

Bill No. SB 2566

Amendment No. ____

Senate

CHAMBER ACTION

House

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11 Senator Rossin moved the following amendment:

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Senate Amendment (with title amendment)

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On page 27, line 12, through
page 29, line 28, delete those lines

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17 and insert:

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~~(1)(a) It is the intent of the Legislature that the Department of Children and Family Services shall privatize the provision of foster care and related services statewide. It is further the Legislature's intent to encourage communities and other stakeholders in the well-being of children to participate in assuring that children are safe and well-nurtured. However, while recognizing that some local governments are presently funding portions of certain foster care and related services programs and may choose to expand such funding in the future, the Legislature does not intend by its privatization of foster care and related services that any county, municipality, or special district be required to 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 30, after the semicolon,

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10 insert:

11 deleting provisions specifying legislative
12 intent;

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