large members to be appointed by the Governor, and
5 12 members to be appointed by the Board of County
6 Commissioners of Broward County.

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

12 12. District 12 has a board composed of 15 members,
13 with 3 at-large members to be appointed by the Governor, and
14 12 members to be appointed by the boards of county
15 commissioners of the respective counties, as follows: Flagler
16 County, 3 members; and Volusia County, 9 members.

17 13. District 13 has a board composed of 15 members,
18 with 3 at-large members to be appointed by the Governor, and
19 12 members to be appointed by the boards of county
20 commissioners of the respective counties, as follows: Marion
21 County, 4 members; Citrus County, 2 members; Hernando County,
22 2 members; Sumter County, 1 member; and Lake County, 3
23 members.

24 14. District 14 has a board composed of 15 members,
25 with 3 at-large members to be appointed by the Governor, and
26 12 members to be appointed by the boards of county
27 commissioners of the respective counties, as follows: Polk
28 County, 9 members; Highlands County, 2 members; and Hardee
29 County, 1 member.

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

1 12 members to be appointed by the boards of county
2 commissioners of the respective counties, as follows: Indian
3 River County, 3 members; Okeechobee County, 1 member; St.
4 Lucie County, 5 members; and Martin County, 3 members.

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6 Notwithstanding any other provisions of this subsection, in
7 districts consisting of two counties, the number of members to
8 be appointed by any one board of county commissioners may not
9 be fewer than three nor more than nine.

10 (b) At any time after the adoption of initial bylaws
11 pursuant to paragraph (o), a district health and human
12 services board may adopt a bylaw that enlarges the size of the
13 board up to a maximum of 23 members, or otherwise adjusts the
14 size or composition of the board, including a decision to
15 change from a district board to subdistrict boards, or from a
16 subdistrict board to a district board, if in the judgment of
17 the board, such change is necessary to adequately represent
18 the diversity of the population within the district or
19 subdistrict. In the creation of subdistrict boards, the bylaws
20 shall set the size of the board, not to exceed 15 members, and
21 shall set the number of appointments to be made by the
22 Governor and the respective boards of county commissioners in
23 the subdistrict. The Governor shall be given the authority to
24 appoint no fewer than one-fifth of the members. Current
25 members of the district board shall become members of the
26 subdistrict board in the subdistrict where they reside.
27 Vacancies on a newly created subdistrict board shall be filled
28 from among the list of nominees submitted to the subdistrict
29 nominee qualifications review committee pursuant to subsection
30 (10)~~(8)~~.

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1 (c) The appointments by the Governor and the boards of
2 county commissioners are from nominees selected by the
3 appropriate district nominee qualifications review committee
4 pursuant to subsection (10)~~(8)~~. Membership of each board must
5 be representative of its district with respect to age, gender,
6 and ethnicity. For boards having 15 members or fewer, at least
7 two members must be consumers of the department's services.
8 For boards having more than 15 members, there must be at least
9 three consumers on the board. Members must have demonstrated
10 their interest and commitment to, and have appropriate
11 expertise for, meeting the health and family services needs of
12 the community. The Governor shall appoint nominees whose
13 presence on the health and human services board will help
14 assure that the board reflects the demographic characteristics
15 and consumer perspective of each of the service districts.

16 (d)1. Board members shall submit annually a disclosure
17 statement of health and family services interests to the
18 department's inspector general and the board. Any member who
19 has an interest in a matter under consideration by the board
20 must abstain from voting. Board members are subject to the
21 provisions of s. 112.3145, relating to disclosure of financial
22 interests.

23 2. Individual providers or employees of provider
24 agencies, other than employees of units of local or state
25 government, may not serve as health and human services board
26 members but may serve in an advisory capacity to the board.
27 Salaried employees of units of local or state government
28 occupying positions providing services under contract with the
29 department may not serve as members of the board. Elected
30 officials who have authority to appoint members to a health
31 and human services board may not serve as members of a board.

1 The district administrator shall serve as a nonvoting ex
2 officio member of the board. A department employee may not be
3 a member of the board.

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

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

14 (g) Members of the health and human services boards
15 shall serve without compensation, but are entitled to receive
16 reimbursement for per diem and travel expenses as provided in
17 s. 112.061. Payment may also be authorized for preapproved
18 child care expenses or lost wages for members who are
19 consumers of the department's services and for preapproved
20 child care expenses for other members who demonstrate
21 hardship.

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

25 (i) Actions taken by the board must be consistent with
26 departmental policy and state and federal laws, rules, and
27 regulations.

28 (j) The department shall provide comprehensive
29 orientation and training to the members of the boards to
30 enable them to fulfill their responsibilities.

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1 (k) Each health and human services board, and each of
2 its subcommittees, shall hold periodic public meetings and
3 hearings throughout the district to receive input on the
4 development of the district service delivery plan, the
5 legislative budget request, and the performance of the
6 department.

7 (l) Except as otherwise provided in this section,
8 responsibility and accountability for local family services
9 planning rests with the health and human services boards. All
10 local family-services-related planning or advisory councils
11 shall submit their plans to the health and human services
12 boards. The boards shall provide input on the plan's attention
13 to integrating service delivery at the local level. The
14 health and human services boards may establish additional
15 subcouncils or technical advisory committees.

16 (m) The health and human services boards shall operate
17 through an annual agreement negotiated between the secretary
18 and the board. Such agreements must include expected outcomes
19 and provide for periodic reports and evaluations of district
20 and board performance and must also include a core set of
21 service elements to be developed by the secretary and used by
22 the boards in district needs assessments to ensure consistency
23 in the development of district legislative budget requests.

24 (n) The annual agreement between the secretary and the
25 board must include provisions that specify the procedures to
26 be used by the parties to resolve differences in the
27 interpretation of the agreement or disputes as to the adequacy
28 of the parties' compliance with their respective obligations
29 under the agreement.

30 (o) Except for the programs and services under the
31 Deputy Secretary for Family Safety, health and human services

- 1 boards have the following responsibilities, with respect to
2 those programs and services assigned to the districts, as
3 developed jointly with the district administrator:
- 4 1. Establish district outcome measures consistent with
5 statewide outcomes.
 - 6 2. Conduct district needs assessments using
7 methodologies consistent with those established by the
8 secretary.
 - 9 3. Negotiate with the secretary a district performance
10 agreement that:
 - 11 a. Identifies current resources and services
12 available;
 - 13 b. Identifies unmet needs and gaps in services;
 - 14 c. Establishes service and funding priorities;
 - 15 d. Establishes outcome measures for the district; and
 - 16 e. Identifies expenditures and the number of clients
17 to be served, by service.
 - 18 4. Provide budget oversight, including development and
19 approval of the district's legislative budget request.
 - 20 5. Provide policy oversight, including development and
21 approval of district policies and procedures.
 - 22 6. Act as a focal point for community participation in
23 department activities such as:
 - 24 a. Assisting in the integration of all health and
25 social services within the community;
 - 26 b. Assisting in the development of community
27 resources;
 - 28 c. Advocating for community programs and services;
 - 29 d. Receiving and addressing concerns of consumers and
30 others; and
 - 31

1 e. Advising the district administrator on the
2 administration of service programs throughout the district.

3 7. Advise the district administrator on ways to
4 integrate the delivery of family and health care services at
5 the local level.

6 8. Make recommendations which would enhance district
7 productivity and efficiency, ensure achievement of performance
8 standards, and assist the district in improving the
9 effectiveness of the services provided.

10 9. Review contract provider performance reports.

11 10. Immediately upon appointment of the membership,
12 develop bylaws that clearly identify and describe operating
13 procedures for the board. At a minimum, the bylaws must
14 specify notice requirements for all regular and special
15 meetings of the board, the number of members required to
16 constitute a quorum, and the number of affirmative votes of
17 members present and voting that are required to take official
18 and final action on a matter before the board.

19 11.a. Determine the board's internal organizational
20 structure, including the designation of standing committees.
21 In order to foster the coordinated and integrated delivery of
22 family services in its community, a local board shall use a
23 committee structure that is based on issues, such as children,
24 housing, transportation, or health care. Each such committee
25 must include consumers, advocates, providers, and department
26 staff from every appropriate program area. In addition, each
27 board and district administrator shall jointly identify
28 community entities, including, but not limited to, the Area
29 Agency on Aging, and resources outside the department to be
30 represented on the committees of the board.

31

1 b. The district juvenile justice boards established in
2 s. 39.025 constitute the standing committee on issues relating
3 to planning, funding, or evaluation of programs and services
4 relating to the juvenile justice continuum.

5 12. Participate with the secretary in the selection of
6 a district administrator according to the provisions of
7 paragraph~~(12)(b)(9)(b)~~.

8 13. Complete an annual evaluation of the district and
9 review the evaluation at a meeting of the board at which the
10 public has an opportunity to comment.

11 14. Provide input to the secretary on the annual
12 evaluation of the district administrator. The board may
13 request that the secretary submit a written report on the
14 actions to be taken to address negative aspects of the
15 evaluation. At any time, the board may recommend to the
16 secretary that the district administrator be discharged. Upon
17 receipt of such a recommendation, the secretary shall make a
18 formal reply to the board stating the action to be taken with
19 respect to the board's recommendation. The board does not
20 participate in the selection or the retention of the district
21 program administrator for family safety.

22 15. Advise the district program administrator for
23 family safety on family issues.

24 ~~16.15-~~ Elect a chair and other officers, as specified
25 in the bylaws, from among the members of the board.

26 ~~(10)(8)~~ DISTRICT NOMINEE QUALIFICATIONS REVIEW
27 COMMITTEES.--

28 (a) There is created a nominee qualifications review
29 committee in each service district for the purpose of
30 screening and evaluating applicants and recommending nominees
31 for the district health and human services board. A member of

1 a nominee qualifications review committee must be a resident
2 of the district and is not eligible to be nominated for
3 appointment to a health and human services board.

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

6 1. In a district composed of one county, the Governor
7 shall appoint two members, the board of county commissioners
8 shall appoint two members, the district school board shall
9 appoint one member, the chief judge of the circuit shall
10 appoint one member, and these appointees shall appoint three
11 additional members.

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

18 3. In a district composed of three counties, the
19 Governor shall appoint two members, each board of county
20 commissioners shall appoint two members, each district school
21 board shall appoint one member, the chief judge of the circuit
22 containing the most populous county shall appoint one member,
23 and these appointees shall appoint four additional members.

24 4. In a district composed of four counties, the
25 Governor shall appoint two members, each board of county
26 commissioners shall appoint one member, except that the board
27 of county commissioners of the most populous county shall
28 appoint two members, each district school board shall appoint
29 one member, the chief judge of the circuit containing the most
30 populous county shall appoint one member, and these appointees
31 shall appoint four additional members.

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

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

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

25 8. In a district composed of 11 counties, the Governor
26 shall appoint 2 members, each board of county commissioners
27 shall appoint 1 member, except that the board of county
28 commissioners of the most populous county shall appoint 2
29 members, each district school board shall appoint 1 member,
30 the chief judge of the circuit containing the most populous
31

1 county shall appoint 1 member, and these appointees shall
2 appoint 3 additional members.

3 (c) Appointees to a district nominee qualifications
4 review committee must have substantial professional or
5 volunteer experience in planning, delivering, or evaluating
6 health and family services within their communities. In
7 addition to these qualifications, it is the intent of the
8 Legislature that nominee qualifications review committees
9 represent the diversity of their respective districts by the
10 inclusion of representation of such groups as:

- 11 1. County government;
- 12 2. District school systems;
- 13 3. The judiciary;
- 14 4. Law enforcement;
- 15 5. Consumers of departmental services;
- 16 6. Advocates for persons receiving or eligible to
17 receive services provided or funded by the department;
- 18 7. Funders of health and family services in the
19 community;
- 20 8. The medical community;
- 21 9. Chambers of commerce;
- 22 10. Major cities; and
- 23 11. Universities and community colleges.

24 (d) The initial terms of persons appointed by the
25 Governor or board of county commissioners are for 2 years.
26 Persons initially appointed by other appointing authorities
27 have 4-year terms. Thereafter, the terms of all appointees are
28 4 years. A person who, at the expiration of his or her term,
29 has served on a nominee qualifications review committee for
30 more than 5 years is not eligible for reappointment.

31

1 (e) Members of a nominee qualifications review
2 committee shall serve without compensation, but are entitled
3 to receive reimbursement for per diem and travel expenses as
4 provided in s. 112.061. Payment may also be authorized for
5 preapproved child care expenses or lost wages for members who
6 are consumers of the department and for preapproved child care
7 expenses for other members who demonstrate hardship.

8 (f) Each district nominee qualifications review
9 committee shall conduct its business according to the
10 following procedures:

11 1. The public shall be provided reasonable advance
12 notice of regular and special meetings;

13 2. A majority of the members, plus one, is necessary
14 to constitute a quorum, and the affirmative vote of a majority
15 of those present is necessary to take official action;

16 3. All meetings and records shall be open to the
17 public pursuant to s. 286.011;

18 4. The deadline for submission of nominee applications
19 may not be less than 30 days after the date of publication of
20 a notice of vacancy and solicitation of nominee applications
21 from interested persons; and

22 5. A person may not be nominated for appointment to a
23 district health and human services board except by submission
24 of a standard nominee application form, which shall be
25 developed by the department and distributed to all nominee
26 qualifications review committees.

27 (g) Each district nominee qualifications review
28 committee shall submit to the appointing authorities in its
29 respective district a pool of nominees equal to three times
30 the number of vacancies on the district health and human
31 services board. The pool of nominees submitted by each

1 district nominee qualifications review committee must be
2 balanced with respect to age, gender, ethnicity, and other
3 demographic characteristics so that the appointees to the
4 district health and human services board reflect the diversity
5 of the population within its service district. It is the
6 further intent of the Legislature that the Governor appoint
7 nominees whose presence on the health and human services board
8 will help assure that the board reflects the demographic
9 characteristics and consumer perspectives of each of the
10 service districts. If, following the appointments by the
11 boards of county commissioners, the remaining nominees in the
12 pool do not, in the judgment of the Governor, provide
13 sufficient diversity to effectuate the intent of this
14 paragraph, the Governor may request that the district nominee
15 qualifications review committee submit the names of three
16 additional nominees for each vacant position on the board.

17 (11) DISTRICT PROGRAM ADMINISTRATOR FOR FAMILY
18 SAFETY.--

19 (a) A district program administrator for family safety
20 who is exempt from the Career Service System established in
21 part II of chapter 110 is to be appointed in each district. A
22 district program administrator for family safety shall be
23 appointed in each district who has program expertise in family
24 safety services and management experience and who is directly
25 responsible to the Deputy Secretary for Family Safety. The
26 district administrator and the deputy secretary for family
27 safety shall jointly make decisions regarding the appointment
28 and dismissal of the district program administrator for family
29 safety, except that if the district administrator does not
30 concur with the decision regarding dismissal, the decision of
31 the deputy secretary shall be final. The district program

1 administrator for family safety has direct line authority over
2 all family safety programs and services within his district.
3 The Deputy Secretary for Family Safety is to provide overall
4 policy direction to the district program administrator for
5 family safety, but in order to tailor programs and services to
6 address local needs and build on local strengths, the
7 day-to-day operational decisions for local family safety
8 services and programs are to be made by the district program
9 administrator for family safety or by staff as delegated by
10 the district program administrator for family safety either
11 directly or through contract. The district program
12 administrator for family safety is responsible to the Deputy
13 Secretary for Family Safety for implementing statewide policy.
14 The district program administrator for family safety is
15 directly accountable for the organization and delivery of
16 services to meet the needs of the clients within the district.
17 The district program administrator for family safety must
18 involve the appropriate local community-based departmental
19 staff, consumers of the department's services, community
20 leaders, organizations, and the public as frequently as
21 possible in policy and operational decisions that affect
22 programs and services in their community. The evaluation of
23 the performance of the district program administrator for
24 family safety is based on the performance of his duties and
25 responsibilities as specified in this subsection in fulfilling
26 the mission of the department at the district level. The
27 responsibilities of the district program administrator for
28 family safety include, but are not limited to:
29 1. Directing, supervising, and monitoring district
30 service programs in conformity with state and federal laws,
31 rules, and regulations; district and statewide service plans;

1 and all other policies, procedures, and guidelines established
2 by the Deputy Secretary for Family Safety.

3 2. Administering the continuum of programs and
4 services of the district and managing the personnel and
5 facilities associated with those programs that serve the
6 district.

7 3. Administering state funds allocated to the district
8 as well as proper claiming of federal funds.

9 4. Identifying county and district needs.

10 5. Establishing district policies and procedures as
11 required to discharge the duties of the district program
12 administrator for family safety and to implement and adapt the
13 policies, procedures, and guidelines established by the
14 department to the needs of the district.

15 6. Identifying and developing community resources,
16 including the development of and assistance to local providers
17 who are interested in becoming privatized providers of all or
18 a portion of the department's services as described in this
19 section.

20 7. Coordinating the programs and services provided by
21 the department with those of other public and private agencies
22 that provide health, social, educational, and rehabilitative
23 services to the same children and their families within the
24 district.

25 8. Developing the legislative budget requests and
26 providing technical assistance and consultation on pertinent
27 program issued as needed.

28 9. Serving as program spokesperson in educating the
29 public as to the availability of programs and the needs of
30 clients.

31

1 10. Serving as primary staff-development adviser in
2 assessing the needs of staff and developing training and
3 staff-development programs.

4 11. Performing other duties assigned by the Deputy
5 Secretary for Family Safety.

6 (b) In order to enhance service coordination and
7 integration with other health and human services, each
8 district, in conjunction with the Deputy Secretary for Family
9 Safety, must develop a service integration strategy for
10 linking family safety programs with the department's programs
11 under the planning authority of the district administrator and
12 the district health and human services boards. At a minimum,
13 the strategy must identify problems and issues hindering
14 service delivery and develop corrective actions for
15 alleviating those problems and barriers.

16 (c) There shall be an annual agreement between the
17 district program administrator for family safety and the
18 Deputy Secretary for Family Safety which must include expected
19 district performance outcomes and provide for periodic reports
20 and evaluations to the Deputy Secretary of Family Safety of
21 district performance. The agreement must specify the
22 disciplinary actions that will be taken by the Deputy
23 Secretary for Family Safety when the district program
24 administrator for family safety fails to meet the outcomes
25 specified in the agreement and must specify rewards when
26 performance expectations are exceeded.

27 (12)~~(9)~~ DISTRICT ADMINISTRATOR.--

28 (a) The secretary shall appoint a district
29 administrator for each of the service districts. Each district
30 administrator serves at the pleasure of the secretary and has
31 the same standing within the department as an assistant

1 secretary. Except for family safety services as defined in s.
2 20.19(6) and as otherwise provided in this section, each
3 district administrator has direct line authority over all
4 departmental programs assigned to the district. In addition to
5 those responsibilities assigned by law, the district
6 administrator shall carry out those duties delegated by the
7 secretary.

8 (b) Upon the resignation or removal of a district
9 administrator, the secretary shall notify the chairperson of
10 the health and human services board in the district and shall
11 advertise the position in accordance with departmental policy.
12 The board, or a designated committee of the board, shall
13 solicit applications for the position of district
14 administrator, screen applicants, and submit the names of not
15 more than five nor fewer than three qualified candidates to
16 the secretary. The secretary shall appoint the district
17 administrator from among the nominees submitted by the health
18 and human services board. If the secretary determines that
19 none of the nominees should be appointed, the secretary shall
20 notify the board and request that additional recruitment
21 efforts be initiated and that, following such efforts, the
22 names of additional qualified nominees be submitted.
23 Applications for the position of district administrator are
24 public records; and meetings of the board or a committee of
25 the board for the purpose of screening, evaluating, or
26 interviewing an applicant for the position of district
27 administrator are open to the public.

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

30 1. Ensuring jointly with the health and human services
31 board that the administration of all service programs is

1 carried out in conformity with state and federal laws, rules,
2 and regulations, statewide service plans, and any other
3 policies, procedures, and guidelines established by the
4 secretary.

5 2. Administering the offices of the department within
6 the district and directing and coordinating all personnel,
7 facilities, and programs of the department located in that
8 district, except as otherwise provided herein.

9 3. Applying standard information, referral, intake,
10 diagnostic and evaluation, and case management procedures
11 established by the secretary. Such procedures shall include,
12 but are not limited to, a protective investigation system for
13 dependency programs serving abandoned, abused, and neglected
14 children.

15 4. Centralizing to the greatest extent possible the
16 administrative functions associated with the provision of
17 services of the department within the district.

18 5. Coordinating the services provided by the
19 department in the district with the District Program
20 Administrator for Family Safety, with ~~those~~ of other
21 districts, with the Secretary of Juvenile Justice, the
22 district juvenile justice manager, and public and private
23 agencies that provide health, social, educational, or
24 rehabilitative services within the district. Such coordination
25 of services includes cooperation with the superintendent of
26 each school district in the department's service district to
27 achieve the first state education goal, readiness to start
28 school.

29 6. Except as otherwise provided in this section,
30 appointing all personnel within the district. The district
31 administrator and the secretary shall jointly appoint the

1 superintendent of each institution under the jurisdiction of
2 the department within the district. The district administrator
3 and the deputy secretary for family safety shall jointly make
4 decisions regarding the appointment and dismissal of the
5 district program administrator for family safety, except that
6 if the district administrator does not concur with the
7 decision regarding dismissal, the decision of the deputy
8 secretary is final.

9 7. Establishing, with the approval of the health and
10 human services board, such policies and procedures as may be
11 required to discharge his or her duties and implement and
12 conform the policies, procedures, and guidelines established
13 by the secretary to the needs of the district.

14 8. Assuring that the administrative and support
15 functions retained under the jurisdiction of the district
16 administrator are shared equitably with family safety programs
17 and services.

18 9.8. Transferring up to 10 percent of the total
19 district budget, with the approval of the secretary, to
20 maximize effective program delivery, the provisions of ss.
21 216.292 and 216.351 notwithstanding.

22 ~~(d) Two or more district administrators may, with the~~
23 ~~approval of the secretary, consolidate administrative~~
24 ~~functions in order to achieve more efficient and effective~~
25 ~~performance of service delivery and support functions.~~

26 (d)(e) Programs at the district level are in the
27 following areas: alcohol, drug abuse, and mental health;
28 developmental services; and economic self-sufficiency
29 services; ~~and children and family services~~. There may be a
30 program supervisor for each program, or the district
31 administrator may combine programs under a program manager or

1 program supervisor if such arrangement is approved by the
2 secretary.

3 (e) The administrative and support services that are
4 not performed by the administrative services centers,
5 including the preparation of the district budget request and
6 administration of the approved operating budget, are the
7 responsibility of the district.

8 ~~(f) The district manager for administrative services~~
9 ~~shall provide the following administrative and management~~
10 ~~support services to the district in accordance with the~~
11 ~~uniform policies, procedures, and guidelines established by~~
12 ~~the Assistant Secretary for Administration:~~

- 13 1. ~~Finance and accounting.~~
- 14 2. ~~Grants management and disbursement.~~
- 15 3. ~~Personnel administration.~~
- 16 4. ~~Purchasing and procurement.~~
- 17 5. ~~General services, including housekeeping and~~
18 ~~maintenance of facilities.~~
- 19 6. ~~Assisting the district administrator in preparation~~
20 ~~of the district budget request and administration of the~~
21 ~~approved operating budget.~~
- 22 7. ~~The district manager for administrative services is~~
23 ~~the chief budget officer of the district.~~
- 24 8. ~~Other administrative duties as assigned by the~~
25 ~~district administrator.~~

26 (f)(g) To ensure effective contract management, each
27 district administrator and the district program administrator
28 for family safety shall establish an interdisciplinary
29 contract evaluation team to assess the efficacy of district
30 contracts and evaluate contractor performance and
31 administrative compliance. The contract evaluation team shall

1 report their findings to, and coordinate their activities
2 with, the Office of Standards and Evaluation.

3 (13) ADMINISTRATIVE SERVICES CENTERS.--

4 (a) The department shall deliver its programs and
5 services through no more than two administrative services
6 centers that are defined by the secretary. These centers are
7 responsible for providing selected administrative functions
8 designed to support multiple districts. The administrative
9 services functions that may be performed by these
10 administrative services centers include the following:

- 11 1. Finance and accounting.
- 12 2. Grants management and disbursement.
- 13 3. Personnel administration.
- 14 4. Purchasing and procurement.
- 15 5. General services, including housekeeping and
16 maintenance of facilities.

17 (b) The administrative services centers may not have
18 line authority over district offices and may not be interposed
19 between the secretary and district administrators or between
20 the district program administrators for family safety and the
21 Deputy Secretary for Family Safety. These centers may be
22 created, consolidated, restructured, or rearranged by the
23 secretary, within the limitations provided in chapter 216, in
24 order to achieve more effective and efficient performance of
25 service delivery and support functions to multiple districts.
26 In the establishment of any administrative services centers
27 under this paragraph, the department shall avoid consolidation
28 of functions that support service-delivery decisionmaking,
29 such as budgetary functions; discretionary decisions regarding
30 procurement of goods and services; and decisions regarding
31 recruitment, hiring, and evaluation of staff. Any

1 consolidation of administrative functions under this paragraph
2 shall be designed to minimize any adverse impact on service
3 districts or institutions.

4 (c) Each administrative services center shall report
5 to the Assistant Secretary for Administration, who shall
6 provide appropriate policy direction to the centers to assure
7 the implementation of uniform policies and procedures.

8 (d) The Legislature intends for the department to save
9 at least 20 percent in district administrative expenditures
10 through the operation of administrative services centers. The
11 cost savings that result from the creation of administrative
12 services centers must be used to enhance the family safety
13 quality assurance and improvement program.

14 (e) The department shall submit an implementation plan
15 to the Governor, the President of the Senate, and the Speaker
16 of the House of Representatives by October 1, 1998. The plan
17 must include the following: the number of centers, location
18 of the centers, the districts assigned to each center, and the
19 services assigned to each center; the number of and type of
20 FTEs and amount of funds for salaries, benefits, and expenses
21 to be transferred from the 15 administrative services
22 operations of the districts to the centers; the proposed cost
23 savings associated with the development of the centers; an
24 itemized description of those family safety programs and
25 services to be established with cost savings; and the
26 timeframes for establishing centers and programs. The
27 administrative services centers must be operational no later
28 than July 1, 1999.

29 (14)(10) STATEWIDE HEALTH AND HUMAN SERVICES
30 BOARD.--There is created the Statewide Health and Human
31 Services Board consisting of the chairs of the district health

1 and human services boards or their designees. The board shall
2 also include experts in child protection services, domestic
3 violence, abuse of elders, and financial management who are
4 appointed by the Governor.The statewide board shall meet at
5 least twice annually and as needed, upon the call of the
6 secretary. The statewide board shall advise the secretary on
7 statewide issues and identify barriers to and opportunities
8 for effective and efficient local service delivery and the
9 integration of health and family services. The statewide board
10 shall advise the secretary and the Deputy Secretary for Family
11 Safety on issues relating to family safety.Each member
12 attending these meetings is entitled to receive reimbursement
13 for per diem and travel expenses as provided in s. 112.061.

14 (15)~~(11)~~ DEPARTMENTAL BUDGET.--

15 (a) The secretary shall develop and submit annually to
16 the Legislature a comprehensive departmental summary budget
17 document which arrays each district budget request along
18 program lines and, for the purpose of legislative
19 appropriation, consists of the following distinct budget
20 entities:

- 21 1. Department Administration.
- 22 2. Statewide Services.
- 23 3. Entitlement Benefits and Services.
- 24 4. District Services.

25
26 The department shall revise its budget entity designations to
27 conform with the four budget entities. The department, in
28 accordance with chapter 216, shall transfer, as necessary,
29 funds and positions among budget entities to realign
30 appropriations with the revised budget entity designations.
31 Such authorized revisions must be consistent with the intent

1 of the approved operating budget. The various district budget
2 requests developed pursuant to paragraph (d) shall be included
3 in the comprehensive departmental summary budget document.

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

7 (c) It is the responsibility of the Assistant
8 Secretary for Administration to promulgate the necessary
9 budget timetables, formats, and data requirements for all
10 departmental budget requests in accordance with the statewide
11 budget requirements of the Executive Office of the Governor.

12 (d) It is the responsibility of the district
13 administrator, jointly with the health and human services
14 board, to develop an annual district budget request to be
15 reviewed, amended, and approved by the secretary. Annual
16 budget requests are based on units of service and the costs of
17 those services.

18 (e) The department's program planning, budgeting, and
19 information systems capabilities are required to be linked.
20 Identification of resource requirements and legislative
21 appropriations are based upon systematic identification of
22 target client populations and appropriate service arrays,
23 defined units of measurement and data captured for unit
24 costing purposes, and tracking services delivered in a manner
25 so that program outcomes can be determined. The department
26 shall implement an integrated, unit cost based budgeting
27 system across target client populations.

28 (16)~~(12)~~ CONFORMITY WITH FEDERAL STATUTES AND
29 REGULATIONS.--It is the intent of the Legislature that this
30 section not conflict with any federal statute or implementing
31 regulation governing federal grant-in-aid programs

1 administered by the department. Whenever such a conflict is
2 asserted by the applicable agency of the Federal Government,
3 the secretary of the department shall submit to the United
4 States Department of Health and Human Services, or other
5 applicable federal agency, a request for a favorable policy
6 response or a waiver of the conflicting portions. If such
7 request is approved, as certified in writing by the Secretary
8 of the United States Department of Health and Human Services
9 or head of the other applicable federal agency, the secretary
10 of the department is authorized to make the adjustments in the
11 organization and state service plan prescribed by this section
12 which are necessary for conformity to federal statutes and
13 regulations. Prior to making such adjustments, the secretary
14 shall provide to the Speaker of the House of Representatives
15 and the President of the Senate an explanation and
16 justification of the position of the department and shall
17 outline all feasible alternatives consistent with the
18 provisions of this section. These alternatives may include the
19 state supervision of local service agencies by the department
20 if such agencies are designated by the Governor. The Governor
21 is hereby authorized to designate local agencies of county
22 governments to provide services pursuant to federally required
23 state plans administered by the department. These local
24 agencies shall provide services for and on behalf of the
25 county governments included within the geographic boundaries
26 of the local agency. The board of commissioners of each county
27 within the local agency shall annually approve the service
28 plan to be provided by the local service agency. In order to
29 assure coordination with other health and family services
30 provided to citizens within each county, local service
31 agencies designated by the Governor pursuant to this section

1 shall correspond to the service districts created pursuant to
2 subsection (8)~~(6)~~. The district administrator of each service
3 district is designated the head of the local service agency.
4 As head of the local service agency, the district
5 administrator shall administer the service programs in
6 conformity with statewide policies, procedures, and guidelines
7 established by the department. The local agency shall
8 administer its program pursuant to a written agreement with
9 the department which:

10 (a) Indicates that the local agency will conduct its
11 program under the supervision of the department in accordance
12 with the state plan and in compliance with statewide standards
13 as established by the department, including standards of
14 organization and administration.

15 (b) Sets forth the methods to be followed by the
16 department in its supervision of the local agency, including
17 an evaluation of the effectiveness of the program of the local
18 agency.

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

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

24

25 The local agency is responsible for the administration of all
26 aspects of the program within the political subdivisions which
27 it serves. In order to assure uniformity of personnel
28 standards, the local agency shall utilize the state personnel
29 rules and regulations, including provisions related to tenure,
30 selection, appointment, and qualifications of personnel.

31 (17)~~(13)~~ INFORMATION SYSTEMS.--

1 (a) The secretary shall appoint a Chief Information
2 Officer with the authority for agency development and
3 management information systems maintenance, policies, and
4 procedures as provided for in chapter 282. The Chief
5 Information Officer shall direct and promote information as a
6 strategic asset and facilitate integration of data systems and
7 agency and interagency resource sharing as allowed by
8 applicable statutes. The Chief Information Officer serves at
9 the pleasure of the secretary.

10 (b) The Chief Information Officer is directly
11 responsible for the management of the management information
12 systems service center that provides primary information
13 systems support for all entities within the department and
14 maintains fee-for-service provisions for use by other
15 agencies. The Chief Information Officer shall negotiate
16 service-level agreements between the management information
17 systems service center and users and shall facilitate
18 integrated information systems practices and procedures
19 throughout the service districts and with local service
20 providers.

21 (c) The secretary shall implement a priority program
22 aimed at the design, testing, and integration of automated
23 information systems necessary for effective and efficient
24 management of the department and clients. These systems shall
25 contain, minimally, management data, client data, and program
26 data deemed essential for the ongoing administration of
27 service delivery, as well as for the purpose of management
28 decisions. It is the intent of the Legislature that these
29 systems be developed with the idea of providing maximum
30 administrative support to the delivery of services and to
31 allow for the development of a more logical alignment of

1 programs, services, and budget structures to effectively
2 address the problems of any person who receives the services
3 of the department. It is also essential that these systems
4 comply with federal program requirements and ensure
5 confidentiality of individual client information.

6 (d) The department's information systems are developed
7 to support a client outcome-based budget and management
8 system. At a minimum, these systems must use a unit of service
9 basis to measure contract performance, integrate client
10 demographic and unit cost information, and provide for program
11 outcome measurement.

12 (e) For the purpose of funding this effort, the
13 department shall include in its annual budget request a
14 comprehensive summary of costs involved, as well as human
15 resources saved, and the availability of costs for private
16 sector systems in the establishment of these automated
17 systems. Such budget request shall also include a complete
18 inventory of current staff, equipment, and facility resources
19 available for completion of the desired systems. The
20 department shall review all forms for duplicative content and,
21 to the maximum extent possible, reduce, consolidate, and
22 eliminate such duplication to provide for a uniform,
23 integrated, and concise management information collection
24 system. The department is authorized to charge reasonable
25 administrative fees to other state agencies using the
26 department's information systems.

27 (18)~~(14)~~ ELIGIBILITY REQUIREMENTS.--The department
28 shall review the eligibility requirements of its various
29 programs and, to the maximum extent possible, consolidate them
30 into a single eligibility system.

31

1 (19)~~(15)~~ PURCHASE OF SERVICES.--Whenever possible, the
2 department, in accordance with the established program
3 objectives and performance criteria, shall contract for the
4 provision of services by counties, municipalities,
5 not-for-profit corporations, for-profit corporations, and
6 other entities capable of providing needed services, if
7 services so provided are more cost-efficient than those
8 provided by the department.

9 (20)~~(16)~~ HEADQUARTERS; SERVICE FACILITIES.--

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

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

22 (21)~~(17)~~ PROCUREMENT OF HEALTH SERVICES.--Nothing
23 contained in chapter 287 requires competitive bids for health
24 services involving examination, diagnosis, or treatment.

25 (22)~~(18)~~ CONSULTATION WITH COUNTIES ON MANDATED
26 PROGRAMS.--It is the intent of the Legislature that when
27 county governments are required by law to participate in the
28 funding of programs, the department shall consult with
29 designated representatives of county governments in developing
30 policies and service delivery plans for those programs.

31

1 (23)~~(19)~~ OUTCOME EVALUATION AND PROGRAM

2 EFFECTIVENESS.--

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

4 1. Ensure that information be provided to
5 decisionmakers so that resources are allocated to programs of
6 the department that achieve desired performance levels.

7 2. Provide information about the cost of such programs
8 and their differential effectiveness so that the quality of
9 such programs can be compared and improvements made
10 continually.

11 3. Provide information to aid in the development of
12 related policy issues and concerns.

13 4. Provide information to the public about the
14 effectiveness of such programs in meeting established goals
15 and objectives.

16 5. Provide a basis for a system of accountability so
17 that each client is afforded the best programs to meet his or
18 her needs.

19 6. Improve service delivery to clients.

20 7. Modify or eliminate activities that are not
21 effective.

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

26 (24)~~(20)~~ INNOVATION ZONES.--The health and human
27 services board may propose designation of an innovation zone
28 for any experimental, pilot, or demonstration project that
29 furthers the legislatively established goals of the
30 department. An innovation zone is a defined geographic area
31 such as a district, county, municipality, service delivery

1 area, school campus, or neighborhood providing a laboratory
2 for the research, development, and testing of the
3 applicability and efficacy of model programs, policy options,
4 and new technologies for the department.

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

16 2. For innovation zone proposals that the secretary
17 determines require changes to state law, the secretary may
18 submit a request for a waiver from such laws, together with
19 any proposed changes to state law, to the chairs of the
20 appropriate legislative committees for consideration.

21 3. For innovation zone proposals that the secretary
22 determines require waiver of federal law, the secretary may
23 submit a request for such waivers to the applicable federal
24 agency.

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

28 (c) The Statewide Health and Human Services Board, in
29 conjunction with the secretary, shall develop a family
30 services innovation transfer network for the purpose of
31 providing information on innovation zone research and projects

1 or other effective initiatives in family services to the
2 health and human services boards established under subsection
3 (9)~~(7)~~.

4 (d) Prior to implementing an innovation zone pursuant
5 to the requirements of this subsection and chapter 216, the
6 secretary shall, in conjunction with the Auditor General,
7 develop measurable and valid objectives for such zone within a
8 negotiated reasonable period of time. No more than 15
9 innovative zones shall be in operation at any one time within
10 the districts.

11 Section 2. Section 402.401, Florida Statutes, is
12 created to read:

13 402.401 Competency-based training for child protection
14 staff.--

15 (1) Within funds specifically appropriated for this
16 purpose, the Legislature intends that family safety services
17 shall be delivered by trained and competent professional
18 staff. The Legislature intends to reward exemplary persons
19 among its direct services staff as well as attract and retain
20 the most competent professionals. To that end,
21 competency-based training requirements are established.

22 (2) Child protection staff, whether employed by the
23 department or under contract with the department, who perform
24 the functions of professional child protection staff in the
25 family services personnel classes, must be certified based on
26 competency-based training and testing programs approved by the
27 department. The department shall provide for oversight of the
28 statewide child protection training and certification system,
29 which must include basic and advanced competency-based
30 training and testing programs, as described in s. 402.40.

31

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

5 Section 3. Section 415.5145, Florida Statutes, is
6 created to read:

7 415.5145 Family safety quality assurance and
8 improvement program.--The purpose of the quality assurance and
9 improvement program is to objectively and systematically
10 monitor and evaluate the appropriateness and quality of child
11 protection services to ensure that services are rendered
12 consistent with reasonable, prevailing professional standards,
13 are based on outcomes and indicators of performance, and are
14 to resolve identified problems in programs and services.

15 (1) Each service district shall develop a written
16 plan, to be implemented within available resources, for the
17 district's implementation of the department's family safety
18 quality assurance and improvement process, established
19 statewide, in accordance with uniform guidelines developed by
20 the secretary. These components must include, but are not
21 limited to:

22 (a) Outcomes in five practice domains: safety,
23 permanency, child well-being, family-centered practice, and
24 program management, leadership, and community partnerships;

25 (b) The involvement of stakeholders in the quality
26 assurance and improvement process;

27 (c) Standardized case review and stakeholder interview
28 for each of the core processes in child protection, from
29 initial response through termination of parental rights and
30 adoption, and for foster care licensing;

31

1 (d) An internal district review process that includes
2 supervisory case review, internal peer reviews of each child
3 protection unit on a routine basis, and a strong district
4 self-assessment component to support and build on quality
5 improvement efforts at the local level;

6 (e) Written reports of the internal and external
7 reviews which focus on performance related to key indicators;
8 and

9 (f) Formal quality assurance and improvement plans
10 where needed.

11 (2) The secretary is responsible for:

12 (a) An external peer review process that includes
13 comprehensive annual onsite reviews of each district's child
14 protection system by central office staff and district staff
15 outside the district being reviewed, and others external to
16 the department when appropriate, to validate internal review
17 findings.

18 (b) Peer review training for district and central
19 office staff in the quality assurance and improvement process
20 and their roles and responsibilities as peer reviewers.

21 (3) Each district shall designate a quality assurance
22 manager.

23 (4) Incident reporting is the affirmative duty of all
24 staff. Any person filing an incident report is not subject to
25 any civil action by virtue of the incident report.

26 (5) The department shall have access to all records
27 necessary to determine agency compliance with this section.

28 Section 4. This act shall take effect October 1, 1998.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 1050

The committee substitute eliminates the privatization of foster care and related services, child welfare legal services and quality assurance program services.