

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 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, in consultation with the Executive  
 70 Office of the Governor, provided such consolidation,  
 71 restructuring, or rearranging is able to provide the functions  
 72 and activities and achieve the outcomes required by state and  
 73 federal laws, rules, and regulations. The secretary may appoint  
 74 additional directors as necessary for the effective management  
 75 of the program services provided by the department.

76 (3) OPERATING UNITS.--

77 (a) The department shall plan and administer its program  
 78 services through operating units that conform to the geographic  
 79 boundaries of the judicial circuits established in s. 26.021.  
 80 The department may also establish regional divisions consisting  
 81 of one or more judicial circuit operating units.

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

85 are assigned by the secretary.

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

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

- 100 1. Joint planning for resource use in the community,  
 101 including resources appropriated to the department, and any  
 102 funds that local funding sources choose to provide.
- 103 2. Needs assessment and establishment of community  
 104 priorities for service delivery.
- 105 3. Determining community outcome goals to supplement  
 106 state-required outcomes.
- 107 4. Serving as a catalyst for community resource  
 108 development.
- 109 5. Providing for community education and advocacy on  
 110 issues related to service delivery.

111 6. Promoting prevention and early intervention services.

112 (b) If community alliances and partnerships are

113 established, the department shall ensure, to the greatest extent  
114 possible, that the formation of each community alliance and  
115 partnership builds on the strengths of the existing community  
116 human services infrastructure.

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

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

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

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

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

140 (5) PROCUREMENT OF HEALTH CARE SERVICES.--Competitive

141 bidding is not required for health care services involving  
 142 examination, diagnosis, or treatment.

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

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

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

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

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

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

168 ~~(5) In unresolved disputes regarding this part or rules~~

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169 ~~established pursuant to this part, providers and district health~~  
170 ~~and human services boards shall adhere to formal procedures~~  
171 ~~specified under s. 20.19(8)(n).~~

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

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