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2 An act relating to health and human services;
3 authorizing the Department of Children and
4 Family Services to begin the process of
5 reorganization; requiring the department to
6 integrate substance abuse and mental health
7 programs into its structure and priorities;
8 authorizing the department to plan for the
9 realignment of districts in conformance with
10 judicial circuits; requiring that a report be
11 submitted to the Legislature; authorizing the
12 department to use the name Department of
13 Children and Families; authorizing the
14 department to establish community partnerships
15 and advisory groups; providing for members of
16 such partnerships or advisory groups to be
17 reimbursed for per diem, travel, and child care
18 expenses; providing for the members to be
19 subject to the Code of Ethics for Public
20 Officers and Employees; providing that meetings
21 and records of the partnerships and advisory
22 groups are subject to the public-meetings and
23 public-records law; amending s. 839.13, F.S.;
24 clarifying provisions that prohibit falsifying,
25 altering, or in any manner destroying records
26 if such act may be detrimental to the health,
27 safety, or welfare of an individual in the care
28 and custody of a state agency; clarifying
29 provisions that prohibit falsifying, altering,
30 or in any manner destroying records of the
31 Department of Children and Family Services or

1 its contract provider with the intent to
2 conceal a material fact; providing for the
3 application of penalties thereto; providing
4 effective dates.

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

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8 Section 1. Flexibility for the Department of Children
9 and Family Services.--

10 (1) The Legislature recognizes that modifications to
11 the organizational structure of the Department of Children and
12 Family Services are necessary to improve the effectiveness and
13 efficiency of the department. In addition, any modifications
14 to the organizational structure must be compatible with and
15 must not impede the scheduled sunset review pursuant to s.
16 11.905, Florida Statutes. Therefore, notwithstanding s. 20.19,
17 Florida Statutes, the Department of Children and Family
18 Services is authorized to begin the process of reorganization
19 subject to further legislative review and approval.

20 (a) The department shall integrate substance abuse and
21 mental health programs into the overall structure and
22 priorities of the department. The department may plan for
23 realignment of department districts in conformance with
24 judicial circuits and may phase in organizational changes to
25 ensure that children currently in the system are not adversely
26 affected.

27 (b) The department shall prepare a detailed report
28 concerning its reorganizational modifications, including a
29 plan for realignment of districts, which identifies all key
30 actions taken or planned to be taken. The report shall review
31 the department's progress in establishing regions and

1 integrating substance abuse and mental health programs into
2 the overall structure of the department. This report shall be
3 submitted to the Legislature by January 1, 2008, concurrently
4 with the Sunset Review Report.

5 (c) The department is authorized to use the name
6 Department of Children and Families.

7 (2) The department may establish community
8 partnerships at the request of local communities in order to
9 improve the delivery of community-based services through
10 community participation. Community partnerships may advise and
11 recommend to the department ways to improve and coordinate
12 community-based services. The secretary may also establish
13 such advisory groups at the state level as necessary to ensure
14 and enhance communication and liaison with stakeholders,
15 community leaders, and client representatives.

16 (a) Members of any community partnership or advisory
17 group established pursuant to this subsection shall serve
18 without compensation, but are entitled to receive
19 reimbursement for per diem and travel expenses, as provided in
20 s. 112.061, Florida Statutes. Payment may be authorized for
21 preapproved child care expenses or lost wages for members who
22 are consumers of the department's services and for preapproved
23 child care expenses for other members who demonstrate
24 hardship. All such payments must be within existing resources.

25 (b) Members of any community partnership or advisory
26 group established pursuant to this subsection are subject to
27 the provisions of part III of chapter 112, Florida Statutes,
28 the Code of Ethics for Public Officers and Employees.

29 (c) All partnership and advisory group meetings are
30 open to the public pursuant to s. 286.011, Florida Statutes,
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1 and records of such meetings are subject to the public-records
2 provisions of s. 119.07(1), Florida Statutes.

3 (3) This section expires June 30, 2008.

4 Section 2. Effective July 1, 2007, subsection (2) of
5 section 839.13, Florida Statutes, is amended to read:

6 839.13 Falsifying records.--

7 (2)(a) Any person who knowingly falsifies, alters,
8 destroys, defaces, overwrites, removes, or discards ~~by~~
9 ~~altering, destroying, defacing, overwriting, removing, or~~
10 ~~discarding~~ an official record relating to an individual in the
11 care and custody of a state agency, which act has the
12 potential to detrimentally affect the health, safety, or
13 welfare of that individual, commits a felony of the third
14 degree, punishable as provided in s. 775.082, s. 775.083, or
15 s. 775.084. For the purposes of this paragraph, the term "care
16 and custody" includes, but is not limited to, a child abuse
17 protective investigation, protective supervision, foster care
18 and related services, or a protective investigation or
19 protective supervision of a vulnerable adult, as defined in
20 chapter 39, chapter 409, or chapter 415.

21 (b) Any person who commits a violation of paragraph
22 (a) which contributes to great bodily harm to or the death of
23 an individual in the care and custody of a state agency
24 commits a felony of the second degree, punishable as provided
25 in s. 775.082, s. 775.083, or s. 775.084. For the purposes of
26 this paragraph, the term "care and custody" includes, but is
27 not limited to, a child abuse protective investigation,
28 protective supervision, foster care and related services, or a
29 protective investigation or protective supervision of a
30 vulnerable adult, as defined in chapter 39, chapter 409, or
31 chapter 415.

1 (c) Any person who knowingly falsifies, alters,
2 destroys, defaces, overwrites, removes, or discards by
3 ~~altering, destroying, defacing, overwriting, removing, or~~
4 ~~discarding~~ records of the Department of Children and Family
5 Services or its contract provider with the intent to conceal a
6 fact material to a child abuse protective investigation,
7 protective supervision, foster care and related services, or a
8 protective investigation or protective supervision of a
9 vulnerable adult, as defined in chapter 39, chapter 409, or
10 chapter 415, commits a felony of the third degree, punishable
11 as provided in s. 775.082, s. 775.083, or s. 775.084. Nothing
12 in this paragraph prohibits prosecution for a violation of
13 paragraph (a) or paragraph (b) involving records described in
14 this paragraph.

15 (d) This section does not prohibit the disposing or
16 archiving of records as otherwise provided by law. In
17 addition, this section does not prohibit any person from
18 correcting or updating records.

19 Section 3. Except as otherwise expressly provided in
20 this act, this act shall take effect upon becoming a law.

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