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603-03176B-09

Proposed Committee Substitute by the Committee on Health and
Human Services Appropriations

1 A bill to be entitled
2 An act relating to health and human services; amending
3 s. 287.057, F.S.; delaying the expiration of
4 provisions authorizing the Department of Health to
5 enter into an agreement with a specified private
6 contractor to finance, design, and construct a
7 hospital for the treatment of patients with active
8 tuberculosis; amending s. 394.908, F.S.; delaying the
9 expiration of provisions requiring that funds
10 appropriated for forensic mental health treatment
11 services be allocated to the areas of the state having
12 the greatest demand for services and treatment
13 capacity; providing allocation requirements for
14 specified funds appropriated for mental health
15 services; requiring the Department of Children and
16 Family Services to ensure that information is entered
17 into the Florida Safe Families Network; requiring
18 coordination between the department and the Office of
19 the State Courts Administrator to provide information
20 relating to child welfare cases; requiring a report to
21 the Governor and Legislature; providing for reversion
22 of statutory text of certain provisions; providing for
23 the effect of a veto of one or more specific
24 appropriations or proviso to which implementing
25 language refers; providing for the continued operation
26 of certain provisions notwithstanding a future repeal
27 or expiration provided by the act; providing for



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28 severability; providing effective dates.

29
30 Be It Enacted by the Legislature of the State of Florida:

31
32 Section 1. In order to implement Specific Appropriations
33 448, 450, 456, 458, and 459 of the 2009-2010 General
34 Appropriations Act, paragraph (b) of subsection (14) of section
35 287.057, Florida Statutes, is amended to read:

36 287.057 Procurement of commodities or contractual
37 services.—

38 (14)

39 (b) The Department of Health shall enter into an agreement,
40 not to exceed 20 years, with a private contractor to finance,
41 design, and construct a hospital, of no more than 50 beds, for
42 the treatment of patients with active tuberculosis and to
43 operate all aspects of daily operations within the facility. The
44 contractor may sponsor the issuance of tax-exempt certificates
45 of participation or other securities to finance the project, and
46 the state may enter into a lease-purchase agreement for the
47 facility. The department shall begin the implementation of this
48 initiative by July 1, 2008. This paragraph expires July 1, 2010
49 ~~2009~~.

50 Section 2. Subsection (3) of section 394.908, Florida
51 Statutes, is amended to read:

52 394.908 Substance abuse and mental health funding equity;
53 distribution of appropriations.—In recognition of the historical
54 inequity in the funding of substance abuse and mental health
55 services for the department's districts and regions and to
56 rectify this inequity and provide for equitable funding in the



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57 future throughout the state, the following funding process shall
58 be used:

59 (3)

60 (a) Any additional funding beyond the 2005-2006 fiscal year
61 base appropriation for alcohol, drug abuse, and mental health
62 services shall be allocated to districts for substance abuse and
63 mental health services based on:

64 1. Epidemiological estimates of disabilities that apply to
65 the respective target populations.

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

70 (b) Notwithstanding paragraph (a) and for ~~the 2008-2009~~
71 fiscal year 2009-2010 only, funds appropriated for forensic
72 mental health treatment services shall be allocated to the areas
73 of the state having the greatest demand for services and
74 treatment capacity. This paragraph expires July 1, 2010 ~~2009~~.

75 (c) Notwithstanding paragraph (a) and for ~~the 2008-2009~~
76 fiscal year 2009-2010 only, additional funds appropriated for
77 mental health services from funds available through the
78 Community-Based Medicaid Administrative Claiming Program shall
79 be allocated as provided in the 2009-2010 ~~2008-2009~~ General
80 Appropriations Act and in proportion to contributed provider
81 earnings. ~~Where these mental health funds are used in lieu of~~
82 ~~funds from the General Revenue Fund, the allocation of funds~~
83 ~~shall be unchanged from the allocation for those funds for the~~
84 ~~2007-2008 fiscal year.~~ This paragraph expires July 1, 2010 ~~2009~~.

85 Section 3. In order to implement Specific Appropriation 279



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86 of the 2009-2010 General Appropriations Act, the Department of
87 Children and Family Services must ensure that all public and
88 private agencies and institutions participating in child welfare
89 cases enter information, specified by department rule, into the
90 Florida Safe Families Network in order to maintain the accuracy
91 and usefulness of the system. The network is intended to be the
92 department's automated child welfare case-management system
93 designed to provide child welfare workers with a mechanism for
94 managing child welfare cases more efficiently and tracking
95 children and families more effectively. The department shall
96 coordinate with the Office of the State Courts Administrator to
97 provide any judge or magistrate with access to information in
98 the network relating to a child welfare case which is required
99 to be filed with the court pursuant to chapter 39, Florida
100 Statutes, by the date of the network's release during fiscal
101 year 2009-2010. The department shall report to the Governor, the
102 President of the Senate, and the Speaker of the House of
103 Representatives by February 1, 2010, with respect to progress on
104 providing access to the Florida Safe Families Network as
105 provided in this section. This section expires July 1, 2010.

106 Section 4. A section of this act that implements a specific
107 appropriation or specifically identified proviso language in the
108 2009-2010 General Appropriations Act is void if the specific
109 appropriation or specifically identified proviso language is
110 vetoed. A section of this act that implements more than one
111 specific appropriation or more than one portion of specifically
112 identified proviso language in the 2009-2010 General
113 Appropriations Act is void if all the specific appropriations or
114 portions of specifically identified proviso language are vetoed.



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115 Section 5. If any other act passed in 2009 contains a
116 provision that is substantially the same as a provision in this
117 act, but that removes or is otherwise not subject to the future
118 repeal applied to such provision by this act, the Legislature
119 intends that the provision in the other act shall take
120 precedence and shall continue to operate, notwithstanding the
121 future repeal provided by this act.

122 Section 6. If any provision of this act or its application
123 to any person or circumstance is held invalid, the invalidity
124 does not affect other provisions or applications of the act
125 which can be given effect without the invalid provision or
126 application, and to this end the provisions of this act are
127 severable.

128 Section 7. Except as otherwise expressly provided in this
129 act and except for this section, which shall take effect upon
130 this act becoming a law, this act shall take effect July 1,
131 2009; or, if this act fails to become a law until after that
132 date, it shall take effect upon becoming a law and shall operate
133 retroactively to July 1, 2009.