

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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11 Representative(s) Frankel offered the following:

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Amendment (with title amendment)

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14 On page 27, line 11 through page 29, line 27,
15 remove from the bill: all of said lines

16

17 and insert in lieu thereof:

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19 ~~It is the intent of the Legislature that the~~
20 ~~Department of Children and Family Services shall privatize the~~
21 ~~provision of foster care and related services statewide. It is~~
22 ~~further the Legislature's intent to encourage communities and~~
23 ~~other stakeholders in the well-being of children to~~
24 ~~participate in assuring that children are safe and~~
25 ~~well-nurtured. However, while recognizing that some local~~
26 ~~governments are presently funding portions of certain foster~~
27 ~~care and related services programs and may choose to expand~~
28 ~~such funding in the future, the Legislature does not intend by~~
29 ~~its privatization of foster care and related services that any~~
30 ~~county, municipality, or special district be required to~~
31 ~~assist in funding programs that previously have been funded by~~
~~the state. Nothing in this paragraph prohibits any county,~~

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1 ~~municipality, or special district from future voluntary~~
2 ~~funding participation in foster care and related services. As~~
3 ~~used in this section, the term "privatize" means to contract~~
4 ~~with competent, community-based agencies. The department~~
5 ~~shall submit a plan to accomplish privatization statewide,~~
6 ~~through a competitive process, phased in over a 3-year period~~
7 ~~beginning January 1, 2000. This plan is to be submitted by~~
8 ~~July 1, 1999, to the President of the Senate, the Speaker of~~
9 ~~the House of Representatives, the Governor, and the minority~~
10 ~~leaders of both houses. This plan must be developed with local~~
11 ~~community participation, including, but not limited to, input~~
12 ~~from community-based providers that are currently under~~
13 ~~contract with the department to furnish community-based foster~~
14 ~~care and related services, and must include a methodology for~~
15 ~~determining and transferring all available funds, including~~
16 ~~federal funds that the provider is eligible for and agrees to~~
17 ~~earn and that portion of general revenue funds which is~~
18 ~~currently associated with the services that are being~~
19 ~~furnished under contract. Notwithstanding the provisions of s.~~
20 ~~215.425, all documented federal funds earned for the current~~
21 ~~fiscal year by the department and community-based agencies~~
22 ~~which exceed the amount appropriated by the Legislature shall~~
23 ~~be distributed to all entities that contributed to the excess~~
24 ~~earnings based on a schedule and methodology developed by the~~
25 ~~department and approved by the Executive Office of the~~
26 ~~Governor. Distribution shall be pro rata based on total~~
27 ~~earnings and shall be made only to those entities that~~
28 ~~contributed to excess earnings. Excess earnings of~~
29 ~~community-based agencies shall be used only in the district in~~
30 ~~which they were earned. Additional state funds appropriated by~~
31 ~~the Legislature for community-based agencies or made available~~

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1 ~~pursuant to the budgetary amendment process described in s.~~
2 ~~216.177 shall be transferred to the community-based agencies.~~
3 ~~The department shall amend a community-based agency's contract~~
4 ~~to permit expenditure of the funds. The distribution program~~
5 ~~applies only to entities that were under privatization~~
6 ~~contracts as of July 1, 1999. This program is authorized for a~~
7 ~~period of 3 years beginning July 1, 1999, and ending June 30,~~
8 ~~2002. The Office of Program Policy Analysis and Government~~
9 ~~Accountability shall review this program and report to the~~
10 ~~Legislature by December 31, 2001. The review shall assess the~~
11 ~~program to determine how the additional resources were used,~~
12 ~~the number of additional clients served, the improvements in~~
13 ~~quality of service attained, the performance outcomes~~
14 ~~associated with the additional resources, and the feasibility~~
15 ~~of continuing or expanding this program. The methodology must~~
16 ~~provide for the transfer of funds appropriated and budgeted~~
17 ~~for all services and programs that have been incorporated into~~
18 ~~the project, including all management, capital (including~~
19 ~~current furniture and equipment), and administrative funds to~~
20 ~~accomplish the transfer of these programs. This methodology~~
21 ~~must address expected workload and at least the 3 previous~~
22 ~~years' experience in expenses and workload. With respect to~~
23 ~~any district or portion of a district in which privatization~~
24 ~~cannot be accomplished within the 3-year timeframe, the~~
25 ~~department must clearly state in its plan the reasons the~~
26 ~~timeframe cannot be met and the efforts that should be made to~~
27 ~~remediate the obstacles, which may include alternatives to~~
28 ~~total privatization, such as public-private partnerships. As~~
29 ~~used in this section, the term "related services" means family~~
30 ~~preservation, independent living, emergency shelter,~~
31 ~~residential group care, foster care, therapeutic foster care,~~

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1 ~~intensive residential treatment, foster care supervision, case~~
2 ~~management, postplacement supervision, permanent foster care,~~
3 ~~and family reunification.~~Unless otherwise provided for,
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6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 On page 2, line 27,

9
10 after the semicolon insert:

11 deleting legislative intent for and direction
12 to the Department of Children and Family
13 Services to privatize the provision of foster
14 care and related services;

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