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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2009	.	
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The Committee on Health and Human Services Appropriations  
(Haridopolos) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 19 and 20  
insert:

Section 1. Section 287.0576, Florida Statutes, is created  
to read:

287.0576 Contracts for health and human services.—The  
Department of Children and Family Services, the Department of  
Health, the Department of Elderly Affairs, the Agency for  
Persons with Disabilities, the Agency for Health Care  
Administration, and the Department of Juvenile Justice shall



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12 identify and implement changes that improve efficiency in health  
13 and human services contract administration. To assist with that  
14 goal, each agency shall adopt the following policies:

15 (1) Limit administrative and fiscal monitoring to once  
16 every 3 years if the contracted provider is accredited by a  
17 nationally recognized organization. By accepting the survey or  
18 inspection of an accrediting organization, the department or  
19 agency does not forfeit its right to monitor in order to ensure  
20 that services for which the department or agency is paying are  
21 provided. The department or agency may investigate complaints or  
22 suspected problems and monitor the provider's compliance with  
23 negotiated terms and conditions, including provisions relating  
24 to consent decrees, which are unique to a specific contract and  
25 are not statements of general applicability. The department or  
26 agency may also monitor compliance with federal and state laws,  
27 federal regulations, or state rules if such monitoring does not  
28 duplicate the accrediting organization's review pursuant to  
29 accreditation standards.

30 (2) Allow private-sector development and implementation of  
31 a secure consolidated data warehouse and archive for maintaining  
32 corporate, fiscal, and administrative records of child welfare  
33 provider contracts. Providers must ensure that the data is up to  
34 date and accessible to contracting state agencies and the  
35 contracting providers. State agencies that contract with child  
36 welfare providers must use the data warehouse for document  
37 requests. If information is not current or is unavailable on the  
38 provider's website, the state agency may contact the provider  
39 directly. At a minimum, the records must include:

40 (a) Articles of Incorporation.



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- 41        (b) Bylaws.
- 42        (c) Governing board and committee minutes.
- 43        (d) Financial audits.
- 44        (e) Expenditure reports.
- 45        (f) Compliance audits.
- 46        (g) Organizational charts.
- 47        (h) Staff resumes.
- 48        (i) Governing board membership information.
- 49        (j) Human resource policies and procedures.
- 50        (3) Not impose a new form, procedure, or mandate on a
- 51 health and human services contract provider without determining,
- 52 in conjunction with the provider, the fiscal and programmatic
- 53 effect of the new requirement.

54  
55 ===== T I T L E   A M E N D M E N T =====

56 And the title is amended as follows:

57        Delete line 2

58 and insert:

59        An act relating to health and human service contracts;  
60        creating s. 287.0576, F.S.; requiring the Departments  
61        of Children and Family Services, Health, Elderly  
62        Affairs, and Juvenile Justice and the Agencies for  
63        Persons with Disabilities and Health Care  
64        Administration to adopt certain policies relating to  
65        the monitoring of provider contracts, access to  
66        provider data, and the imposition of new provider  
67        requirements; amending