

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 249 CS

Florida 211 Network

**SPONSOR(S):** Jennings

**TIED BILLS:**

**IDEN./SIM. BILLS:** CS/SB 156

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Utilities &amp; Telecommunications Committee</u>	<u>13 Y, 0 N, w/CS</u>	<u>Cater</u>	<u>Holt</u>
2) <u>Health Care Appropriations Committee</u>	<u>15 Y, 0 N, w/CS</u>	<u>Speir</u>	<u>Massengale</u>
3) <u>Commerce Council</u>	<u></u>	<u>Cater</u>	<u>Randle</u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

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### SUMMARY ANALYSIS

House Bill 249 CS amends section 408.918, Florida Statutes, to expand the Florida 211 Network to provide services in each county. The bill revises legislative intent by adding the finding that a statewide Florida 211 Network would be of great benefit to Floridians, particularly in times of disaster. The bill requires each Florida 211 Network provider to coordinate with county emergency management agencies to determine how the 211 Network may be used in the event of a disaster.

The bill provides a \$5 million appropriation from the General Revenue Fund to the Agency for Health Care Administration (agency) for Fiscal Year 2006-2007, with unencumbered funds reappropriated for the 2007-2008 fiscal year in the General Appropriations Act, to support the statewide expansion of the Florida 211 Network to all counties and to enhance the operations of existing 211 providers. The bill directs the agency to distribute the funds to the Florida alliance of Information & Referral Services (alliance). The alliance is to make the funds available to 211 providers on a matching basis, with each 211 provider required to match \$1 for \$1 the amount that it is provided from the alliance.

By December 15, 2006, 211 providers receiving state funds are required to report to the alliance the expenditure of their funds. By January 1, 2007, the alliance is required to provide a statewide report to the agency. No later than February 15, 2007, the agency is required to submit a statewide expenditure report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

This act shall take effect upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Empower Families**—The bill provides for the expansion of the Florida 211 Network, which provides community information and referral services. This expansion will assist more individuals and families in getting the assistance they need for a wide range of services.

**Maintain Public Security**—The bill requires 211 service providers to coordinate with county emergency management agencies to determine how the 211 Network may be used in the event of a disaster. In the event of a disaster, this may put less strain on emergency personnel.

#### B. EFFECT OF PROPOSED CHANGES:

##### Background

On July 21, 2000, the Federal Communications Commission (FCC) adopted Order No. FCC 00-256, in CC Docket No. 92-105, relating to the 211 dialing code. The FCC reserved the 211 dialing code for community information and referral services. The 211 code is intended to be an easy-to-remember and universally-recognizable number that would enable a critical connection between individuals and families in need and the appropriate community-based organizations and government agencies. Dialing 211 helps, for example, the elderly, the disabled, those who do not speak English, those who are having a personal crisis, the illiterate, or those who are new to communities, by providing referrals to and information about health and human services organizations and agencies.

In 2002, the Florida Health and Human Services Access Act (Act)<sup>1</sup> authorized the Agency for Health Care Administration (agency) to develop a comprehensive, automated system for access to health care services. This system was to be implemented as a pilot project aimed at testing the feasibility of adopting a statewide 211 information and referral network capable of supporting the eligibility determination process required for publicly-funded health care programs.

Section 408.918, Florida Statutes, further authorized the planning, development, and implementation of a statewide Florida 211 Network to serve as the single point of entry for information and referrals to publicly funded health and human service programs. The pilot project was scheduled to be completed on December 31, 2003, but it was terminated on June 30, 2003, because of loss of funding.

Under s. 408.918 (2), Florida Statutes, the agency was required to develop criteria that organizations must satisfy to become certified Florida 211 Network providers. Previously, any organization could obtain a 211 number without meeting specific standards or qualifications.

Through certification, the agency ensures that quality, consistent information and services are provided to those seeking health and human services across the state. Prior to receiving certification, all candidates must be able to effectively demonstrate that their organization works collaboratively and have written agreements with specialized information and referral systems including crisis centers, child care resource and referral programs, elder help-lines, homeless coalitions, designated emergency management systems, 911 and 311<sup>2</sup> systems.

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<sup>1</sup> Ch. 2002-223, L.O.F., this act created ss. 408.911-408.918, F.S.

<sup>2</sup> The FCC has set aside 311 for non-emergency police and other governmental services.

The Florida 211 Network Provider Certification rule<sup>3</sup> was adopted on April 28, 2003. The agency has authorized, or is in the process of authorizing, 12 organizations for certification as Florida 211 Network providers. Several other agencies have made official inquiries regarding the certification process. According to the United Way of Florida, 211 is currently available to more than 14.7 million people in 42 counties, or about 82.5 percent of the state's population.

Currently, Florida's 211 providers receive funding from various sources. Funds may be provided through the United Way, county and local city governments, nonprofit agencies, corporations, grants, or private donations.

### **Proposed Changes**

The bill amends section 408.918, Florida Statutes, relating to the Florida 211 Network. The bill revises legislative intent by adding the finding that a statewide Florida 211 Network would be of great benefit to Floridians, particularly in times of disaster. The bill also clarifies that coordination among information and referral systems includes those serving persons with disabilities and special health needs.

The bill creates section 408.918(2)(c) to designate the agency as the lead entity for purposes of receiving and distributing funds that may become available from the federal government to support the Florida 2-1-1 Network.. Current legislation pending before Congress (S. 211 and H.R. 896) would allocate \$150,000 to all 50 states to support 2-1-1. It requires each state to identify a lead agency for receipt and distribution of those federal funds, should the bill pass.

The bill creates section 408.918(3)(a) through section 408.918(3)(c), Florida Statutes. Paragraph (a) requires the Florida 211 Network to be expanded statewide to provide services in each county. Moreover, each 211 provider is required to coordinate with county emergency management agencies to determine how the 211 Network may be used in the event of a disaster, including how the 211 provider will respond with information essential to assisting individuals during a natural disaster.

To implement the Florida 211 Network business plan, paragraph (b) requires the agency to distribute the funds to the Florida Alliance of Information & Referral Services (alliance). The alliance is to make the funds available to 211 providers on a matching basis, with each 211 provider being required to provide \$1 match for every \$1 provided by the alliance. At a minimum, the funds are to be used to achieve statewide 211 coverage.

Paragraph (c) relates to reporting requirements. By December 15, 2006, each 211 provider that receives funding under this subsection is required to report to the alliance its expenditure of funds on a form developed by the agency. By January 1, 2007, the alliance is required to provide a statewide report to the agency, which includes the individual reports and aggregated data provided by the 211 providers. By February 15, 2007, the agency is required to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing the expenditure of the funds appropriated to it for 211 purposes.

The bill creates section 408.918(4), Florida Statutes, to define "211 provider" as an information and referral organization whose primary purpose is to maintain information about human service resources in the community, supply descriptive information about the agencies or organizations that offer services, and assist consumers in accessing appropriate providers.

The bill appropriates \$5 million for Fiscal Year 2006-2007 from the General Revenue Fund to the agency for the statewide expansion of the Florida 211 Network to all counties and to enhance the operations of existing 211 providers. Any funds not encumbered for the 2006-2007 fiscal year shall revert on June 30, 2007, and may be reappropriated in the General Appropriations Act for the 2007-2008 fiscal year for the same purposes.

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<sup>3</sup> S. 59G-11, F.A.C.

This act takes effect upon becoming law.

C. SECTION DIRECTORY:

Section 1. Amends s. 408.918, F.S., revising legislative intent; providing for the expansion of the Florida 211 Network; and creating reporting requirements.

Section 2. Provides an appropriation.

Section 3. Provides an effective date.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures: FY 2006-07

Nonrecurring Expenditures

General Revenue Fund	<u>\$5,000,000</u>
Total Funds	\$5,000,000

The bill provides that the Agency for Health Care Administration will distribute the \$5 million from General Revenue to the Florida Alliance of Information and Referral Services to implement the statewide expansion of the Florida 211 Network and to enhance the existing 211 provider organizations.

The bill also provides that any funds that are not encumbered for the 2006-2007 fiscal year shall revert on June 30, 2007, and are reappropriated for the 2007-2008 fiscal year for the same purpose.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill expands the Florida 211 Network system, which provides an easy-to-remember and universally-recognizable number that would enable a critical connection between individuals and families in need with the appropriate community-based organizations and government agencies.

D. FISCAL COMMENTS:

According to the agency, with the passage of Medicaid Reform, Integrated Long Term Care, and other programs during the 2005 legislative session, existing agency staff resources are currently preparing to implement major changes to the Medicaid Program while continuing to operate the existing programs.

Over the next few years, the agency will be operating multiple systems that will continue to use all existing staff resources. As a result, the agency currently has no staff resources to allocate to the additional workload that would be created to implement a statewide 211 provider certification.

To adequately administer and fully address the increased workload activities that the proposed legislation represents, the agency believes that it needs three full-time equivalent staff. The agency is therefore requesting the following three full-time equivalent positions:

(1) *AHCA Administrator*. This will be a select exempt position. The administrator will serve as the agency's representative on the FLAIRS Board, the 211 Subcommittee Coordinator for the Board, and the agency's designated liaison to Alliance for Information and Referral Services (AIRS), which is the national organization for 211 accreditation. Additionally, this position will develop program-specific policies and procedures; develop statewide program and budget implementation plan, including the approval, distribution, and oversight of state allocated funds, which will be provided to FLAIRS for statewide distribution; complete both national and state legislative bill analyses relating to 211 information and referral services; write annual reports and all other reports relating to Florida's 211 Provider System; and supervise the other two positions.

(2) *Government Analyst II*. This position will be responsible for completing all activities relating to the agency's certification of Florida's 211 Network Provider System. This will include initial certification of potential 211 provider organizations, re-certification of existing 211 Florida network providers, and the completion of onsite visits as required by the Florida 211 Network Provider Certification Rule (Chapter 59G-11, Florida Administrative Code). In addition, this position will provide ongoing technical assistance to existing, as well as potential, Florida 211 network providers.

(3) *Government Operations Consultant I*. This position will be responsible for developing and implementing a statewide database and matrix of certification requirements, which will include provider requirements and specific activity time guidelines. This position will also be responsible for maintaining all reports and will serve as a research coordinator completing state and national research activities.

The agency estimates that the cost of these positions will be \$201,345 for the 2006-2007 fiscal year and \$193,515 for the 2007-2008 fiscal year, with 100 percent coming from General Revenue.

### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. The bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

##### 2. Other:

None

#### B. RULE-MAKING AUTHORITY:

None

#### C. DRAFTING ISSUES OR OTHER COMMENTS:

None

#### IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On January 10, 2006, the Utilities & Telecommunications Committee adopted a strike-all amendment and two amendments to the strike-all to create a committee substitute. The committee substitute does the following:

- Updates the WHEREAS clause with current information relating to the availability of 211 service in Florida.
- Updates the WHEREAS clause to reflect the 2005 hurricanes.
- Adds that local health and human service systems include those serving persons with disabilities and special health care needs.
- Adds that the coordination between 211 providers and emergency management officials in the event of a disaster includes how a 211 will respond with essential information to assist individuals during a natural disaster.
- Deletes the disparity factor language, which ensured that all areas of the state receive an equitable share of funds from the implementation language.
- Defines "211 provider."
- Changes from February 15, 2007 to January 15, 2007, the date that the agency submits a report to the Governor, President of the Senate, and Speaker of the House of Representatives detailing the expenditure of appropriated funds.
- Provides that any funds not encumbered for the 2006-2007 fiscal year shall revert on June 30, 2007, and are reappropriated for the 2007-2008 fiscal year.

On March 17, 2006, the Health Care Appropriations Committee adopted four amendments to the committee substitute. The amendments made the following changes:

- Designated the agency as the lead entity for purposes of receiving and distributing funds that may become available from the federal government to support the Florida 2-1-1 Network.
- Delays from January 15 to February 15 the Agency for Health Care Administration's responsibility to report to the Legislature regarding expenditure of funds appropriated by this bill.
- Conforms the definition of "Florida 211 Network Provider" in the bill to the definition in the Florida Administrative Code.
- Made a technical change to the appropriation.

This analysis reflects the bill as amended.