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2 An act relating to the Department of Children  
3 and Family Services; amending s. 216.181, F.S.;  
4 providing for the use of funds by the  
5 department; amending s. 394.74, F.S.;  
6 prescribing a specified contract requirement  
7 for local substance abuse and mental health  
8 programs; amending s. 394.908, F.S.; revising  
9 provisions governing substance abuse and mental  
10 health funding equity; amending s. 414.035,  
11 F.S.; revising provisions authorizing  
12 expenditures by the department for assistance  
13 for needy families; amending s. 409.16745,  
14 F.S.; abrogating the repeal of the community  
15 partnership matching grant program; authorizing  
16 the sale of specified hospital complexes and  
17 providing for the use of the proceeds;  
18 providing an effective date.

19

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

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22 Section 1. Paragraph (c) of subsection (16) of section  
23 216.181, Florida Statutes, is amended to read:

24 216.181 Approved budgets for operations and fixed  
25 capital outlay.--

26 (16)

27 (c) Unless specifically prohibited in the General  
28 Appropriations Act, funds appropriated to the Department of  
29 Children and Family Services and the Department of Health may  
30 be advanced for those contracted services that were approved  
31 for advancement by the Comptroller in fiscal year 1993-1994,

1 including those services contracted on a fixed-price or  
2 unit-cost basis. ~~For the 2001-2002 fiscal year only, funds~~  
3 ~~appropriated to the Department of Children and Family Services~~  
4 ~~in Specific Appropriations 302-466 and the Department of~~  
5 ~~Health in Specific Appropriations 503-637 of the 2001-2002~~  
6 ~~General Appropriations Act may be advanced, unless~~  
7 ~~specifically prohibited in such General Appropriations Act,~~  
8 ~~for those contracted services that were approved for~~  
9 ~~advancement by the Comptroller in fiscal year 1993-1994,~~  
10 ~~including those services contracted on a fixed-price or~~  
11 ~~unit-cost basis. This paragraph expires July 1, 2002.~~

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

14 394.74 Contracts for provision of local substance  
15 abuse and mental health programs.--

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

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

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

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

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

7 (e) A provision that client demographic, service, and  
8 outcome information required for the department's Mental  
9 Health and Substance Abuse Data System be submitted to the  
10 department by a date specified in the contract. The department  
11 may not pay the provider unless the required information has  
12 been submitted by the specified date; and

13 (f)(e) A requirement that the contractor must conform  
14 to department rules and the priorities established thereunder.

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

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

25 (8) For fiscal year 2002-2003 ~~2001-2002~~ only, and  
26 notwithstanding the provisions of this section, all new funds  
27 received in excess of fiscal year 2001-2002 recurring  
28 ~~1998-1999~~ appropriations shall be allocated in accordance with  
29 the provisions of the General Appropriations Act; however,  
30 ~~except as specified in this subsection, to the G. Pierce Wood~~  
31 ~~Memorial Hospital catchment area or other districts or~~

1 ~~counties identified in the 2001-2002 General Appropriations~~  
2 ~~Act. The Department of Children and Family Services is~~  
3 ~~authorized to develop an alternative allocation methodology~~  
4 ~~based on national prevalence data for persons with severe and~~  
5 ~~persistent mental illness for use in the distribution of new~~  
6 ~~funds to the G. Pierce Wood Memorial Hospital catchment area.~~  
7 no district shall receive an allocation of recurring funds  
8 less than its initial approved operating budget, plus any  
9 distributions of lump sum appropriations, for fiscal year  
10 2001-2002 ~~1998-1999~~, except for adjustments needed to  
11 ~~implement the SunCoast Region.~~ This subsection expires July 1,  
12 2003 ~~2002~~.

13 Section 4. Section 414.035, Florida Statutes, is  
14 amended to read:

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

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1           Section 5. Section 409.16745, Florida Statutes, is  
2 amended to read:  
3           409.16745 Community partnership matching grant  
4 program.--It is the intent of the Legislature to improve  
5 services and local participation in community-based care  
6 initiatives by fostering community support and providing  
7 enhanced prevention and in-home services, thereby reducing the  
8 risk otherwise faced by lead agencies. There is established a  
9 community partnership matching grant program to be operated by  
10 the Department of Children and Family Services for the purpose  
11 of encouraging local participation in community-based care for  
12 child welfare. Any children's services council or other local  
13 government entity that makes a financial commitment to a  
14 community-based care lead agency is eligible for a grant upon  
15 proof that the children's services council or local government  
16 entity has provided the selected lead agency at least \$825,000  
17 in start up funds, from any local resources otherwise  
18 available to it. The total amount of local contribution may be  
19 matched on a two-for-one basis up to a maximum amount of \$2  
20 million per council. Awarded matching grant funds may be used  
21 for any prevention or in-home services provided by the  
22 children's services council or other local government entity  
23 that meets temporary-assistance-for-needy-families'  
24 eligibility requirements and can be reasonably expected to  
25 reduce the number of children entering the child welfare  
26 system. To ensure necessary flexibility for the development,  
27 start up, and ongoing operation of community-based care  
28 initiatives, the notice period required for any budget action  
29 authorized by the provisions of s. 20.19(5)(b), is waived for  
30 the family safety program; however, the Department of Children  
31 and Family Services must provide copies of all such actions to

1 the Executive Office of the Governor and Legislature within 72  
2 hours of their occurrence. Funding available for the matching  
3 grant program is subject to legislative appropriation of  
4 nonrecurring temporary-assistance-for-needy-families funds  
5 provided for the purpose. ~~This section expires July 1, 2002.~~

6       Section 6. Upon approval of the Board of Trustees of  
7 the Internal Improvement Trust Fund, the Division of State  
8 Lands of the Department of Environmental Protection may sell  
9 the former W.T. Edwards Hospital complex located in  
10 Hillsborough County and the remaining Sunland complex located  
11 in Leon County, currently under lease to the Department of  
12 Children and Family Services. Notwithstanding chapter 253,  
13 Florida Statutes, the proceeds from the sale must be deposited  
14 into the Department of Children and Family Services'  
15 Administrative Trust Fund and, subject to legislative  
16 appropriation, must be used to construct, renovate, equip,  
17 maintain, and improve the department's facilities.

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