

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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The Conference Committee on HB 5009 offered the following:

Conference Committee Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (3) of section 394.457, Florida Statutes, is amended to read:

394.457 Operation and administration.--

(3) POWER TO CONTRACT.--The department may contract to provide, and be provided with, services and facilities in order to carry out its responsibilities under this part with the following agencies: public and private hospitals; receiving and treatment facilities; clinics; laboratories; departments, divisions, and other units of state government; the state colleges and universities; the community colleges; private colleges and universities; counties, municipalities, and any other governmental unit, including facilities of the United States Government; and any other public or private entity which

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18 provides or needs facilities or services. Baker Act funds for
 19 community inpatient, crisis stabilization, short-term
 20 residential treatment, and screening services must be allocated
 21 to each county pursuant to the department's funding allocation
 22 methodology. Notwithstanding the provisions of s. 287.057(5)(f),
 23 contracts for community-based Baker Act services for inpatient,
 24 crisis stabilization, short-term residential treatment, and
 25 screening provided under this part, other than those with other
 26 units of government, to be provided for the department must be
 27 awarded using competitive sealed bids when the county commission
 28 of the county receiving the services makes a request to the
 29 department's district office by January 15 of the contracting
 30 year. The district shall not enter into a competitively bid
 31 contract under this provision if such action will result in
 32 increases of state or local expenditures for Baker Act services
 33 within the district. Contracts for these Baker Act services
 34 using competitive sealed bids will be effective for 3 years.
 35 ~~Services contracted for by the department may be reimbursed by~~
 36 ~~the state at a rate up to 100 percent.~~ The department shall
 37 adopt rules establishing minimum standards for such contracted
 38 services and facilities and shall make periodic audits and
 39 inspections to assure that the contracted services are provided
 40 and meet the standards of the department.

41 Section 2. Section 394.908, Florida Statutes, is amended
 42 to read:

43 394.908 Substance abuse and mental health funding equity;
 44 distribution of appropriations.--In recognition of the
 45 historical inequity ~~among service districts of the former~~
 46 ~~Department of Health and Rehabilitative Services~~ in the funding
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47 of substance abuse and mental health services for the
 48 department's districts and regions, and ~~in order~~ to rectify this
 49 inequity and provide for equitable funding in the future
 50 throughout the state, the following funding process shall be
 51 used ~~adhered to~~:

52 (1) Funding thresholds for substance abuse and mental
 53 health services in each of the current districts, statewide,
 54 shall be established based on the current number of persons in
 55 need per district of substance abuse and mental health services,
 56 respectively.

57 (2) "Persons in need" means those persons who fit the
 58 profile of the respective target populations and require mental
 59 health or substance abuse services.

60 (3) ~~Seventy-five percent of~~ Any additional funding beyond
 61 the 2005-2006 ~~1996-1997~~ fiscal year base appropriation for
 62 alcohol, drug abuse, and mental health services shall be
 63 allocated to districts for substance abuse and mental health
 64 services based on:

65 (a) Epidemiological estimates of disabilities that ~~which~~
 66 apply to the respective target populations.

67 (b) A pro rata share distribution that ensures districts
 68 below the statewide average funding level per person in each
 69 target population of "persons in need" receive funding necessary
 70 to achieve equity.

71 ~~(4) The remaining 25 percent shall be allocated based on~~
 72 ~~the number of persons in need of substance abuse and mental~~
 73 ~~health services per district without regard to current funding~~
 74 ~~levels.~~

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75 ~~(4)~~(5) Target populations for persons in need shall be
 76 displayed for each district and distributed concurrently with
 77 the approved operating budget. The display by target population
 78 shall show: The annual number of persons served based on prior
 79 year actual numbers, the annual cost per person served, ~~the~~
 80 ~~number of persons served by service cost center,~~ and the
 81 estimated number of the total target population for persons in
 82 need.

83 (5)~~(6)~~ The annual cost per person served shall be defined
 84 as the total actual funding for each target population divided
 85 by the number of persons served in the target population for
 86 that year.

87 ~~(7) Commencing on July 1, 1998, all additional funding~~
 88 ~~pursuant to this section shall be performance based.~~

89 ~~(8) For fiscal year 2004-2005 only, and notwithstanding~~
 90 ~~the provisions of this section, all new funds received in excess~~
 91 ~~of fiscal year 2003-2004 recurring appropriations shall be~~
 92 ~~allocated in accordance with the provisions of the General~~
 93 ~~Appropriations Act; however, no district shall receive an~~
 94 ~~allocation of recurring funds less than its initial approved~~
 95 ~~operating budget, plus any distributions of lump sum~~
 96 ~~appropriations or reductions in unfunded budget, for fiscal year~~
 97 ~~2003-2004. This subsection expires July 1, 2005.~~

98 Section 3. This act shall take effect July 1, 2006.

99

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

101 Remove the entire title and insert:

102 A bill to be entitled

CONFERENCE COMMITTEE AMENDMENT

Bill No. HB 5009

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103 | An act relating to substance abuse and mental health
104 | services funding; amending s. 394.457, F.S.; deleting
105 | provisions authorizing a reimbursement rate of 100 percent
106 | by the Department of Children and Family Services for
107 | certain services provided under the Baker Act; amending s.
108 | 394.908, F.S.; revising the funding allocation
109 | methodology; providing an effective date.

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