

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.

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 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 shall establish the following program
 56 offices, each of which shall be headed by a program director who

57 shall be appointed by and serve at the pleasure of the
 58 secretary:

- 59 1. Adult protection.
- 60 2. Child care.
- 61 3. Domestic violence.
- 62 4. Economic self-sufficiency.
- 63 5. Family safety.
- 64 6. Mental health.
- 65 7. Refugee services.
- 66 8. Substance abuse.
- 67 9. Homelessness.

68 (b) 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 in s. 26.021.
 79 The department may also establish regional divisions consisting
 80 of one or more judicial circuit operating units.

81 (b) The secretary may appoint a circuit administrator and
 82 region director for each circuit and region who shall serve at
 83 the pleasure of the secretary and shall perform such duties as
 84 are assigned by the secretary.

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

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

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

102 2. Needs assessment and establishment of community
 103 priorities for service delivery.

104 3. Determining community outcome goals to supplement
 105 state-required outcomes.

106 4. Serving as a catalyst for community resource
 107 development.

108 5. Providing for community education and advocacy on
 109 issues related to service delivery.

110 6. Promoting prevention and early intervention services.

111 (b) If community alliances and partnerships are
 112 established, the department shall ensure, to the greatest extent

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113 possible, that the formation of each community alliance and
114 partnership builds on the strengths of the existing community
115 human services infrastructure.

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

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

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

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

136 (g) All alliance, partnership, and advisory group meetings
137 are open to the public pursuant to s. 286.011 and are subject to
138 the public records provisions of s. 119.07(1).

139 (5) PROCUREMENT OF HEALTH CARE SERVICES.--Competitive
140 bidding is not required for health care services involving

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141 examination, diagnosis, or treatment.

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

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

150 20.43 Department of Health.--There is created a Department
 151 of Health.

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

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

164 394.78 Operation and administration; personnel standards;
 165 procedures for audit and monitoring of service providers;
 166 resolution of disputes.--

167 ~~(5) In unresolved disputes regarding this part or rules~~
 168 ~~established pursuant to this part, providers and district health~~

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169 ~~and human services boards shall adhere to formal procedures~~
170 ~~specified under s. 20.19(8)(n).~~

171 Section 5. During the 2010 Regular Session of the
172 Legislature, the Legislature shall adopt legislation to conform
173 the Florida Statutes to the provisions of this act.

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