

By the Committee on Health and Human Services Appropriations;
and Senator Peadar

603-03989-09

20091656c1

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 the effect
22 of a veto of one or more specific appropriations or
23 proviso to which implementing language refers;
24 providing for the continued operation of certain
25 provisions notwithstanding a future repeal or
26 expiration provided by the act; providing for
27 severability; providing effective dates.

28
29 Be It Enacted by the Legislature of the State of Florida:

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

287.057 Procurement of commodities or contractual services.—

(14)

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

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

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity in the funding of substance abuse and mental health services for the department's districts and regions and to rectify this inequity and provide for equitable funding in the future throughout the state, the following funding process shall be used:

(3)

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

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

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

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

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

84 Section 3. In order to implement Specific Appropriation 279
85 of the 2009-2010 General Appropriations Act, the Department of
86 Children and Family Services must ensure that all public and
87 private agencies and institutions participating in child welfare

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

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

114 Section 5. If any other act passed in 2009 contains a
115 provision that is substantially the same as a provision in this
116 act, but that removes or is otherwise not subject to the future

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117 repeal applied to such provision by this act, the Legislature
118 intends that the provision in the other act shall take
119 precedence and shall continue to operate, notwithstanding the
120 future repeal provided by this act.

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

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