

By Senator McKay

26-1036-00

See HB

1 A bill to be entitled
2 An act relating to obsolete, expired, or
3 repealed provisions of law; repealing various
4 provisions of law that have become obsolete,
5 have had their effect, have served their
6 purpose, or have been impliedly repealed or
7 superseded; repealing s. 397.94(2) and (3)(a),
8 F.S., relating to plans for implementation of
9 the children's substance abuse information and
10 referral network and integration thereof with
11 the child and adolescent mental health
12 information and referral network; repealing s.
13 402.175, F.S., relating to the umbrella trust
14 fund for developmentally disabled and mentally
15 ill persons; repealing s. 402.3058, F.S.,
16 relating to exemption from fingerprinting
17 requirements for summer camp personnel, the
18 provisions of which are published elsewhere in
19 statutes; repealing s. 402.33(10)(a), F.S.,
20 relating to review by the Department of
21 Children and Family Services and the Department
22 of Health of services provided to clients to
23 ensure that fees assessed therefor conform to
24 law; repealing s. 402.72(3), F.S., relating to
25 evaluation of and a report to the Legislature
26 on the effectiveness and efficiency of
27 contracting functions in each service district
28 of the Department of Children and Family
29 Services; repealing ss. 409.501-409.506, F.S.,
30 relating to the Florida Financial Assistance
31 for Community Services Act of 1974; amending s.

1 430.204, F.S.; deleting a reference, to
2 conform; amending s. 409.942, F.S.; deleting
3 provisions relating to the pilot portion of the
4 electronic benefit transfer program of the
5 Department of Children and Family Services;
6 repealing s. 411.204, F.S., relating to
7 handicap prevention and early childhood
8 assistance program evaluation design and
9 conduct and independent third-party evaluation;
10 amending ss. 397.901 and 411.01, F.S.;
11 conforming cross-references; amending s.
12 411.222, F.S.; deleting provisions relating to
13 intraagency and interagency coordination
14 through the Office of Prevention, Early
15 Assistance, and Child Development of the
16 Department of Education and of the former
17 Department of Health and Rehabilitative
18 Services; amending ss. 230.2303, 383.14,
19 391.304, 402.281, 402.305, 402.3052, 402.45,
20 402.47, and 411.221, F.S.; revising references,
21 to conform; repealing s. 411.232(4) and (5),
22 F.S., relating to implementation and evaluation
23 of the Children's Early Investment Program;
24 repealing s. 414.35, F.S., relating to adoption
25 of rules by the Department of Children and
26 Family Services for administration of emergency
27 assistance programs delegated to the
28 department; repealing s. 414.38(10), F.S.,
29 relating to an evaluation of the local work
30 experience and job training pilot program for
31 noncustodial parents; amending s. 414.70, F.S.;

1 deleting obsolete provisions relating to an
2 evaluation of certain drug-testing and
3 drug-screening demonstration projects;
4 repealing s. 28, ch. 96-403, Laws of Florida;
5 terminating the Board of Regents task force
6 that examined and reported on the optimal
7 organizational structure for the delivery of
8 social services; providing an effective date.

9

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

11

12 Section 1. Subsection (2) and paragraph (a) of
13 subsection (3) of section 397.94, Florida Statutes, are
14 repealed.

15 Section 2. Section 402.175, Florida Statutes, is
16 repealed.

17 Section 3. Section 402.3058, Florida Statutes, is
18 repealed.

19 Section 4. Paragraph (a) of subsection (10) of section
20 402.33, Florida Statutes, is repealed.

21 Section 5. Subsection (3) of section 402.72, Florida
22 Statutes, is repealed.

23 Section 6. Sections 409.501, 409.502, 409.503,
24 409.504, 409.505, and 409.506, Florida Statutes, are repealed.

25 Section 7. Subsection (6) of section 430.204, Florida
26 Statutes, is amended to read:

27 430.204 Community-care-for-the-elderly core services;
28 departmental powers and duties.--

29 (6) When possible, services shall be obtained under:

30 (a) The Florida Plan for Medical Assistance under
31 Title XIX of the Social Security Act;

1 (b) The State Plan on Aging under the Older Americans
2 Act; or

3 ~~(c) The Florida Financial Assistance for Community~~
4 ~~Services Act of 1974.~~

5 Section 8. Subsections (2) and (3) of section 409.942,
6 Florida Statutes, are amended to read:

7 409.942 Electronic benefit transfer program.--

8 (2) The department shall, in accordance with
9 applicable federal laws and regulations, develop minimum
10 program requirements and other policy initiatives for the
11 electronic benefit transfer program ~~and shall have at least~~
12 ~~one operational pilot program in place by July 1, 1996.~~

13 (3) The department shall enter into public-private
14 contracts for all provisions of electronic transfer of public
15 assistance benefits, ~~including, but not limited to, the~~
16 ~~necessary electronic equipment and technical support for the~~
17 ~~electronic benefit transfer pilot program.~~

18 Section 9. Section 411.204, Florida Statutes, is
19 repealed.

20 Section 10. Paragraph (c) of subsection (2) of section
21 397.901, Florida Statutes, is amended to read:

22 397.901 Prototype juvenile addictions receiving
23 facilities.--

24 (2)

25 (c) The department may implement the prototype
26 juvenile addictions receiving facilities component of the
27 emergency assessment and specialized treatment services within
28 resources appropriated for this purpose.

29 ~~1.~~ Using the criteria provided in this section, the
30 department shall evaluate and select the service providers and
31 sites to be funded initially.

1 ~~2. An independent third party evaluation of the~~
2 ~~prototypes must be conducted in accordance with the principles~~
3 ~~and procedures specified in s. 411.204, pursuant to a contract~~
4 ~~entered into prior to the prototype selection to ensure~~
5 ~~integrity of the evaluation design, ongoing monitoring and~~
6 ~~periodic review of progress, and a timely, comprehensive~~
7 ~~evaluation report. The evaluation report must include process~~
8 ~~and outcome data, and must be submitted to the Governor, the~~
9 ~~President of the Senate, the Speaker of the House of~~
10 ~~Representatives, the department, and appropriate substantive~~
11 ~~committees and subcommittees of the Legislature within 1 year~~
12 ~~after startup and annually thereafter for 5 years. Five years~~
13 ~~after the prototype juvenile addictions receiving facilities~~
14 ~~and the independent evaluation are funded and operational, a~~
15 ~~5-year retrospective report must be submitted on the impact of~~
16 ~~the addictions receiving facility modality upon treatment~~
17 ~~outcomes and sustained recovery of the participants.~~

18 Section 11. Paragraph (d) of subsection (5) of section
19 411.01, Florida Statutes, is amended to read:

20 411.01 Florida Partnership for School Readiness;
21 school readiness coalitions.--

22 (5) CREATION OF SCHOOL READINESS COALITIONS.--

23 (d) Implementation.--

24 1. The school readiness program is to be phased in.
25 Until the coalition implements its plan, the county shall
26 continue to receive the services identified in subsection (3)
27 through the various agencies that would be responsible for
28 delivering those services under current law. Plan
29 implementation is subject to approval of the coalition and the
30 plan by the Florida Partnership for School Readiness.

31

1 2. Each school readiness coalition shall develop a
2 plan for implementing the school readiness program to meet the
3 requirements of this section and the performance standards and
4 outcome measures established by the partnership. The plan must
5 include a written description of the role of the program in
6 the coalition's effort to meet the first state education goal,
7 readiness to start school, including a description of the plan
8 to involve the prekindergarten early intervention programs,
9 Head Start Programs, programs offered by public or private
10 providers of child care, preschool programs for children with
11 disabilities, programs for migrant children, Title I programs,
12 subsidized child care programs, and teen parent programs. The
13 plan must also demonstrate how the program will ensure that
14 each 3-year-old and 4-year-old child in a publicly funded
15 school readiness program receives scheduled activities and
16 instruction designed to prepare children to enter kindergarten
17 ready to learn. Prior to implementation of the program, the
18 school readiness coalition must submit the plan to the
19 partnership for approval. The partnership may approve the
20 plan, reject the plan, or approve the plan with conditions.
21 The plan shall be reviewed, revised, and approved biennially.

22 3. The plan for the school readiness program must
23 include the following minimum standards and provisions:

24 a. A sliding fee scale establishing a copayment for
25 parents based upon their ability to pay, which is the same for
26 all program providers, to be implemented and reflected in each
27 program's budget.

28 b. A choice of settings and locations in licensed,
29 registered, religious-exempt, or school-based programs to be
30 provided to parents.

31

1 c. Instructional staff who have completed the training
2 course as required in s. 402.305(2)(d)1., as well as staff who
3 have additional training or credentials as required by the
4 respective program provider. The plan must provide a method
5 for assuring the qualifications of all personnel in all
6 program settings.

7 d. Specific eligibility priorities for children within
8 the coalition's county pursuant to subsection (6).

9 e. Performance standards and outcome measures
10 established by the partnership or alternatively, standards and
11 outcome measures to be used until such time as the partnership
12 adopts such standards and outcome measures.

13 f. Reimbursement rates that have been developed by the
14 coalition.

15 g. Systems support services, including a central
16 agency, child care resource and referral, eligibility
17 determinations, training of providers, and parent support and
18 involvement.

19 h. Direct enhancement services to families and
20 children. System support and direct enhancement services shall
21 be in addition to payments for the placement of children in
22 school readiness programs.

23 i. A business plan, which must include the contract
24 with a school readiness agent if the coalition is not a
25 legally established corporate entity. Coalitions may contract
26 with other coalitions to achieve efficiency in multiple-county
27 services, and such contracts may be part of the coalition's
28 business plan.

29 j. Strategies to meet the needs of unique populations,
30 such as migrant workers.

31

1 As part of the plan, the coalition may request the Governor to
2 apply for a waiver to allow the coalition to administer the
3 Head Start Program to accomplish the purposes of the school
4 readiness program. If any school readiness plan can
5 demonstrate that specific statutory goals can be achieved more
6 effectively by using procedures that require modification of
7 existing rules, policies, or procedures, a request for a
8 waiver to the partnership may be made as part of the plan.
9 Upon review, the partnership may grant the proposed
10 modification.

11 4. Persons with an early childhood teaching
12 certificate may provide support and supervision to other staff
13 in the school readiness program.

14 5. The coalition may not implement its plan until it
15 submits the plan to and receives approval from the
16 partnership. Once the plan has been approved, the plan and the
17 services provided under the plan shall be controlled by the
18 coalition rather than by the state agencies or departments.
19 The plan shall be reviewed and revised as necessary, but at
20 least biennially.

21 6. The following statutes will not apply to local
22 coalitions with approved plans: ss. 125.901(2)(a)3.,
23 228.061(1) and (2), 230.2306, ~~411.204~~, 411.221, 411.222, and
24 411.232. To facilitate innovative practices and to allow local
25 establishment of school readiness programs, a school readiness
26 coalition may apply to the Governor and Cabinet for a waiver
27 of, and the Governor and Cabinet may waive, any of the
28 provisions of ss. 230.2303, 230.2305, 230.23166, 402.3015,
29 411.223, and 411.232, if the waiver is necessary for
30 implementation of the coalition's school readiness plan.

31

1 7. Two or more counties may join for the purpose of
2 planning and implementing a school readiness program.

3 8. A coalition may, subject to approval of the
4 partnership as part of the coalition's plan, receive
5 subsidized child care funds for all children eligible for any
6 federal subsidized child care program and be the provider of
7 the program services.

8 9. Coalitions are authorized to enter into multiparty
9 contracts with multicounty service providers in order to meet
10 the needs of unique populations such as migrant workers.

11 Section 12. Section 411.222, Florida Statutes, is
12 amended to read:

13 411.222 State Intraagency and interagency
14 ~~coordination; creation of offices; responsibilities;~~
15 ~~memorandum of agreement; creation of Coordinating Council for~~
16 School Readiness Programs; responsibilities.--

17 ~~(1) DEPARTMENT OF EDUCATION.--There is created within~~
18 ~~the Department of Education an Office of Prevention, Early~~
19 ~~Assistance, and Child Development for the purpose of~~
20 ~~intraagency and interagency planning, policy, and program~~
21 ~~development and coordination to enhance existing programs and~~
22 ~~services and to develop new programs and services for~~
23 ~~high-risk children and their families. The Department of~~
24 ~~Education, as the designated lead agency for administration of~~
25 ~~part H of Pub. L. No. 99-457, shall assign primary~~
26 ~~responsibility for implementation of part H to the Office of~~
27 ~~Prevention, Early Assistance, and Child Development.~~

28 ~~(a) Intraagency responsibilities.--~~

29 ~~1. Assure planning, policy, and program coordination~~
30 ~~in programs serving high-risk children and their families,~~
31 ~~including, but not limited to:~~

- 1 a. ~~Preschool programs for children of migrant farm~~
2 ~~workers.~~
- 3 b. ~~Preschool programs for handicapped children.~~
- 4 c. ~~Prekindergarten Early Intervention Program.~~
- 5 d. ~~Florida First Start Program.~~
- 6 e. ~~Preschool programs for educationally disadvantaged~~
7 ~~children funded through federal funds, such as Head Start and~~
8 ~~chapter I of Pub. L. No. 97-35, when applicable.~~
- 9 f. ~~Programs for teen parents and their children.~~
- 10 g. ~~Programs for preventing sexual activity and teenage~~
11 ~~pregnancy.~~
- 12 h. ~~Food services for preschool and child care~~
13 ~~programs.~~
- 14 i. ~~Transportation for programs serving preschool~~
15 ~~children.~~
- 16 j. ~~Facilities for programs serving preschool children.~~
- 17 k. ~~School volunteer programs serving preschool~~
18 ~~children.~~
- 19 l. ~~Support services, including social work and school~~
20 ~~health services for preschool children.~~
- 21 m. ~~Parent education, child care courses, and child~~
22 ~~care laboratories in high schools and vocational technical~~
23 ~~centers.~~
- 24 2. ~~Serve as clearinghouse for the collection and~~
25 ~~dissemination of information relating to programs and services~~
26 ~~for high-risk children and their families, including model and~~
27 ~~exemplary programs that have demonstrated effectiveness and~~
28 ~~beneficial outcomes.~~
- 29 3. ~~Develop publications, including, but not limited~~
30 ~~to, directories, newsletters, public awareness documents, and~~
31

1 ~~other resource materials which assist agencies, programs, and~~
2 ~~families in meeting the needs of the high-risk population.~~

3 ~~4. Provide technical assistance at the request of~~
4 ~~agencies, programs, and services.~~

5 ~~5. Disseminate information regarding the availability~~
6 ~~of federal, state, and private grants which target high-risk~~
7 ~~children and their families.~~

8 ~~6. Perform duties relating to the joint strategic plan~~
9 ~~as specified in s. 411.221.~~

10 ~~(b) Interagency responsibilities.--~~

11 ~~1. Perform the joint functions related to the joint~~
12 ~~strategic plan as specified in s. 411.221.~~

13 ~~2. Prepare jointly with the Department of Health and~~
14 ~~Rehabilitative Services a memorandum of agreement pursuant to~~
15 ~~this section, or other cooperative agreements necessary to~~
16 ~~implement the requirements of this chapter.~~

17 ~~3. Develop, in collaboration with the Department of~~
18 ~~Health and Rehabilitative Services, and recommend to the State~~
19 ~~Board of Education, rules necessary to implement this chapter.~~

20 ~~4. Perform the responsibilities enumerated in~~
21 ~~subparagraphs (a)2.-5. on a statewide basis in conjunction~~
22 ~~with the Office of Prevention, Early Assistance, and Child~~
23 ~~Development within the Department of Health and Rehabilitative~~
24 ~~Services.~~

25 ~~(2) DEPARTMENT OF HEALTH AND REHABILITATIVE~~
26 ~~SERVICES.-- There is created within the Department of Health~~
27 ~~and Rehabilitative Services an Office of Prevention, Early~~
28 ~~Assistance, and Child Development for the purpose of~~
29 ~~intraagency and interagency planning, policy, and program~~
30 ~~development and coordination to enhance existing programs and~~
31 ~~services and to develop new programs and services for~~

1 ~~high-risk pregnant women and for high-risk preschool children~~
2 ~~and their families.~~
3 ~~(a) Intraagency responsibilities.--~~
4 ~~1. Assure planning, policy, and program coordination~~
5 ~~in programs serving high-risk pregnant women and high-risk~~
6 ~~preschool children and their families, within the following~~
7 ~~offices of the Department of Health and Rehabilitative~~
8 ~~Services:~~
9 ~~a. Alcohol, Drug Abuse, and Mental Health.~~
10 ~~b. Children's Medical Services.~~
11 ~~c. Children, Youth, and Families.~~
12 ~~d. Developmental Services.~~
13 ~~e. Economic Services.~~
14 ~~f. Health.~~
15 ~~g. Medicaid.~~
16 ~~2. Assure planning, policy, and program coordination~~
17 ~~in the following interprogram areas:~~
18 ~~a. Transportation.~~
19 ~~b. Migrant and refugee services.~~
20 ~~c. Volunteer services.~~
21 ~~d. Child abuse and neglect prevention, early~~
22 ~~intervention, and treatment.~~
23 ~~e. Chapter I of Pub. L. No. 97-35.~~
24 ~~3. Ensure, within available resources, the~~
25 ~~implementation of the continuum of comprehensive services in~~
26 ~~the service districts.~~
27 ~~4. Serve as clearinghouse for the collection and~~
28 ~~dissemination of information relating to programs and services~~
29 ~~for high-risk pregnant women and for high-risk preschool~~
30 ~~children and their families, and programs aimed at preventing~~
31 ~~sexual activity and teenage pregnancy, including model and~~

1 ~~exemplary programs that have demonstrated effectiveness and~~
2 ~~beneficial outcomes.~~

3 ~~5. Develop publications, including, but not limited~~
4 ~~to, directories, newsletters, public awareness documents, and~~
5 ~~other resource materials which assist agencies, programs, and~~
6 ~~families in meeting the needs of the high-risk population.~~

7 ~~6. Provide technical assistance at the request of~~
8 ~~program offices, service districts, providers, advisory~~
9 ~~councils, and advocacy groups, and other agencies or entities~~
10 ~~with which the Department of Health and Rehabilitative~~
11 ~~Services has contracts or cooperative agreements.~~

12 ~~7. Disseminate information regarding the availability~~
13 ~~of federal, state, and private grants which target teenagers~~
14 ~~at risk of pregnancy, high-risk pregnant women, and high-risk~~
15 ~~preschool children and their families.~~

16 ~~8. Perform duties relating to the joint strategic plan~~
17 ~~as specified in s. 411.221.~~

18 ~~(b) Interagency responsibilities.--~~

19 ~~1. Perform the joint functions related to the joint~~
20 ~~strategic plan as specified in s. 411.221.~~

21 ~~2. Prepare jointly with the Department of Education a~~
22 ~~memorandum of agreement pursuant to this section, or other~~
23 ~~cooperative agreements necessary to implement the requirements~~
24 ~~of this chapter.~~

25 ~~3. Develop, in collaboration with the Department of~~
26 ~~Education, rules necessary to implement this chapter.~~

27 ~~4. Perform the responsibilities enumerated in~~
28 ~~subparagraphs (a)4.-7. on a statewide basis in conjunction~~
29 ~~with the Office of Prevention, Early Assistance, and Child~~
30 ~~Development within the Department of Education.~~

31

1 ~~5. Subject to appropriation, develop and implement a~~
2 ~~program of parenting workshops to assist and counsel the~~
3 ~~parents or guardians of students having disciplinary problems.~~
4 ~~These workshops should be made available to all families of~~
5 ~~students who have disciplinary problems. The department may~~
6 ~~provide these services directly or may enter into contracts~~
7 ~~with school districts for the provision of these services.~~

8 ~~(3) MEMORANDUM OF INTERAGENCY AGREEMENT.--The~~
9 ~~Commissioner of Education and the Secretary of Health and~~
10 ~~Rehabilitative Services shall prepare a joint memorandum of~~
11 ~~interagency agreement to implement the provisions of this~~
12 ~~chapter, which shall include, but not be limited to, the~~
13 ~~following:~~

14 ~~(a) Designation of staff responsible for interagency~~
15 ~~and intraagency planning and coordination.~~

16 ~~(b) Description of staff roles and responsibilities~~
17 ~~regarding interagency coordination.~~

18 ~~(c) Delineation of the relationships between the~~
19 ~~departments' respective advisory councils, commissions,~~
20 ~~committees, and task forces addressing the needs of high-risk~~
21 ~~children and their families.~~

22 ~~(d) Procedures for conflict resolution.~~

23 ~~(e) Procedures for reviewing, amending, and renewing~~
24 ~~the memorandum of interagency agreement.~~

25 ~~(f) Procedures for interagency evaluation~~
26 ~~coordination.~~

27 ~~(4) STATE COORDINATING COUNCIL FOR SCHOOL READINESS~~
28 ~~PROGRAMS.--~~

29 (1)(a) CREATION; INTENT ~~Creation; intent.--~~The State
30 Coordinating Council for School Readiness Programs is
31 established to ensure coordination among the programs that

1 serve preschool children in order to support the first state
2 education goal, readiness to start school; to facilitate
3 communication, cooperation, and the maximum use of resources;
4 and to promote high standards for all programs that serve
5 preschool children in this state. It is the intent of the
6 Legislature that the coordinating council be an independent
7 nonpartisan body and not be identified or affiliated with any
8 one agency, program, or group.

9 ~~(2)(b) MEMBERSHIP~~ Membership.--The council shall be
10 composed of the following 15 members:

11 (a)1. The seven current members of the 1998-1999 State
12 Coordinating Council Executive Committee.

13 (b)2. Eight additional members, appointed by the
14 executive committee, including a representative of each of the
15 following: subsidized child care programs; prekindergarten
16 early intervention programs; Head Start programs; health care
17 programs; private providers; faith-based providers; programs
18 for children with disabilities; and parents of preschool
19 children.

20 ~~(3)(c) TERM~~ Term.--The State Coordinating Council for
21 School Readiness Programs shall terminate on July 1, 2002.

22 ~~(4)(d) ORGANIZATION~~ Organization.--

23 (a)1. The council shall adopt internal organizational
24 procedures or bylaws necessary for the efficient operation of
25 the council. The council may establish committees that are
26 responsible for conducting specific council programs and
27 activities.

28 (b)2. The council shall have a budget and be financed
29 through an annual appropriation made for this purpose in the
30 General Appropriations Act. Council members are entitled to
31 reimbursement for per diem and travel expenses as provided in

1 s. 112.061 while carrying out official business of the
2 council. When appropriate, parent representatives shall
3 receive a stipend for child care costs incurred while
4 attending council meetings. For administrative purposes only,
5 the council is assigned to the Florida Partnership for School
6 Readiness.

7 (c)~~3~~. The coordinating council shall hold quarterly
8 meetings that are open to the public, and the public shall be
9 given the opportunity to comment at each such meeting. The
10 coordinating council shall notify persons of the date, time,
11 and place of each quarterly meeting upon request.

12 (5)~~(e)~~ DUTIES ~~Duties~~.--The coordinating council shall
13 recommend to the Florida Partnership for School Readiness
14 methods for coordinating public and private school readiness
15 programs and procedures to facilitate communication,
16 cooperation, and the maximum use of resources to achieve the
17 first state education goal, readiness to start school. In
18 addition, the council shall:

19 (a)~~1~~. Advise the Florida Partnership for School
20 Readiness concerning criteria for grant proposal guidelines,
21 the review of plans and proposals, and eligibility for
22 services of school readiness programs.

23 (b)~~2~~. Recommend to the Florida Partnership for School
24 Readiness methods to increase the involvement of public and
25 private partnerships in school readiness programs in order to
26 maximize the availability of federal funds and to effectively
27 use available resources through cooperative funding and
28 coordinated services.

29 (6)~~(f)~~ REPORTING REQUIREMENTS ~~Reporting~~
30 ~~requirements~~.--The coordinating council shall submit its final
31

1 report to the Florida Partnership for School Readiness by July
2 1, 2002.

3 Section 13. Paragraph (a) of subsection (8) of section
4 230.2303, Florida Statutes, is amended to read:

5 230.2303 Florida First Start Program.--

6 (8) COORDINATION.--

7 (a) The Florida First Start Program shall be included
8 under the jurisdiction of the State Coordinating Council for
9 School Readiness Programs ~~Early Childhood Services~~ established
10 pursuant to s. 411.222. The council shall make
11 recommendations for effective implementation of the program
12 and shall advise the Department of Education on needed
13 legislation, rules, and technical assistance to ensure the
14 continued implementation of an effective program.

15 Section 14. Paragraph (b) of subsection (1) and
16 subsection (2) of section 383.14, Florida Statutes, are
17 amended to read:

18 383.14 Screening for metabolic disorders, other
19 hereditary and congenital disorders, and environmental risk
20 factors.--

21 (1) SCREENING REQUIREMENTS.--To help ensure access to
22 the maternal and child health care system, the Department of
23 Health shall promote the screening of all infants born in
24 Florida for phenylketonuria and other metabolic, hereditary,
25 and congenital disorders known to result in significant
26 impairment of health or intellect, as screening programs
27 accepted by current medical practice become available and
28 practical in the judgment of the department. The department
29 shall also promote the identification and screening of all
30 infants born in this state and their families for
31 environmental risk factors such as low income, poor education,

1 maternal and family stress, emotional instability, substance
2 abuse, and other high-risk conditions associated with
3 increased risk of infant mortality and morbidity to provide
4 early intervention, remediation, and prevention services,
5 including, but not limited to, parent support and training
6 programs, home visitation, and case management.
7 Identification, perinatal screening, and intervention efforts
8 shall begin prior to and immediately following the birth of
9 the child by the attending health care provider. Such efforts
10 shall be conducted in hospitals, perinatal centers, county
11 health departments, school health programs that provide
12 prenatal care, and birthing centers, and reported to the
13 Office of Vital Statistics.

14 (b) Postnatal screening.--A risk factor analysis using
15 the department's designated risk assessment instrument shall
16 also be conducted as part of the medical screening process
17 upon the birth of a child and submitted to the department's
18 Office of Vital Statistics for recording and other purposes
19 provided for in this chapter. The department's screening
20 process for risk assessment shall include a scoring mechanism
21 and procedures that establish thresholds for notification,
22 further assessment, referral, and eligibility for services by
23 professionals or paraprofessionals consistent with the level
24 of risk. Procedures for developing and using the screening
25 instrument, notification, referral, and care coordination
26 services, reporting requirements, management information, and
27 maintenance of a computer-driven registry in the Office of
28 Vital Statistics which ensures privacy safeguards must be
29 consistent with the provisions and plans established under
30 chapter 411, Pub. L. No. 99-457, and this chapter. Procedures
31 established for reporting information and maintaining a

1 confidential registry must include a mechanism for a
2 centralized information depository at the state and county
3 levels. The department shall coordinate with existing risk
4 assessment systems and information registries. The department
5 must ensure, to the maximum extent possible, that the
6 screening information registry is integrated with the
7 department's automated data systems, including the Florida
8 On-line Recipient Integrated Data Access (FLORIDA) system.
9 Tests and screenings must be performed at such times and in
10 such manner as is prescribed by the department after
11 consultation with the Genetics and Infant Screening Advisory
12 Council and the State Coordinating Council for School
13 Readiness Programs ~~Early Childhood Services~~.

14 (2) RULES.--After consultation with the Genetics and
15 Infant Screening Advisory Council, the department shall adopt
16 and enforce rules requiring that every infant born in this
17 state shall, prior to becoming 2 weeks of age, be subjected to
18 a test for phenylketonuria and, at the appropriate age, be
19 tested for such other metabolic diseases and hereditary or
20 congenital disorders as the department may deem necessary from
21 time to time. After consultation with the State Coordinating
22 Council for School Readiness Programs ~~Early Childhood~~
23 ~~Services~~, the department shall also adopt and enforce rules
24 requiring every infant born in this state to be screened for
25 environmental risk factors that place children and their
26 families at risk for increased morbidity, mortality, and other
27 negative outcomes. The department shall adopt such additional
28 rules as are found necessary for the administration of this
29 section, including rules relating to the methods used and time
30 or times for testing as accepted medical practice indicates,
31 rules relating to charging and collecting fees for screenings

1 authorized by this section, and rules requiring mandatory
2 reporting of the results of tests and screenings for these
3 conditions to the department.

4 Section 15. Paragraph (a) of subsection (1) of section
5 391.304, Florida Statutes, is amended to read:

6 391.304 Program coordination.--

7 (1) The Department of Health shall:

8 (a) Coordinate with the Department of Education, the
9 Florida Interagency Coordinating Council for Infants and
10 Toddlers, and the State Coordinating Council for School
11 Readiness Programs ~~Early Childhood Services~~ in planning and
12 administering ss. 391.301-391.307. This coordination shall be
13 in accordance with s. 411.222.

14 Section 16. Subsection (3) of section 402.281, Florida
15 Statutes, is amended to read:

16 402.281 Gold Seal Quality Care program.--

17 (3) In developing the Gold Seal Quality Care program
18 standards, the department shall consult with the Department of
19 Education, the Florida Head Start Directors Association, the
20 Florida Association of Child Care Management, the Florida
21 Family Day Care Association, the Florida Children's Forum, the
22 State Coordinating Council for School Readiness Programs ~~Early~~
23 ~~Childhood Services~~, the Early Childhood Association of
24 Florida, the National Association for Child Development
25 Education, providers receiving exemptions under s. 402.316,
26 and parents, for the purpose of approving the accrediting
27 associations.

28 Section 17. Paragraph (d) of subsection (2) and
29 subsection (18) of section 402.305, Florida Statutes, are
30 amended to read:

31 402.305 Licensing standards; child care facilities.--

1 (2) PERSONNEL.--Minimum standards for child care
2 personnel shall include minimum requirements as to:

3 (d) Minimum training requirements for child care
4 personnel.

5 1. Such minimum standards for training shall ensure
6 that all child care personnel and operators of family day care
7 homes serving at-risk children in a subsidized child care
8 program pursuant to s. 402.3015 take an approved 40-clock-hour
9 introductory course in child care, which course covers at
10 least the following topic areas:

11 a. State and local rules and regulations which govern
12 child care.

13 b. Health, safety, and nutrition.

14 c. Identifying and reporting child abuse and neglect.

15 d. Child development, including typical and atypical
16 language, cognitive, motor, social, and self-help skills
17 development.

18 e. Observation of developmental behaviors, including
19 using a checklist or other similar observation tools and
20 techniques to determine the child's developmental age level.

21 f. Specialized areas, as determined by the department,
22 for owner-operators and child care personnel of a child care
23 facility.

24
25 Within 90 days of employment, child care personnel shall begin
26 training to meet the training requirements and shall complete
27 such training within 1 year of the date on which the training
28 began. Exemption from all or a portion of the required
29 training shall be granted to child care personnel based upon
30 educational credentials or passage of competency examinations.

31

1 2. The introductory course in child care shall stress,
2 to the extent possible, an interdisciplinary approach to the
3 study of children.

4 3. On an annual basis in order to further their child
5 care skills and, if appropriate, administrative skills, child
6 care personnel who have fulfilled the requirements for the
7 child care training shall be required to take an additional
8 approved 8 clock hours of inservice training or an equivalent
9 as determined by the department.

10 4. Procedures for ensuring the training of qualified
11 child care professionals to provide training of child care
12 personnel, including onsite training, shall be included in the
13 minimum standards. It is recommended that the state community
14 child care coordination agencies (central agencies) be
15 contracted by the department to coordinate such training when
16 possible. Other district educational resources, such as
17 community colleges and vocational-technical programs, can be
18 designated in such areas where central agencies may not exist
19 or are determined not to have the capability to meet the
20 coordination requirements set forth by the department.

21 5. Training requirements shall not apply to certain
22 occasional or part-time support staff, including, but not
23 limited to, swimming instructors, piano teachers, dance
24 instructors, and gymnastics instructors.

25 6. The State Coordinating Council for School Readiness
26 Programs ~~Early Childhood Services~~, in coordination with the
27 department, shall evaluate or contract for an evaluation for
28 the general purpose of determining the status of and means to
29 improve staff training requirements and testing procedures.
30 The evaluation shall be completed by October 1, 1992, and
31 conducted every 2 years thereafter. The evaluation shall

1 include, but not be limited to, determining the availability,
2 quality, scope, and sources of current staff training;
3 determining the need for specialty training; and determining
4 ways to increase inservice training and ways to increase the
5 accessibility, quality, and cost-effectiveness of current and
6 proposed staff training. The evaluation methodology shall
7 include a reliable and valid survey of child care personnel.

8 7. The child care operator shall be required to take
9 basic training in serving children with disabilities within 5
10 years after employment, either as a part of the introductory
11 training or the annual 8 hours of inservice training.

12 (18) CHILD CARE TECHNICAL REVIEW PANEL.--There is
13 hereby created a child care technical review panel, appointed
14 by the Chair of the State Coordinating Council for School
15 Readiness Programs ~~Early Childhood Services~~, established by s.
16 411.222, to develop recommendations for inclusion, unedited,
17 in the State Coordinating Council for School Readiness
18 Programs ~~Early Childhood Services~~ annual report as required by
19 s. 411.222(6)(~~4~~)(~~f~~), and provide technical assistance to the
20 department for the adoption of rules for licensing child care
21 facilities in accordance with the minimum standards
22 established in this section. The review panel must consist of
23 seven members, five of whom must be:

24 (a) An owner or operator of a subsidized child care
25 facility;

26 (b) An owner or operator of a proprietary child care
27 facility;

28 (c) An owner or operator of a licensed church child
29 care facility;

30 (d) A child care provider that has attained a child
31 development associate credential; and

1 (e) A child care provider that has attained a child
2 care professional credential.

3
4 The ~~initial~~ technical review panel members shall ~~must~~ be
5 appointed ~~by October 1, 1992,~~ for a term of 3 years each. No
6 member shall serve more than two consecutive terms.

7 Section 18. Paragraph (b) of subsection (1) of section
8 402.3052, Florida Statutes, is amended to read:

9 402.3052 Child development associate training grants
10 program.--

11 (1) There is hereby created the child development
12 associate training grants program within the department.

13 (b) The State Coordinating Council for School
14 Readiness Programs ~~Early Childhood Services~~ shall serve in an
15 advisory capacity to the department in the implementation of
16 the training program.

17 Section 19. Subsections (6) and (8) of section 402.45,
18 Florida Statutes, are amended to read:

19 402.45 Community resource mother or father program.--

20 (6) The community resource mother or father program
21 shall be included under the jurisdiction of the State
22 Coordinating Council for School Readiness Programs ~~Early~~
23 ~~Childhood Services~~ established pursuant to s. 411.222. The
24 council shall make recommendations for effective
25 implementation of the program and shall advise the Department
26 of Health in the development of program guidelines, the
27 schedule for implementation, the establishment of evaluation
28 procedures, the provision of technical assistance to
29 individual programs, and the development of the program
30 evaluation report.

31

1 (8) Individuals under contract to provide community
2 resource mother or father services shall participate in
3 preservice and ongoing training as determined by the
4 Department of Health in consultation with the State
5 Coordinating Council for School Readiness Programs ~~Early~~
6 ~~Childhood Services~~. A community resource mother or father
7 shall not be assigned a client caseload until all preservice
8 training requirements are completed.

9 Section 20. Paragraph (d) of subsection (2) of section
10 402.47, Florida Statutes, is amended to read:

11 402.47 Foster grandparent and retired senior volunteer
12 services to high-risk and handicapped children.--

13 (2) The Department of Health and Rehabilitative
14 Services shall:

15 (d) Coordinate with the Federal Action State Office
16 ~~and the department's Office of Prevention, Early Assistance,~~
17 ~~and Child Development~~ regarding the development of criteria
18 for program elements and funding.

19 Section 21. Section 411.221, Florida Statutes, is
20 amended to read:

21 411.221 Prevention and early assistance strategic
22 plan; agency responsibilities.--

23 (1) The Department of Health and Rehabilitative
24 Services and the Department of Education shall prepare a joint
25 strategic plan relating to prevention and early assistance,
26 which shall include, but not be limited to, the following:

27 (a) Identification of the department which has the
28 responsibility for each program area described in the
29 continuum.

30
31

1 (b) Identification of the unit within each department
2 which has responsibility for each program area described in
3 the continuum.

4 ~~(c) Identification of the unit which has~~
5 ~~responsibility for coordination, monitoring, and~~
6 ~~implementation, as described in subsection (4).~~

7 (c)~~(d)~~ Identification of existing continuum programs
8 on an intraagency and interagency basis.

9 (d)~~(e)~~ Identification of strategies for coordination
10 of services on both an intraagency and interagency basis and a
11 description of the progress of implementation of strategies.

12 (e)~~(f)~~ Identification of strategies for reducing
13 duplication of services on both an intraagency and interagency
14 basis and a description of progress of those strategies in
15 reduction of duplication.

16 (f)~~(g)~~ Identification of activities for coordination
17 and integration of prevention and early assistance services
18 with state agencies other than the Department of Education or
19 the Department of Health and Rehabilitative Services.

20 (g)~~(h)~~ Identification of activities for coordination
21 and integration of prevention and early assistance services at
22 the district and local levels and strategies for public and
23 private partnerships in the provision of the continuum of
24 services.

25 (h)~~(i)~~ Recommendations for implementation of the
26 continuum of comprehensive services, including, but not
27 limited to, the schedule for implementation of components.

28 (i)~~(j)~~ Identification of barriers impacting
29 implementation of components of the continuum of services.

30 (j)~~(k)~~ Proposed changes to the continuum of services.
31

1 (k)~~(l)~~ Identification of methods of comparing program
2 and child and family outcomes and identification of
3 standardized reporting procedures to enhance data collection
4 and analysis on an intraagency and interagency basis.

5 (l)~~(m)~~ Recommendations, if any, for legislative,
6 administrative, or budgetary changes. Budgetary changes shall
7 include recommendations regarding the development by the
8 Department of Health and Rehabilitative Services and the
9 Department of Education of a unified program budget for all
10 prevention and early assistance services to high-risk pregnant
11 women and to high-risk preschool children and their families.
12 Such budget recommendations shall be consistent with the goals
13 of the joint strategic plan and with the continuum of
14 comprehensive services.

15 (2) The strategic plan and subsequent plan revisions
16 shall incorporate and otherwise utilize, to the fullest extent
17 possible, the evaluation findings and recommendations from
18 intraagency, independent third-party, field projects, and
19 auditor general evaluations, as well as the recommendations of
20 the State Coordinating Council for School Readiness Programs
21 ~~Early Childhood Services~~.

22 ~~(3) The Department of Health and Rehabilitative~~
23 ~~Services and the Department of Education shall present the~~
24 ~~joint strategic plan as described in this section to the~~
25 ~~President of the Senate, the Speaker of the House of~~
26 ~~Representatives, and the Governor by January 1, 1991. At~~
27 least biennially, the Department of Health and Rehabilitative
28 Services and the Department of Education shall readdress the
29 joint strategic plan submitted pursuant to this section and
30 make necessary revisions. The revised plan shall be submitted
31 to the Governor, the Speaker of the House of Representatives,

1 and the President of the Senate no later than ~~January 1, 1993,~~
2 and by January 1 of each odd-numbered year ~~alternate years~~
3 thereafter.

4 ~~(4) The Department of Health and Rehabilitative~~
5 ~~Services and the Department of Education shall establish an~~
6 ~~Office of Prevention, Early Assistance, and Child Development,~~
7 ~~pursuant to s. 411.222, within each respective department.~~
8 ~~Each office shall have intraagency responsibilities for~~
9 ~~developing the strategic plan and for coordinating and ongoing~~
10 ~~monitoring of the implementation of the continuum.~~
11 ~~Interagency responsibilities shall include coordination in the~~
12 ~~analysis and implementation of the continuum.~~

13 (4)(5) There is established an interagency
14 coordinating council to advise the Department of Health and
15 Rehabilitative Services, the Department of Education, and
16 other state agencies in the development of the joint strategic
17 plan and to monitor the development of the plan. For the
18 purpose of carrying out its responsibilities, the interagency
19 coordinating council shall have access to statistical
20 information, budget documents, and workpapers developed by the
21 Department of Health and Rehabilitative Services and the
22 Department of Education in preparing the joint strategic plan.
23 The interagency coordinating council shall advise the
24 appropriate substantive committees of the Senate and House of
25 Representatives, and the Office of the Governor, on the
26 progress of activities required in this chapter.

27 Section 22. Subsections (4) and (5) of section
28 411.232, Florida Statutes, are repealed.

29 Section 23. Section 414.35, Florida Statutes, is
30 repealed.

31

1 Section 24. Subsection (10) of section 414.38, Florida
2 Statutes, is repealed.

3 Section 25. Subsection (5) of section 414.70, Florida
4 Statutes, is amended to read:

5 414.70 Drug-testing and drug-screening program;
6 procedures.--

7 (5) EVALUATION ~~EVALUATIONS~~ AND RECOMMENDATIONS.--

8 ~~(a) The Department of Children and Family Services, in~~
9 ~~conjunction with the local WAGES coalitions in service areas 3~~
10 ~~and 8, shall conduct a comprehensive evaluation of the~~
11 ~~demonstration projects operated under this act. By January 1,~~
12 ~~2000, the department, in conjunction with the local WAGES~~
13 ~~coalitions involved, shall report to the WAGES Program State~~
14 ~~Board of Directors and to the Legislature on the status of the~~
15 ~~initial implementation of the demonstration projects and shall~~
16 ~~specifically describe the problems encountered and the funds~~
17 ~~expended during the first year of operation.~~

18 ~~(b)~~ By January 1, 2001, the department, in conjunction
19 with the local WAGES coalitions involved, shall provide a
20 comprehensive evaluation to the WAGES Program State Board of
21 Directors and to the Legislature, which must include:

22 (a)1- The impact of the drug-screening and
23 drug-testing program on employability, job placement, job
24 retention, and salary levels of program participants.

25 (b)2- Recommendations, based in part on a cost and
26 benefit analysis, as to the feasibility of expanding the
27 program to other local WAGES service areas, including specific
28 recommendations for implementing such expansion of the
29 program.

30 Section 26. Section 28 of chapter 96-403, Laws of
31 Florida, is repealed.

1 Section 27. This act shall take effect upon becoming a
2 law.

3
4 *****

5 LEGISLATIVE SUMMARY

6
7 Repeals various provisions of law that have become
8 obsolete, have had their effect, have served their
9 purpose, or have been impliedly repealed or superseded.
10 Repeals or deletes provisions relating to plans for
11 implementation of the children's substance abuse
12 information and referral network and integration thereof
13 with the child and adolescent mental health information
14 and referral network; the umbrella trust fund for
15 developmentally disabled and mentally ill persons;
16 exemption from fingerprinting requirements for summer
17 camp personnel, the provisions of which are published
18 elsewhere in statutes; review by the Department of
19 Children and Family Services and the Department of Health
20 of services provided to clients to ensure that fees
21 assessed therefor conform to law; evaluation of and a
22 report to the Legislature on the effectiveness and
23 efficiency of contracting functions in each service
24 district of the Department of Children and Family
25 Services; the Florida Financial Assistance for Community
26 Services Act of 1974; the pilot portion of the electronic
27 benefit transfer program of the Department of Children
28 and Family Services; handicap prevention and early
29 childhood assistance program evaluation design and
30 conduct and independent third-party evaluation;
31 intraagency and interagency coordination through the
Office of Prevention, Early Assistance, and Child
Development of the Department of Education and of the
former Department of Health and Rehabilitative Services;
implementation and evaluation of the Children's Early
Investment Program; adoption of rules by the Department
of Children and Family Services for administration of
emergency assistance programs delegated to the
department; an evaluation of the local work experience
and job training pilot program for noncustodial parents;
an evaluation of certain drug-testing and drug-screening
demonstration projects; and the Board of Regents task
force that examined and reported on the optimal
organizational structure for the delivery of social
services.