

By the Committee on Children & Family Empowerment and
Representative Lacasa

1 A bill to be entitled
2 An act relating to children's mental health;
3 creating s. 394.490, F.S.; establishing guiding
4 principles for the children's mental health
5 system; creating s. 394.4905, F.S.; providing
6 definitions; creating s. 394.491, F.S.;
7 defining target populations for children's
8 mental health services; creating s. 394.4915,
9 F.S.; providing general performance outcomes
10 for the children's mental health system;
11 creating s. 394.492, F.S.; directing the
12 Department of Children and Family Services and
13 the Agency for Health Care Administration to
14 establish an information and referral process;
15 providing requirements; creating s. 394.4925,
16 F.S.; directing the department, the agency, the
17 Department of Health, the Department of
18 Education, and the Department of Juvenile
19 Justice to establish uniform standards and
20 protocols for screening, assessment, and
21 diagnosis; creating s. 394.493, F.S.; providing
22 for uniform assessment services in the
23 districts of the department; creating s.
24 394.4935, F.S.; providing for district
25 children's mental health services planning
26 teams; creating s. 394.494, F.S.; specifying
27 requirements for services plans and case
28 management; providing an administrative
29 penalty; creating s. 394.4945, F.S.; directing
30 the department to establish the children's
31 mental health system of care; providing minimum

1 programs and services; creating s. 394.495,
2 F.S.; providing definitions; establishing a
3 children's mental health provider qualification
4 process; providing for market rate
5 reimbursement and a purchase-of-services
6 system; creating s. 394.496, F.S.; providing
7 for Children's Mental Health Partnership
8 Grants; creating s. 394.497, F.S.; authorizing
9 department and agency contracts for services;
10 requiring an annual report; creating s.
11 394.499, F.S.; providing for rules and related
12 policy; authorizing application for federal
13 waivers; amending s. 411.203, F.S.; providing
14 for training for parents and caregivers;
15 amending s. 411.204, F.S.; correcting a cross
16 reference; repealing ss. 394.50, 394.56,
17 394.57, 394.58, 394.59, 394.60, 394.61, and
18 394.62, F.S., relating to children's
19 residential and day treatment centers,
20 voluntary and involuntary admission to such
21 centers, records, payment for care and
22 treatment of patients, transfer of patients,
23 discharge of voluntary patients, and age
24 limits; providing an effective date.

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

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28 Section 1. Sections 394.490 through 394.499, Florida
29 Statutes, are designated as part III of chapter 394, entitled
30 "Children's Mental Health."

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1 Section 2. Section 394.490, Florida Statutes, is
2 created to read:

3 394.490 Guiding principles for the children's mental
4 health system.--It is the intent of the Legislature that the
5 following principles guide the development and implementation
6 of the children's mental health system funded by the state.

7 (1) The system should be child-centered, with the
8 needs of the child and family dictating the types and mix of
9 services provided.

10 (2) The system of care should be community-based, with
11 the locus of services, as well as management and
12 decisionmaking responsibility, resting at the community level.

13 (3) The system should provide access to a
14 comprehensive array of competitive and cost-effective
15 services.

16 (4) Children receiving services should receive
17 individualized services in accordance with the unique needs
18 and potentials of each child and guided by an individualized
19 case plan.

20 (5) Services should target known risk factors
21 identified by assessment.

22 (6) Children should receive services within the least
23 restrictive, most normal environment that is clinically
24 appropriate.

25 (7) The families and surrogate families of children
26 should be full participants in all aspects of the planning and
27 delivery of services.

28 (8) Children should receive services that are
29 integrated and linked with schools and other agencies and
30 programs.

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1 (9) Children should be provided with case management
2 to ensure that multiple services are delivered in a
3 coordinated manner, so that the children can move through the
4 system of services in accordance with their changing needs.

5 (10) Early identification and intervention for
6 children with mental health problems should be promoted by the
7 system of care in order to enhance the likelihood of positive
8 outcomes.

9 (11) Children should be ensured smooth transitions to
10 the adult services system, if there is a need for continued
11 services.

12 (12) Children should receive effective services, so
13 that the need for further services and government assistance
14 can end as quickly as possible.

15 Section 3. Section 394.4905, Florida Statutes, is
16 created to read:

17 394.4905 Definitions.--As used in this part:

18 (1) "Department" means the Department of Children and
19 Family Services.

20 (2) "Diagnosis" means a clinical determination of
21 mental illness, as defined in the DSM IV, made by a mental
22 health care professional licensed pursuant to chapter 458,
23 chapter 459, chapter 490, or chapter 491.

24 (3) "DSM IV" means the Diagnostic and Statistical
25 Manual of Mental Disorders, fourth edition, or subsequent
26 editions.

27 Section 4. Section 394.491, Florida Statutes, is
28 created to read:

29 394.491 Target populations for children's mental
30 health services funded through the department.--The children's
31 mental health system of care funded through the Department of

1 Children and Family Services shall serve, in priority order,
2 to the extent the resources are available, the following
3 target populations:

4 (1) Children under 18 years of age with a serious
5 emotional disturbance, emotional disturbance, or mental
6 illness, who are living at home under court-ordered
7 supervision. The child must be diagnosed with a mental,
8 emotional, or behavioral disorder of sufficient duration to
9 meet one of the diagnostic categories specified in the DSM IV
10 and must have recently exhibited behavior indicating a
11 functional impairment that interferes with or limits the
12 child's role or functioning in family, school, or community
13 activities.

14 (2) Children under 18 years of age with a serious
15 emotional disturbance, emotional disturbance or mental
16 illness, who are in state custody. The child must be diagnosed
17 with a mental, emotional, or behavioral disorder of sufficient
18 duration to meet one of the diagnostic categories specified in
19 the DSM IV and must have recently exhibited behavior
20 indicating a functional impairment that interferes with or
21 limits the child's role or functioning in family, school, or
22 community activities.

23 (3) Children 12 years of age and under with a serious
24 emotional disturbance, emotional disturbance, or mental
25 illness, who are living at home and are not under
26 court-ordered supervision or in state custody.

27 (a) The child must be diagnosed with a mental,
28 emotional, or behavioral disorder of sufficient duration to
29 meet one of the diagnostic categories specified in the DSM IV
30 and must have recently exhibited behavior indicating a
31 functional impairment that interferes with or limits the

1 child's role or functioning in family, school, or community
2 activities.

3 (b) The child's family income must be equal to or
4 below 150 percent of the current federal poverty guidelines.

5 (4) Children under 18 years of age and over 12 years
6 of age with a serious emotional disturbance, emotional
7 disturbance, or mental illness, who are living at home and are
8 not under court-ordered supervision or in state custody.

9 (a) The child must be diagnosed with a mental,
10 emotional, or behavioral disorder of sufficient duration to
11 meet one of the diagnostic categories specified in the DSM IV
12 and must have recently exhibited behavior indicating a
13 functional impairment that interferes with or limits the
14 child's role or functioning in family, school, or community
15 activities.

16 (b) The child's family income must be equal to or
17 below 150 percent of the current federal poverty guidelines.

18 (5) Children 12 years of age and under who are at risk
19 of an emotional disturbance or mental illness, and who are
20 living at home and going to school and are not in state
21 custody. For purposes of this subsection, "at risk of an
22 emotional disturbance or mental illness" means at such risk
23 due to certain factors, including, but not limited to, the
24 following events: homelessness; family history of mental
25 health; physical or sexual abuse or neglect; alcohol or other
26 substance abuse; HIV infection; chronic and serious physical
27 or developmental disability or illness; domestic violence; and
28 multiple out-of-home placements.

29 (6) Nothing in this section or this part shall be
30 construed to preclude the delivery of mental health screening,
31 diagnosis, and treatment services to Medicaid-eligible

1 children as required under federal law and regulations.
2 However, to the extent allowable by federal regulations,
3 children's mental health services funded pursuant to part IV
4 of this chapter and s. 409.906(5) and (8) shall be subject to
5 the provisions of this part.

6 Section 5. Section 394.4915, Florida Statutes, is
7 created to read:

8 394.4915 General performance outcomes for the
9 children's mental health system.--

10 (1) It is the intent of the Legislature that the
11 children's mental health system achieve the following
12 performance outcomes within the target population eligible for
13 services from the state:

14 (a) Stabilization or improvement of the child's
15 behavior or condition in the family, so that the child may
16 function in the family with minimum support, minimum
17 government intrusion, or no government intrusion.

18 (b) Stabilization or improvement of the child's
19 behavior or condition related to school, so that the child may
20 function in the school with minimum support, minimum
21 government intrusion, or no government intrusion.

22 (c) Stabilization or improvement of the child's
23 behavior or condition related to the way the child interacts
24 in the community, so that a child may avoid violence,
25 substance abuse, unintended pregnancy, delinquency, sexually
26 transmitted diseases, or other negative consequences.

27 (2) On an annual basis pursuant to s. 216.0166, the
28 department shall develop more specific performance outcomes
29 and performance measures to assess the children's mental
30 health system performance in achieving this intent.

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1 Section 6. Section 394.492, Florida Statutes, is
2 created to read:

3 394.492 Information and referral.--

4 (1) The department shall establish, in each district,
5 a children's mental health resource and referral network. It
6 is the intent of the Legislature that in the development of
7 this service, preference be given to using already established
8 information and referral services or hotlines.

9 (2) The department and the Agency for Health Care
10 Administration shall establish a protocol for the information
11 and referral process.

12 (a) The protocol shall establish procedures and
13 criteria to refer a child to screening, assessment, a
14 provider, or emergency services, depending on the
15 circumstances, eligibility for services, the child's need, and
16 other factors presented.

17 (b) Children in need of emergency intervention
18 services shall be treated in accordance with provisions of
19 part I.

20 (3) The information and referral provider shall be
21 selected based on a request for proposals and shall not be
22 affiliated with any provider of services.

23 (4) Upon selection, the agency selected shall operate
24 the resource and referral service for 3 years, after which
25 time the department shall issue another request for proposals.
26 Agencies previously selected for the operation of the resource
27 and referral function are not precluded from submitting a bid
28 to continue providing the resource and referral service.
29 Information and referral agencies shall provide the following
30 services:

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- 1 (a) Identification of existing children's mental
2 health services and the development of a resource file of
3 those services. The existing services may include, but are not
4 limited to:
- 5 1. Prevention.
 - 6 2. Early Intervention.
 - 7 3. Home-based services.
 - 8 4. School-based services.
 - 9 5. Respite.
 - 10 6. Outpatient treatment.
 - 11 7. Day treatment.
 - 12 8. Crisis stabilization.
 - 13 9. Therapeutic homes.
 - 14 10. Specialized therapeutic foster homes.
 - 15 11. Residential treatment.
 - 16 12. Inpatient hospitalization.
- 17 (b) The resource file shall include, but not be
18 limited to:
- 19 1. Type of program.
 - 20 2. Hours of service.
 - 21 3. Ages of children served.
 - 22 4. Number of children served.
 - 23 5. Significant program information.
 - 24 6. Fees and eligibility for services.
- 25 (5) The information and referral process must contain
26 the following elements:
- 27 (a) A well-advertised central telephone number that
28 parents may call for information concerning children's mental
29 health services.
 - 30 (b) A community public service campaign to inform the
31 public about the information and referral service.

1 (6) The information and referral process shall be
2 provided with full recognition of the confidentiality rights
3 of parents.

4 (7) An information and referral agency shall maintain
5 ongoing documentation of requests for services, compiled
6 through the internal referral process. The following
7 documentation of requests for services shall be maintained, at
8 a minimum, by all information and referral agencies:

9 (a) Number of calls to the information and referral
10 agency component, by type of service requested.

11 (b) Ages of children for whom services were requested.

12 (c) The type of referral made by the agency.

13 (8) The information and referral provider shall
14 provide the department and the Agency for Health Care
15 Administration with periodic management reports that allow
16 analysis of sources and frequency of requests for information,
17 types and frequency of services requested, types and frequency
18 of referrals made, and other information as determined by the
19 department and the Agency for Health Care Administration.

20 Section 7. Section 394.4925, Florida Statutes, is
21 created to read:

22 394.4925 Uniform standards and protocols for
23 screening, assessment, and diagnosis.--

24 (1) The department, the Agency for Health Care
25 Administration, the Department of Health, the Department of
26 Education, and the Department of Juvenile Justice shall
27 establish uniform standards and protocols for the screening,
28 assessment, and diagnosis of children with a serious emotional
29 disturbance or an emotional disturbance who receive:

30 (a) Mental health services through the department
31 using state funds.

- 1 (b) Mental health services through Medicaid.
2 (c) Mental health services through the school system
3 or exceptional education services.
4 (d) Mental health services through the Department of
5 Juvenile Justice.
6 (2) The protocol shall establish procedures and
7 include criteria for agencies to determine which children are
8 appropriate for screening, for further assessments, or for
9 other diagnostic procedures.
10 (3) The protocol shall establish procedures and
11 include criteria to refer a child to a services planning team,
12 case management, a provider, or emergency services, depending
13 on the information gathered through the screening and
14 assessment process, eligibility for services, the child's
15 need, and other factors presented.
16 (4) Children in need of mental health services who do
17 not meet the criteria for referral to a services planning team
18 or case management may be referred directly for needed
19 services. These direct referrals from assessment shall include
20 a clear recommendation for the most appropriate provider,
21 duration, and frequency of services and the outcomes to be
22 reported.
23 (5) The protocol shall include a mechanism to provide
24 the department and the Agency for Health Care Administration
25 with periodic management reports.
26 (6) Assessment and diagnostic procedures shall meet
27 any minimum standards established by federal law and shall
28 provide guidance on screening instruments which are
29 appropriate for identifying mental health risk factors in
30 children.
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1 (7) Duplicative and inefficient screening, assessment,
2 diagnostic, and planning practices shall be eliminated to the
3 extent possible. Diagnostic and other information necessary to
4 provide quality services to children shall be shared among the
5 Agency for Health Care Administration, the program offices of
6 the department, the district school systems, and the
7 Department of Juvenile Justice.

8 Section 8. Section 394.493, Florida Statutes, is
9 created to read:

10 394.493 Assessment services.--

11 (1) The department shall work cooperatively with
12 mental health providers, substance abuse providers, schools,
13 health services providers, law enforcement agencies, and other
14 entities involved with children to establish uniform
15 assessment services in each district.

16 (2) Assessment services shall provide initial
17 screening of children, including intake and needs assessment,
18 mental health screening, substance abuse screening, physical
19 health screening, and diagnostic testing to determine
20 eligibility, as needed.

21 (3) Children in need of mental health services who, as
22 a result of screening and assessment, do not meet the criteria
23 for referral to a services planning team or case management,
24 as established in protocol pursuant to s. 394.4925, may be
25 referred directly to a provider for needed services. A direct
26 referral from assessment services shall include a clear
27 recommendation for the most appropriate provider, duration,
28 and frequency of services and the outcomes to be reported.

29 (4) Children in need of emergency mental health
30 treatment shall be treated in accordance with the provisions
31 of part I. Within 72 hours after the initiation of emergency

1 treatment, if it appears that the child will be in need of
2 state-supported mental health services, the child shall be
3 referred to the designated assessment center.

4 (5) The department may use existing assessment centers
5 as established in s. 39.0471, or other existing processes and
6 facilities, to fulfill the requirements of this section.

7 (6) The department may contract for assessment
8 services.

9 (7) A district may have multiple assessment services
10 providers.

11 Section 9. Section 394.4935, Florida Statutes, is
12 created to read:

13 394.4935 Services planning teams.--

14 (1) The department shall establish in each district
15 children's mental health services planning teams. The
16 department shall assign a coordinator to each services
17 planning team from a list of approved and qualified
18 coordinators. The coordinators shall be chosen and determined
19 qualified by the department through a request for proposal for
20 the services planning team coordination function.

21 (2) Membership in the services planning team shall, at
22 a minimum, include: the child's parent, caregiver, or
23 guardian; the child, if the child is over 11 years of age and
24 capable of participation; and the department or its designee.
25 The team shall be formed around each child and may include
26 relatives, the child's teacher or other school representatives
27 familiar with the child's case, mental health professionals,
28 and others from the child's community if the child's parent,
29 caregiver, or guardian agrees.

30 (3) The purpose of a services planning team is as
31 follows:

1 (a) To assist the family and other caregivers to
2 develop and implement a workable case plan for treating the
3 child's mental health problems.

4 (b) To use all available resources in the community.

5 (c) To maintain the child in the most normal
6 environment as close to home as possible; and to maintain the
7 child in a stable school placement consistent with child's
8 safety needs, if the child has been removed from home and
9 placed in state custody.

10 (d) To ensure the ability and likelihood of family
11 participation in the treatment of the child, as well as
12 enhancing family independence.

13 (4) When a child has met the criteria, as established
14 by the department, that indicates a referral to a services
15 planning team, the services planning team shall:

16 (a) Determine the need for a services plan and, if
17 needed, develop a services plan.

18 (b) Determine the need for an independent case manager
19 and, if needed, designate an independent case manager for the
20 child and family receiving services.

21 (5) The independent case manager assigned shall not be
22 affiliated with any provider of services for the child and
23 shall be responsible for the successful implementation of the
24 case plan.

25 (6) The department may contract for services planning
26 teams.

27 Section 10. Section 394.494, Florida Statutes, is
28 created to read:

29 394.494 Services plan and case management.--
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1 (1) The department shall determine when a child
2 receiving children's mental health services under this part
3 shall have a services plan.

4 (2) For the purpose of this section, a services plan
5 must include the following:

6 (a) A behavioral description of the problem being
7 addressed.

8 (b) A description of the services to be provided to
9 the child and family to address the identified problem,
10 including:

11 1. Type of services or treatment.

12 2. Frequency and duration of services or treatment.

13 3. Location of the services or treatment.

14 4. The accountable services provider.

15 (c) A description of the measurable objectives of
16 treatment that result in measurable improvements of the
17 child's condition pursuant to s. 394.4915.

18 (3) A services plan shall be developed in conference
19 with the parent or guardian. Any parent who believes that the
20 plan is not adequate may request a review of the plan by the
21 department or its designee.

22 (4) A services plan shall be reviewed at least every
23 90 days for programmatic and financial compliance.

24 (5) For the purposes of this section, case management
25 means those activities aimed at: implementing a services plan;
26 advocacy; linking services providers to a child and family;
27 monitoring services delivery; and collecting information to
28 determine the effect of services and treatment.

29 (6) Upon approval of the services plan, the case
30 manager shall purchase or arrange for needed services to
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1 fulfill the requirements and achieve the objectives of the
2 services plan.

3 (7) Services shall be purchased by the case manager
4 through a purchase-of-services system from approved providers
5 as identified by the department. The case manager shall
6 consult with the services planning team to determine the most
7 appropriate providers.

8 (8) The independent case manager shall periodically
9 review services utilization for a sample of cases to ascertain
10 compliance with plans approved by the planning team. The
11 agency and the department are authorized to recover
12 expenditures for unauthorized services and may impose an
13 administrative fine, pursuant to s. 394.879, against a
14 provider agency for substantial noncompliance.

15 (9) The department shall establish a policy and a
16 system to coordinate case management activities from various
17 referral points, in order to minimize fragmentation and
18 duplication and promote stability of case managers assigned to
19 a child and family. In the attempt to minimize duplication, it
20 is the intent of the Legislature that a child have no more
21 than one mental health case manager.

22 Section 11. Section 394.4945, Florida Statutes, is
23 created to read:

24 394.4945 Children's mental health system of care;
25 programs and services.--

26 (1) The department shall establish, within available
27 resources, a system of care to meet the services and treatment
28 needs of children with a serious emotional disturbance or an
29 emotional disturbance, or children at risk of an emotional
30 disturbance or mental illness.

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- 1 (2) The system of care shall, at a minimum, include,
2 but is not limited to, the following program and services:
- 3 (a) Prevention services.--These services consist of
4 strategies to prevent or reduce the incidence of emotional
5 disturbance in the community.
- 6 (b) Home-based services.--These services are delivered
7 in the home and involve the child and the family. These
8 services include counseling, individualized treatment and
9 services, support services, case management, and multisystemic
10 therapy. For the purposes of this section, multisystemic
11 therapy means services delivered by a team of mental health
12 professionals able to combine individual counseling and work
13 with the child's family, school, peer group and community, in
14 an intensive fashion to avoid out-of-home placement.
- 15 (c) School-based services.--These services provide
16 support to the child and teacher at the school site.
- 17 (d) Respite and family support.--These services
18 provide the family with assistance to meet the intense demands
19 of caring for their child with an emotional disturbance.
- 20 (e) Outpatient treatment.--These services provide
21 individual, group, and family therapy in a community mental
22 health center or other setting.
- 23 (f) Day treatment.--These services provide a
24 nonresidential setting and require the child to be in the
25 program all day or for a major part of the day.
- 26 (g) Crisis stabilization.--These services provide a
27 brief residential setting for children voluntarily or
28 involuntarily admitted during a time of crisis.
- 29 (h) Therapeutic homes.--These services provide a
30 family or group-home setting and include other nonresidential
31 and school services.

1 (i) Residential treatment.--These services are
2 provided in a nonhospital residential setting.

3 (j) Inpatient hospitalization.--These services are
4 provided in a residential hospital setting.

5 (k) Child sex offender victim services.--These
6 services are provided in a nonresidential and residential
7 program with specific treatment capacity and specific program
8 capabilities for this population.

9 (l) Transitional services.--These services provide for
10 successful entry into the adult world of work and independent
11 living for older adolescents.

12 Section 12. Section 394.495, Florida Statutes, is
13 created to read:

14 394.495 Children's mental health provider
15 qualification; market rate reimbursement and
16 purchase-of-services system.--

17 (1) When used in this section, the term:

18 (a) "Children's mental health care provider
19 qualification process" means an assessment process designated
20 or developed by the department to determine children's mental
21 health providers that meet existing relevant licensing
22 requirements, qualifications, standards, and training
23 requirements for specific services and programs. The
24 department shall only purchase services from providers
25 approved by the department or from qualified Medicaid
26 providers.

27 (b) "Market rate" means the price that a children's
28 mental health provider charges for services or treatment. The
29 market rate shall differentiate as much as possible among the
30 target populations as defined in this part. Market rate shall
31 be established for the system of care that shall, at a

1 minimum, include, but is not limited to, the following
2 programs and services:
3 1. Prevention services.
4 2. Home-based services.
5 3. School-based services.
6 4. Respite.
7 5. Outpatient treatment.
8 6. Day treatment.
9 7. Crisis stabilization.
10 8. Therapeutic homes.
11 9. Specialized therapeutic foster care homes.
12 10. Residential treatment.
13 11. Inpatient hospitalization.
14 12. Child sex offender victim services.
15 (c) "Prevailing market rate" means the annually
16 determined 75th percentile of a reasonable frequency
17 distribution of market rate in a predetermined geographic
18 market at which mental health providers charge for a service
19 or treatment.
20 (2) The department shall establish a
21 purchase-of-services system to reimburse qualified providers,
22 including community mental health centers and professionals
23 licensed pursuant to chapters 458, 459, 490, and 491.
24 (a) To the extent that funding is available, the
25 department shall negotiate with providers for the most
26 competitive rates available.
27 (b) Reimbursement rates to providers shall not exceed
28 the prevailing market rate for services in a predetermined
29 geographic market.
30 (c) The payment system may not interfere with the
31 parents' decision as to the appropriateness of the services.

1 (d) The department shall develop specific
2 reimbursement, accounting, and monitoring systems to ensure
3 the validity of charges for services from providers.

4 (e) The department shall make timely payments as
5 required by applicable law for services rendered by a
6 provider.

7 Section 13. Section 394.496, Florida Statutes, is
8 created to read:

9 394.496 Children's Mental Health Partnership Grants.--

10 (1) It is the intent of the Legislature to:

11 (a) Promote public/private partnerships to ensure that
12 children 12 years of age and under who are at risk of an
13 emotional disturbance or mental illness have the opportunity
14 to participate in programs and activities that will reduce
15 risk factors and strengthen protective factors. It is the
16 intent of the Legislature that communities be encouraged to
17 invest in innovative ways to assist these children to
18 successfully function in their families, schools, and
19 communities.

20 (b) The Legislature further recognizes that the public
21 and private sectors, by working in partnership, can promote
22 and improve access to these programs and activities.

23 (2) There is created the Children's Mental Health
24 Partnership Grants. The purpose of the Children's Mental
25 Health Partnership Grants is to utilize state funds as
26 incentives for matching local funds derived from local
27 governments, charitable foundations, and other sources, so
28 that Florida communities may create local flexible
29 partnerships to serve children 12 years of age and under who
30 are at risk of an emotional disturbance or mental illness.

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1 (a) Children's Mental Health Partnership Grants funds
2 shall be used at the discretion of local communities to meet
3 the needs of local communities in addressing risk factors in
4 this population.

5 (b) Within available resources, Children's Mental
6 Health Partnership Grants funds shall provide a
7 dollar-for-dollar match from funds derived from local
8 governments, charitable foundations, and other matching
9 contributors.

10 (c) The Children's Mental Health Partnership Grants
11 funds shall be used for specific programs and activities to
12 address risk factors in this population.

13 (3) The department shall establish a grant application
14 process for the Children's Mental Health Partnership Grants.

15 (a) In order to be considered for the Children's
16 Mental Health Partnership Grants, the community shall commit
17 to:

18 1. Matching the grant funds on a dollar-for-dollar
19 basis; and

20 2. Expending the funds only on the programs or
21 activities delineated in the grant application.

22 (b) Each grant application shall delineate performance
23 outcomes and performance measures for each program or activity
24 funded.

25 (4) The department shall consider the following in
26 awarding such grants:

27 (a) The number of children in the target population
28 within the geographical area to be served by the program.

29 (b) The validity and cost-effectiveness of the
30 program.

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1 (c) The validity of the performance outcomes and
2 measures, in measuring the impact of the program on the target
3 population.

4 (5) The department shall make available to anyone
5 wishing to apply for such a grant information on all of the
6 criteria to be used in the selection of the proposals for
7 funding pursuant to the provisions of this section.

8 (6) If no funds are appropriated for the purpose
9 delineated in this section, the department may reallocate up
10 to 10 percent of the funds appropriated for children's mental
11 health to fund Children's Mental Health Partnership Grants.

12 Section 14. Section 394.497, Florida Statutes, is
13 created to read:

14 394.497 Contracting powers.--

15 (1) The department is authorized to contract with
16 receiving facilities and crisis stabilization units to provide
17 emergency stabilization for persons in crisis situations.

18 (2) The department and the Agency for Health Care
19 Administration are authorized to contract for services or
20 other functions or to preauthorize the purchase of services or
21 other functions, as necessary to address any limitations
22 imposed by:

23 (a) The supply of the service or function.

24 (b) The availability of the service or function.

25 (c) The capacity or capability of a district to
26 implement the provisions of this part.

27 (d) Other conditions imposed by the service market.

28 (3) It is the intent of the Legislature that the
29 purchase-of-services system as delineated in s. 394.495 be the
30 primary method to acquire needed services for the target
31 population and that other methods available to the department

1 to secure services be judiciously applied by the department.
2 On an annual basis, the department shall provide a report to
3 the Legislature, as part of the requirement to report
4 performance outcome and performance measures pursuant to s.
5 216.0166, indicating statewide, and for each district,
6 utilization statistics and service type, and monetary value of
7 purchase of services, contracts, performance contracts, and
8 preauthorized purchase of services to secure services for
9 children as delineated in this part.

10 Section 15. Section 394.499, Florida Statutes, is
11 created to read:

12 394.499 Rules and related policy; federal waivers.--

13 (1) The department or the Agency for Health Care
14 Administration may apply for federal waivers that further
15 facilitate the policy for the administration and operation of
16 the children's mental health system as provided in this part.

17 (2) The department shall adopt a specific rule for a
18 process to resolve conflict or disagreement that arises
19 regarding the treatment of a child, among a provider, case
20 manager, services planning team, and other relevant parties.

21 Section 16. The introductory paragraph and paragraph
22 (c) of subsection (8) of section 411.203, Florida Statutes,
23 are amended, subsection (9) is renumbered as subsection (10),
24 and a new subsection (9) is added to said section, to read:

25 411.203 Continuum of comprehensive services.--The
26 Department of Education and the Department of Children and
27 Family ~~Health and Rehabilitative~~ Services shall utilize the
28 continuum of prevention and early assistance services for
29 high-risk pregnant women and for high-risk and handicapped
30 children and their families, as outlined in this section, as a
31 basis for the intraagency and interagency program

1 coordination, monitoring, and analysis required in this
2 chapter. The continuum shall be the guide for the
3 comprehensive statewide approach for services for high-risk
4 pregnant women and for high-risk and handicapped children and
5 their families, and may be expanded or reduced as necessary
6 for the enhancement of those services. Expansion or reduction
7 of the continuum shall be determined by intraagency or
8 interagency findings and agreement, whichever is applicable.
9 Implementation of the continuum shall be based upon applicable
10 eligibility criteria, availability of resources, and
11 interagency prioritization when programs impact both agencies,
12 or upon single agency prioritization when programs impact only
13 one agency. The continuum shall include, but not be limited
14 to:

15 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND
16 PARENTS OF HIGH-RISK CHILDREN.--

17 (c) Parent education and counseling, including, but
18 not limited to, methods to stimulate brain development in
19 infants and toddlers.

20 (9) FAMILY BEHAVIORAL AND SKILL TRAINING FOR PARENTS
21 AND OTHER CAREGIVERS.--

22 (a) The development of specific parental skills,
23 particularly problem-solving skills, to help a parent better
24 handle crises and stresses.

25 (b) Parental or caregiver activities to promote a
26 child's sense of identity and self-esteem.

27 (c) Strategies to increase the likelihood that
28 children learn favorable behaviors.

29 (d) Strategies to decrease inappropriate or
30 unfavorable childhood behaviors.

31

1 Section 17. Paragraph (c) of subsection (5) of section
2 411.204, Florida Statutes, is amended to read:

3 411.204 Program evaluation design and conduct;
4 independent third-party evaluation.--

5 (5)

6 (c) The uniform evaluation design system shall
7 include, but not be limited to, the following:

8 1. Activities and programs related to intraagency and
9 interagency coordination and to the State Coordinating Council
10 for Early Childhood Services established pursuant to s.
11 411.222.

12 2. Evaluation of the management systems and procedures
13 for the continuum as set forth in s. 411.203~~(10)(9)~~(f).

14 3. Activities and prototypes related to comprehensive
15 services for high-risk infants and toddlers and their families
16 as specified in part III.

17 4. Program evaluation of ss. 230.2303, 402.27, 402.28,
18 402.45, and 402.47 and other programs directly related to the
19 intent of this chapter.

20

21 Such evaluation design system shall be based upon the
22 achievement of desired outcomes resulting from prevention or
23 early intervention efforts.

24 Section 18. Sections 394.50, 394.56, 394.57, 394.58,
25 394.59, 394.60, 394.61, and 394.62, Florida Statutes, are
26 hereby repealed.

27 Section 19. The Department of Children and Family
28 Services shall implement the provisions of part III of chapter
29 394, Florida Statutes, as contained in this act, in each
30 district of the department by July 1, 1998.

31 Section 20. This act shall take effect July 1, 1997.

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HOUSE SUMMARY

Repeals provisions relating to children's residential and day treatment centers. Establishes a children's mental health system of care, to be implemented by the Department of Children and Family Services beginning July 1, 1998. Provides guiding principles and definitions. Defines target populations. Provides general performance outcomes to be achieved. Directs the department and the Agency for Health Care Administration to establish an information and referral process. Directs the department, agency, Department of Health, Department of Education, and Department of Juvenile Justice to establish uniform standards and protocols for screening, assessment, and diagnosis. Provides for uniform assessment services in the department's districts. Provides for district children's mental health services planning teams. Specifies requirements for services plans and case management. Provides an administrative penalty for noncompliance. Specifies minimum programs and services. Establishes a children's mental health provider qualification process, and provides for market rate reimbursement and a purchase-of-services system. Provides for Children's Mental Health Partnership Grants to promote programs and activities for certain children at risk. Authorizes department and agency contracts for services. Provides for rules and related policy, and authorizes application for federal waivers. Provides for family behavioral and skills training for parents and caregivers.