

CONFERENCE COMMITTEE AMENDMENT

187-993AX-08

Bill No. HB 53-E

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Conference Committee on HB 53-E offered the following:

**Conference Committee Amendment (with title amendment)**

Remove everything after the enacting clause

and insert:

Section 1. Paragraph (c) of subsection (16) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.--

(16)

(c) Unless specifically prohibited in the General Appropriations Act, funds appropriated to the Department of Children and Family Services and the Department of Health may be advanced for those contracted services that were approved for advancement by the Comptroller in fiscal year 1993-1994, including those services contracted on a fixed-price or unit-cost basis. For the 2001-2002 fiscal year only, funds appropriated to the Department of Children and Family Services in Specific Appropriations 302-466 and the Department of Health in Specific Appropriations 503-637 of the 2001-2002

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1 ~~General Appropriations Act may be advanced, unless~~  
2 ~~specifically prohibited in such General Appropriations Act,~~  
3 ~~for those contracted services that were approved for~~  
4 ~~advancement by the Comptroller in fiscal year 1993-1994,~~  
5 ~~including those services contracted on a fixed-price or~~  
6 ~~unit-cost basis. This paragraph expires July 1, 2002.~~

7 Section 2. Subsection (3) of section 394.74, Florida  
8 Statutes, is amended to read:

9 394.74 Contracts for provision of local substance  
10 abuse and mental health programs.--

11 (3) Contracts shall include, but are not limited to:

12 (a) A provision that, within the limits of available  
13 resources, substance abuse and mental health crisis services,  
14 as defined in s. 394.67(4), shall be available to any  
15 individual residing or employed within the service area,  
16 regardless of ability to pay for such services, current or  
17 past health condition, or any other factor;

18 (b) A provision that such services be available with  
19 priority of attention being given to individuals who exhibit  
20 symptoms of chronic or acute substance abuse or mental illness  
21 and who are unable to pay the cost of receiving such services;

22 (c) A provision that every reasonable effort to  
23 collect appropriate reimbursement for the cost of providing  
24 substance abuse and mental health services to persons able to  
25 pay for services, including first-party payments and  
26 third-party payments, shall be made by facilities providing  
27 services pursuant to this act;

28 (d) A program description and line-item operating  
29 budget by program service component for substance abuse and  
30 mental health services, provided the entire proposed operating  
31 budget for the service provider will be displayed; ~~and~~

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1           (e) A provision that client demographic, service, and  
2 outcome information required for the department's Mental  
3 Health and Substance Abuse Data System be submitted to the  
4 department by a date specified in the contract. The department  
5 may not pay the provider unless the required information has  
6 been submitted by the specified date; and

7           ~~(f)(e)~~ A requirement that the contractor must conform  
8 to department rules and the priorities established thereunder.

9           Section 3. Subsection (8) of section 394.908, Florida  
10 Statutes, is amended to read:

11           394.908 Substance abuse and mental health funding  
12 equity; distribution of appropriations.--In recognition of the  
13 historical inequity among service districts of the former  
14 Department of Health and Rehabilitative Services in the  
15 funding of substance abuse and mental health services, and in  
16 order to rectify this inequity and provide for equitable  
17 funding in the future throughout the state, the following  
18 funding process shall be adhered to:

19           (8) For fiscal year 2002-2003 ~~2001-2002~~ only, and  
20 notwithstanding the provisions of this section, all new funds  
21 received in excess of fiscal year 2001-2002 ~~recurring~~  
22 ~~1998-1999~~ appropriations shall be allocated in accordance with  
23 the provisions of the General Appropriations Act; however,  
24 ~~except as specified in this subsection, to the G. Pierce Wood~~  
25 ~~Memorial Hospital catchment area or other districts or~~  
26 ~~counties identified in the 2001-2002 General Appropriations~~  
27 ~~Act. The Department of Children and Family Services is~~  
28 ~~authorized to develop an alternative allocation methodology~~  
29 ~~based on national prevalence data for persons with severe and~~  
30 ~~persistent mental illness for use in the distribution of new~~  
31 ~~funds to the G. Pierce Wood Memorial Hospital catchment area.~~

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1 no district shall receive an allocation of recurring funds  
2 less than its initial approved operating budget, plus any  
3 distributions of lump sum appropriations, for fiscal year  
4 2001-2002 ~~1998-1999~~, ~~except for adjustments needed to~~  
5 ~~implement the SunCoast Region~~. This subsection expires July 1,  
6 2003 ~~2002~~.

7 Section 4. Section 414.035, Florida Statutes, is  
8 amended to read:

9 414.035 Authorized expenditures.--Any expenditures  
10 from the Temporary Assistance for Needy Families block grant,  
11 or from other state funds that the secretary or his or her  
12 designee determines meets the maintenance-of-effort  
13 requirement for the block grant, must ~~shall~~ be expended in  
14 accordance with the requirements and limitations of part A of  
15 Title IV of the Social Security Act, as amended, or any other  
16 applicable federal requirement or limitation. Prior to any  
17 expenditure of such funds, the secretary ~~of Children and~~  
18 ~~Family Services~~, or his or her designee, shall certify that  
19 controls are in place to ensure such funds are expended in  
20 accordance with the requirements and limitations of federal  
21 law and that any reporting requirements of federal law are  
22 met. It shall be the responsibility of any entity to which  
23 such funds are appropriated to obtain the required  
24 certification prior to any expenditure of funds.

25 Section 5. Section 409.16745, Florida Statutes, is  
26 amended to read:

27 409.16745 Community partnership matching grant  
28 program.--It is the intent of the Legislature to improve  
29 services and local participation in community-based care  
30 initiatives by fostering community support and providing  
31 enhanced prevention and in-home services, thereby reducing the

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1 risk otherwise faced by lead agencies. There is established a  
2 community partnership matching grant program to be operated by  
3 the Department of Children and Family Services for the purpose  
4 of encouraging local participation in community-based care for  
5 child welfare. Any children's services council or other local  
6 government entity that makes a financial commitment to a  
7 community-based care lead agency is eligible for a grant upon  
8 proof that the children's services council or local government  
9 entity has provided the selected lead agency at least \$825,000  
10 in start up funds, from any local resources otherwise  
11 available to it. The total amount of local contribution may be  
12 matched on a two-for-one basis up to a maximum amount of \$2  
13 million per council. Awarded matching grant funds may be used  
14 for any prevention or in-home services provided by the  
15 children's services council or other local government entity  
16 that meets temporary-assistance-for-needy-families'  
17 eligibility requirements and can be reasonably expected to  
18 reduce the number of children entering the child welfare  
19 system. To ensure necessary flexibility for the development,  
20 start up, and ongoing operation of community-based care  
21 initiatives, the notice period required for any budget action  
22 authorized by the provisions of s. 20.19(5)(b), is waived for  
23 the family safety program; however, the Department of Children  
24 and Family Services must provide copies of all such actions to  
25 the Executive Office of the Governor and Legislature within 72  
26 hours of their occurrence. Funding available for the matching  
27 grant program is subject to legislative appropriation of  
28 nonrecurring temporary-assistance-for-needy-families funds  
29 provided for the purpose. ~~This section expires July 1, 2002.~~

30 Section 6. Upon approval of the Board of Trustees of  
31 the Internal Improvement Trust Fund, the Division of State

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1 Lands of the Department of Environmental Protection may sell  
2 the former W.T. Edwards Hospital complex located in  
3 Hillsborough County and the remaining Sunland complex located  
4 in Leon County, currently under lease to the Department of  
5 Children and Family Services. Notwithstanding chapter 253,  
6 Florida Statutes, the proceeds from the sale must be deposited  
7 into the Department of Children and Family Services'  
8 Administrative Trust Fund and, subject to legislative  
9 appropriation, must be used to construct, renovate, equip,  
10 maintain, and improve the department's facilities.

11 Section 7. This act shall take effect July 1, 2002.

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14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 remove: the entire title

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18 and insert:

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A bill to be entitled

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An act relating to the Department of Children  
and Family Services; amending s. 216.181, F.S.;

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providing for the use of funds by the

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department; amending s. 394.74, F.S.;

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prescribing a specified contract requirement

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for local substance abuse and mental health

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programs; amending s. 394.908, F.S.; revising

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provisions governing substance abuse and mental

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health funding equity; amending s. 414.035,

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F.S.; revising provisions authorizing

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expenditures by the department for assistance

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for needy families; amending s. 409.16745,

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1 F.S.; abrogating the repeal of the community  
2 partnership matching grant program; authorizing  
3 the sale of specified hospital complexes and  
4 providing for the use of the proceeds;  
5 providing an effective date.  
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