

By Senator Storms

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1 A bill to be entitled
2 An act relating to the Department of Children and
3 Family Services; amending s. 20.04, F.S.; authorizing
4 the department to establish circuits and regions
5 headed by circuit administrators and regional
6 directors; amending s. 20.19, F.S.; revising
7 provisions relating to the establishment of the
8 department; providing for operating units called
9 circuits and regions based on judicial circuits;
10 deleting provisions relating to the program directors
11 for mental health and substance abuse, the service
12 districts, child protection workers, the membership of
13 community alliances, and the prototype region;
14 amending ss. 20.43 and 394.78, F.S.; conforming cross-
15 references; providing for legislation to conform the
16 Florida Statutes to changes made by the act; providing
17 an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Subsections (4) of section 20.04, Florida
22 Statutes, is amended to read:

23 20.04 Structure of executive branch.—The executive branch
24 of state government is structured as follows:

25 (4) Within the Department of Children and Family Services
26 there are organizational units called "program offices," headed
27 by program directors, and geographical units called "circuits"
28 and "regions," headed respectively, by circuit administrators
29 and region directors.

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30 Section 2. Section 20.19, Florida Statutes, is amended to
31 read:

32 (Substantial rewording of section. See
33 s. 20.19, F.S., for present text.)

34 20.19 Department of Children and Family Services.—There is
35 created a Department of Children and Family Services.

36 (1) SECRETARY OF CHILDREN AND FAMILY SERVICES.—

37 (a) The head of the department is the Secretary of Children
38 and Family Services. The Governor shall appoint the secretary,
39 who is subject to confirmation by the Senate. The secretary
40 serves at the pleasure of the Governor.

41 (b) The secretary is responsible for planning,
42 coordinating, and managing the delivery of all services that are
43 the responsibility of the department.

44 (c) The secretary shall appoint a deputy secretary who
45 shall act in the absence of the secretary. The deputy secretary
46 is directly responsible to the secretary, performs such duties
47 as are assigned by the secretary, and serves at the pleasure of
48 the secretary.

49 (d) The secretary may establish assistant secretary
50 positions as necessary to administer the requirements of this
51 section and, at a minimum, shall establish an Assistant
52 Secretary for Substance Abuse and Mental Health. All persons
53 appointed to such positions shall serve at the pleasure of the
54 secretary.

55 (2) SERVICES PROVIDED.—

56 (a) The department may establish program offices, each of
57 which shall be headed by a program director who shall be
58 appointed by and serve at the pleasure of the secretary.

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59 (b) At a minimum, the following program offices shall be
60 established:

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

69 (c) Program offices may be consolidated, restructured, or
70 rearranged by the secretary if 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 and rules. The secretary may appoint additional
74 directors as necessary for the effective management of the
75 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. In
80 developing its service delivery system, the department may
81 combine judicial circuits but may not divide circuits among
82 operational units of the department. The department may also
83 establish regional divisions consisting of one or more judicial
84 circuit operating units.

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

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88 are assigned by the secretary.

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

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

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

106 2. Needs assessment and establishment of community
107 priorities for service delivery.

108 3. Determining community outcome goals to supplement state-
109 required outcomes.

110 4. Serving as a catalyst for community resource
111 development.

112 5. Providing for community education and advocacy on issues
113 related to service delivery.

114 6. Promoting prevention and early intervention services.

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

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117 possible, that the formation of each community alliance and
118 partnership builds on the strengths of the existing community
119 human services infrastructure.

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

128 (d) Members of community alliances, partnerships, and
129 advisory groups are subject to part III of chapter 112, the code
130 of ethics for public officers and employees.

131 (e) Actions taken by community alliances, partnerships, and
132 advisory groups must be consistent with department policy and
133 state and federal laws and rules.

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

140 (g) All alliance, partnership, and advisory group meetings
141 are open to the public pursuant to s. 286.011 and are subject to
142 the public-records provisions of s. 119.07(1).

143 (5) PROCUREMENT OF HEALTH CARE SERVICES.—Competitive
144 bidding is not required for health services involving
145 examination, diagnosis, or treatment.

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

148 20.43 Department of Health.—There is created a Department
149 of Health.

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

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

162 394.78 Operation and administration; personnel standards;
163 procedures for audit and monitoring of service providers;
164 resolution of disputes.—

165 ~~(5) In unresolved disputes regarding this part or rules~~
166 ~~established pursuant to this part, providers and district health~~
167 ~~and human services boards shall adhere to formal procedures~~
168 ~~specified under s. 20.19(8)(n).~~

169 Section 5. During the 2010 regular legislative session, the
170 Legislature shall adopt legislation to conform the Florida
171 Statutes to the provisions of this act.

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