

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

2
3 Section 1. (1) A 3-year pilot program is established
4 for the community-based care lead agencies serving Miami-Dade,
5 Monroe, and Broward Counties. This pilot program shall allow
6 for the transfer of the current lead agency oversight
7 responsibilities of the Department of Children and Family
8 Services to independent agents and for funding the program
9 through a grant that enhances funding flexibility. The pilot
10 program shall expand the responsibilities and services
11 provided by these lead agencies.

12 (2) The Department of Children and Family Services
13 shall enter into a 3-year contract with the designated
14 community-based care lead agency serving Miami-Dade and Monroe
15 Counties and with the designated community-based care lead
16 agency serving Broward County, which have been established in
17 accordance with s. 409.1671, Florida Statutes. The contracts
18 must be fixed-payment contracts funded in 36 equal monthly
19 installments. The first 2 months shall be paid in advance, and
20 the contract must contain the elements outlined in this
21 section. The initial 2-month advance payment is due July 10,
22 2006. The contracts shall be funded by general revenue through
23 a grant and by federal Title IV-E funding and other federal
24 funding sources. The amount of federal Title IV-E funding
25 allocated in each year of the 3-year pilot program shall be
26 equal to the amount earned by each of the lead agencies during
27 the 2005-2006 fiscal year. The state shall be held harmless
28 for any shortfall caused by the lead agencies' inability to
29 earn the allocated Title IV-E funding, and each lead agency's
30 contract shall be increased in accordance with any federal
31 overearnings. Funding in excess of the contracted amounts for

1 the lead agencies shall be available only in the event of
2 additional specific legislative appropriations for services
3 provided under s. 409.1671, Florida Statutes; an increase in
4 the population of children served which exceeds 3 percent of
5 the population of children served on June 15, 2005, by either
6 lead agency; or unforeseen catastrophic events as determined
7 by the Governor and funded by the Legislature. The lead
8 agencies shall annually provide certified audited financial
9 statements to the Governor, the Department of Children and
10 Family Services, and the appropriations committees of the
11 Legislature. All other required fiscal reporting shall be
12 determined by the independent fiscal monitors selected by the
13 parties. For purposes of this section, the term "parties"
14 means the two lead agencies implementing this pilot program
15 and the Department of Children and Family Services. In order
16 to facilitate and expedite the execution of this section, the
17 parties shall engage an independent arbitrator for purposes of
18 dispute resolution, including any disputes related to the form
19 and substance of the contract to execute the pilot program,
20 with an award of fees and costs to the prevailing party. The
21 arbitrator's role shall be limited to selecting which of the
22 party's position is more reasonable.

23 (3) Contract management, fiscal oversight, and
24 programmatic oversight shall be conducted by independent,
25 nongovernmental third-party entities under contract to the
26 department and shall be conducted in a manner jointly agreed
27 to by the lead agencies and the department. The cost of
28 contracting with these independent entities shall be funded by
29 the department. Notwithstanding any other provision to the
30 contrary, the pilot program may not be implemented until the
31 parties have agreed to the selection of these entities and the

1 manner in which they are to carry out their responsibilities.
2 Such agreement must be reached by the parties no later than
3 July 1, 2006. The selection of the entities for purposes of
4 compliance with this subsection shall be exempt from the
5 provisions of s. 287.057, Florida Statutes. Fiscal oversight
6 shall be conducted in a manner similar to the model used by
7 the department during the 2005-2006 fiscal year in Miami-Dade
8 and Monroe Counties. In order to be able to compare the
9 performance of the pilot program's lead agencies with that of
10 other lead agencies, the programmatic performance of the pilot
11 program's lead agencies shall be measured and monitored by
12 outcome measures contained in their contracts with the
13 department which are in effect on the effective date of this
14 section. The independent entities shall submit their reports
15 directly to the Governor, the President of the Senate, and the
16 Speaker of the House of Representatives.

17 (4) The department and the lead agencies implementing
18 the pilot program shall develop an implementation plan with
19 the Agency for Health Care Administration regarding the
20 pending Medicaid mental health reform for the purpose of
21 implementing a local reform model that allows for the
22 integration of services in the current systems of care.

23 (5) The annual evaluation required by s.
24 409.1671(4)(a), Florida Statutes, shall include an evaluation
25 of the pilot program described in this act which compares the
26 performance and fiscal management of the community-based care
27 lead agencies in the pilot program to those that are not in
28 the pilot program. In addition, the Office of Program Policy
29 Analysis and Government Accountability and the Office of the
30 Auditor General shall jointly complete an evaluation of the
31 pilot program and provide an interim report to the Legislature

1 no later than February 1, 2008, and a final report no later
2 than February 1, 2009.

3 Section 2. This act shall take effect upon becoming a
4 law.

5
6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 CS for SB 1694

9 Clarifies that funding for the pilot program shall be
10 accomplished through a "grant," not a "block grant."

11 Deletes language specifying the level of appropriation to the
12 pilot.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31