

1 A bill to be entitled
 2 An act relating to the Department of Children and Family
 3 Services; amending s. 20.04, F.S.; authorizing the
 4 department to establish circuits or regions headed by
 5 circuit administrators or region directors; amending s.
 6 20.19, F.S.; revising provisions relating to the
 7 establishment of the department; providing for operating
 8 units called circuits or regions, based on the geographic
 9 boundaries of judicial circuits; deleting provisions
 10 relating to the program directors for mental health and
 11 substance abuse, the service districts, child protection
 12 workers, the membership of community alliances, and the
 13 prototype region; amending ss. 20.43 and 394.78, F.S.;
 14 conforming cross-references; providing for legislation to
 15 conform the Florida Statutes to changes made by the act;
 16 providing an effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:
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20 Section 1. Subsection (4) of section 20.04, Florida
 21 Statutes, is amended to read:

22 20.04 Structure of executive branch.--The executive branch
 23 of state government is structured as follows:

24 (4) Within the Department of Children and Family Services
 25 there are organizational units called "program offices," headed
 26 by program directors, and operating units called "circuits" or
 27 "regions," headed by circuit administrators or region directors,
 28 respectively.

29 Section 2. Section 20.19, Florida Statutes, is amended to
 30 read:

31 (Substantial rewording of section. See
 32 s. 20.19, F.S., for present text.)

33 20.19 Department of Children and Family Services.--There
 34 is created a Department of Children and Family Services.

35 (1) SECRETARY OF CHILDREN AND FAMILY SERVICES.--

36 (a) The head of the department is the Secretary of
 37 Children and Family Services. The Governor shall appoint the
 38 secretary, who is subject to confirmation by the Senate. The
 39 secretary serves at the pleasure of the Governor.

40 (b) The secretary is responsible for planning,
 41 coordinating, and managing the delivery of all services that are
 42 the responsibility of the department.

43 (c) The secretary shall appoint a deputy secretary who
 44 shall act in the absence of the secretary. The deputy secretary
 45 is directly responsible to the secretary, performs such duties
 46 as are assigned by the secretary, and serves at the pleasure of
 47 the secretary.

48 (d) The secretary may establish assistant secretary
 49 positions as necessary to administer the requirements of this
 50 section and, at a minimum, shall establish an Assistant
 51 Secretary for Substance Abuse and Mental Health. All persons
 52 appointed to such positions shall serve at the pleasure of the
 53 secretary.

54 (2) SERVICES PROVIDED.--

55 (a) The department may establish program offices, each of
 56 which shall be headed by a program director who shall be

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57 appointed by and serve at the pleasure of the secretary.

58 (b) At a minimum, the following program offices shall be
59 established:

60 1. Adult protection.

61 2. Child care.

62 3. Domestic violence.

63 4. Economic self-sufficiency.

64 5. Family safety.

65 6. Mental health.

66 7. Refugee services.

67 8. Substance abuse.

68 (c) Program offices may be consolidated, restructured, or
69 rearranged by the secretary if such consolidation,
70 restructuring, or rearranging is able to provide the functions
71 and activities and achieve the outcomes required by state and
72 federal laws, rules, and regulations. The secretary may appoint
73 additional directors as necessary for the effective management
74 of the program services provided by the department.

75 (3) OPERATING UNITS.--

76 (a) The department shall plan and administer its program
77 services through operating units that conform to the geographic
78 boundaries of the judicial circuits established under s. 26.021.
79 In developing its service delivery system, the department may
80 combine judicial circuits but may not divide circuits among
81 operating units of the department. The department may also
82 establish regional divisions consisting of one or more judicial
83 circuit operating units.

84 (b) The secretary may appoint a circuit administrator and

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85 region director for each circuit and region who shall serve at
86 the pleasure of the secretary and shall perform such duties as
87 are assigned by the secretary.

88 (4) COMMUNITY ALLIANCES AND PARTNERSHIPS AUTHORIZED.--The
89 department may, in consultation with local communities,
90 establish a community alliance and other community partnerships
91 consisting of stakeholders, community leaders, client
92 representatives, and those who fund human services in each
93 judicial circuit to provide a focal point for community
94 participation and governance of community-based services. The
95 membership of the community alliances and partnerships must
96 represent the diversity of the community. The secretary may also
97 establish advisory groups at the state level as necessary to
98 ensure and enhance communication and provide liaison with
99 stakeholders, community leaders, and client representatives.

100 (a) The duties of a community alliance and partnership may
101 include, but are not limited to:

102 1. Joint planning for resource use in the community,
103 including resources appropriated to the department, and any
104 funds that local funding sources choose to provide.

105 2. Needs assessment and establishment of community
106 priorities for service delivery.

107 3. Determining community outcome goals to supplement
108 state-required outcomes.

109 4. Serving as a catalyst for community resource
110 development.

111 5. Providing for community education and advocacy on
112 issues related to service delivery.

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113 6. Promoting prevention and early intervention services.

114 (b) If community alliances and partnerships are
115 established, the department shall ensure, to the greatest extent
116 possible, that the formation of each community alliance and
117 partnership builds on the strengths of the existing community
118 human services infrastructure.

119 (c) Members of the community alliances, partnerships, and
120 advisory groups shall serve without compensation but are
121 entitled to reimbursement for per diem and travel expenses as
122 provided in s. 112.061. Payment may also be authorized for
123 preapproved child care expenses or lost wages for members who
124 are consumers of services provided by the department and for
125 preapproved child care expenses for other members who
126 demonstrate hardship.

127 (d) Members of community alliances, partnerships, and
128 advisory groups are subject to part III of chapter 112, the Code
129 of Ethics for Public Officers and Employees.

130 (e) Actions taken by community alliances, partnerships,
131 and advisory groups must be consistent with department policy
132 and state and federal laws, rules, and regulations.

133 (f) Alliance, partnership, and advisory group members must
134 annually submit a disclosure statement of any interest in
135 services provided by the department to the department's
136 inspector general. Any member who has an interest in a matter
137 under consideration by the alliance or partnership must abstain
138 from voting on that matter.

139 (g) All alliance, partnership, and advisory group meetings
140 are open to the public pursuant to s. 286.011 and are subject to

141 the public records provisions of s. 119.07(1).

142 (5) PROCUREMENT OF HEALTH CARE SERVICES.--Competitive
 143 bidding is not required for health care services involving
 144 examination, diagnosis, or treatment.

145 (6) CONSULTATION WITH COUNTIES ON MANDATED PROGRAMS.--It
 146 is the intent of the Legislature that when county governments
 147 are required by law to participate in the funding of programs,
 148 the department shall consult with designated representatives of
 149 county governments in developing policies and service delivery
 150 plans for those programs.

151 Section 3. Subsection (5) of section 20.43, Florida
 152 Statutes, is amended to read:

153 20.43 Department of Health.--There is created a Department
 154 of Health.

155 (5) The department shall plan and administer its public
 156 health programs through its county health departments and may,
 157 for administrative purposes and efficient service delivery,
 158 establish up to 15 service areas to carry out such duties as may
 159 be prescribed by the State Surgeon General. The boundaries of
 160 the service areas shall ~~be the same as, or combinations of, the~~
 161 ~~service districts of the Department of Children and Family~~
 162 ~~Services established in s. 20.19 and, to the extent practicable,~~
 163 ~~shall~~ take into consideration the boundaries of the jobs and
 164 education regional boards.

165 Section 4. Subsection (5) of section 394.78, Florida
 166 Statutes, is amended to read:

167 394.78 Operation and administration; personnel standards;
 168 procedures for audit and monitoring of service providers;

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169 resolution of disputes.--

170 ~~(5) In unresolved disputes regarding this part or rules~~
171 ~~established pursuant to this part, providers and district health~~
172 ~~and human services boards shall adhere to formal procedures~~
173 ~~specified under s. 20.19(8)(n).~~

174 Section 5. During the 2010 Regular Session of the
175 Legislature, the Legislature shall adopt legislation to conform
176 the Florida Statutes to the provisions of this act.

177 Section 6. This act shall take effect upon becoming a law.