

By the Committee on Children, Families, and Elder Affairs; and  
Senator Storms

586-02703-09

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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) MISSION AND PURPOSE.—

37 (a) The mission of the Department of Children and Family  
38 Services is to work in partnership with local communities to  
39 ensure the safety, well-being, and self-sufficiency of the  
40 people served.

41 (b) The department shall develop a strategic plan for  
42 fulfilling its mission and establish a set of measurable goals,  
43 objectives, performance standards, and quality assurance  
44 requirements to ensure that the department is accountable to the  
45 people of Florida.

46 (c) To the extent allowed by law and within specific  
47 appropriations, the department shall deliver services by  
48 contract through private providers.

49 (2) SECRETARY OF CHILDREN AND FAMILY SERVICES.—

50 (a) The head of the department is the Secretary of Children  
51 and Family Services. The Governor shall appoint the secretary,  
52 who is subject to confirmation by the Senate. The secretary  
53 serves at the pleasure of the Governor.

54 (b) The secretary is responsible for planning,  
55 coordinating, and managing the delivery of all services that are  
56 the responsibility of the department.

57 (c) The secretary shall appoint a deputy secretary who  
58 shall act in the absence of the secretary. The deputy secretary

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59 is directly responsible to the secretary, performs such duties  
60 as are assigned by the secretary, and serves at the pleasure of  
61 the secretary.

62 (d) The secretary may establish assistant secretary  
63 positions as necessary to administer the requirements of this  
64 section and, at a minimum, shall establish an Assistant  
65 Secretary for Substance Abuse and Mental Health. All persons  
66 appointed to such positions shall serve at the pleasure of the  
67 secretary.

68 (3) SERVICES PROVIDED.—

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

72 (b) The following program offices shall be established:

- 73 1. Adult protection.
- 74 2. Child care.
- 75 3. Domestic violence.
- 76 4. Economic self-sufficiency.
- 77 5. Family safety.
- 78 6. Mental health.
- 79 7. Refugee services.
- 80 8. Substance abuse.

81 (c) Program offices may be consolidated, restructured, or  
82 rearranged by the secretary if such consolidation,  
83 restructuring, or rearranging is able to provide the functions  
84 and activities, and achieve the outcomes, required by state and  
85 federal laws and rules. The secretary may appoint additional  
86 directors as necessary for the effective management of the  
87 program services provided by the department.

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88       (4) OPERATING UNITS.—

89       (a) The department shall plan and administer its program  
90 services through operating units that conform to the geographic  
91 boundaries of the judicial circuits established in s. 26.021.  
92 The department may also establish regional divisions consisting  
93 of one or more judicial circuit operating units.

94       (b) The secretary may appoint a circuit administrator and  
95 region director for each circuit and region who shall serve at  
96 the pleasure of the secretary and shall perform such duties as  
97 are assigned by the secretary.

98       (5) COMMUNITY ALLIANCES AND PARTNERSHIPS AUTHORIZED.—The  
99 department may, in consultation with local communities,  
100 establish a community alliance and other community partnerships  
101 consisting of stakeholders, community leaders, client  
102 representatives, and those who fund human services in each  
103 judicial circuit to provide a focal point for community  
104 participation and governance of community-based services. The  
105 community alliance and partnerships must represent the diversity  
106 of the community. The secretary may also establish advisory  
107 groups at the state level as necessary to ensure and enhance  
108 communication and liaison with stakeholders, community leaders,  
109 and client representatives.

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

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

115       2. Needs assessment and establishment of community  
116 priorities for service delivery.

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117 3. Determining community outcome goals to supplement state-  
118 required outcomes.

119 4. Serving as a catalyst for community resource  
120 development.

121 5. Providing for community education and advocacy on issues  
122 related to service delivery.

123 6. Promoting prevention and early intervention services.

124 (b) If community alliances and partnerships are  
125 established, the department shall ensure, to the greatest extent  
126 possible, that the formation of each community alliance and  
127 partnership builds on the strengths of the existing community  
128 human services infrastructure.

129 (c) Members of the community alliances, partnerships, and  
130 advisory groups shall serve without compensation, but are  
131 entitled to reimbursement for per diem and travel expenses as  
132 provided in s. 112.061. Payment may also be authorized for  
133 preapproved child care expenses or lost wages for members who  
134 are consumers of services provided by the department, and for  
135 preapproved child care expenses for other members who  
136 demonstrate hardship.

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

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

143 (f) Alliance, partnership, and advisory group members must  
144 annually submit a disclosure statement of any interest in  
145 services provided by the department to the department's

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146 inspector general. Any member who has an interest in a matter  
147 under consideration by the alliance or partnership must abstain  
148 from voting on that matter.

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

152 (6) PROCUREMENT OF HEALTH CARE SERVICES.—Competitive  
153 bidding is not required for health services involving  
154 examination, diagnosis, or treatment.

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

157 20.43 Department of Health.—There is created a Department  
158 of Health.

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

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

171 394.78 Operation and administration; personnel standards;  
172 procedures for audit and monitoring of service providers;  
173 resolution of disputes.—

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

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

178       Section 5. During the 2010 regular legislative session, the  
179 Legislature shall adopt legislation to conform the Florida  
180 Statutes to the provisions of this act.

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