

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; changing the name of the department to the
9 "Department of Children and Families"; providing for
10 operating units called circuits and regions based on
11 judicial circuits; deleting provisions relating to the
12 program directors for mental health and substance
13 abuse, the service districts, child protection
14 workers, the membership of community alliances, and
15 the prototype region; amending ss. 20.43, 39.01, and
16 394.78, F.S.; conforming cross-references; amending s.
17 420.622, F.S.; deleting the requirement for the
18 Governor to appoint an executive director to the State
19 Office on Homelessness and for the Council on
20 Homelessness to review the director's performance;
21 providing for legislation to conform the Florida
22 Statutes to changes made by the act; providing an
23 effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Subsections (4) of section 20.04, Florida
28 Statutes, is amended to read:

29 20.04 Structure of executive branch.—The executive branch

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of state government is structured as follows:

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

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

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

20.19 Department of Children and Families.—There is created a Department of Children and Families.

(1) MISSION AND PLAN.—

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

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

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

(2) SECRETARY OF CHILDREN AND FAMILIES.—

(a) The head of the department is the Secretary of Children and Families. The Governor shall appoint the secretary, who is subject to confirmation by the Senate. The secretary serves at the pleasure of the Governor.

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59 (b) The secretary is responsible for planning,
60 coordinating, and managing the delivery of all services that are
61 the responsibility of the department.

62 (c) The secretary shall appoint a deputy secretary who
63 shall act in the absence of the secretary. The deputy secretary
64 is directly responsible to the secretary, performs such duties
65 as are assigned by the secretary, and serves at the pleasure of
66 the secretary.

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

73 (3) SERVICES PROVIDED.-

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

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

- 78 1. Adult protection.
- 79 2. Child care.
- 80 3. Domestic violence.
- 81 4. Economic self-sufficiency.
- 82 5. Family safety.
- 83 6. Homelessness.
- 84 7. Mental health.
- 85 8. Refugee services.
- 86 9. Substance abuse.

87 (c) Program offices may be consolidated, restructured, or

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88 rearranged by the secretary, in consultation with the Executive
89 Office of the Governor, if such consolidation, restructuring, or
90 rearranging supports the functions and activities, and achieves
91 the outcomes, required by state and federal laws and rules. The
92 secretary may appoint additional program directors as necessary
93 for the effective management of program services provided by the
94 department.

95 (4) OPERATING UNITS.—

96 (a) The department shall plan and administer its program
97 services through operating units that conform to the geographic
98 boundaries of the judicial circuits established in s. 26.021.
99 The department may also establish regional divisions consisting
100 of one or more judicial circuit operating units.

101 (b) The secretary may appoint a circuit administrator and
102 region director for each circuit and region who shall serve at
103 the pleasure of the secretary and shall perform such duties as
104 are assigned by the secretary.

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

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

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

122 2. Needs assessment and establishment of community
123 priorities for service delivery.

124 3. Determining community outcome goals to supplement state-
125 required outcomes.

126 4. Serving as a catalyst for community resource
127 development.

128 5. Providing for community education and advocacy on issues
129 related to service delivery.

130 6. Promoting prevention and early intervention services.

131 (b) If community alliances and partnerships are
132 established, the department shall ensure, to the greatest extent
133 possible, that the formation of each community alliance and
134 partnership builds on the strengths of the existing community
135 human services infrastructure.

136 (c) Members of the community alliances, partnerships, and
137 advisory groups shall serve without compensation, but are
138 entitled to reimbursement for per diem and travel expenses as
139 provided in s. 112.061. Payment may also be authorized for
140 preapproved child care expenses or lost wages for members who
141 are consumers of services provided by the department, and for
142 preapproved child care expenses for other members who
143 demonstrate hardship.

144 (d) Members of community alliances, partnerships, and
145 advisory groups are subject to part III of chapter 112, the code

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146 of ethics for public officers and employees.

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

150 (f) Alliance, partnership, and advisory group members must
151 annually submit a disclosure statement of any interest in
152 services provided by the department to the department's
153 inspector general. Any member who has an interest in a matter
154 under consideration by the alliance or partnership must abstain
155 from voting on that matter.

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

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

161 20.43 Department of Health.—There is created a Department
162 of Health.

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

173 Section 4. Subsection (27) of section 39.01, Florida
174 Statutes, is amended to read:

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175 39.01 Definitions.—When used in this chapter, unless the
176 context otherwise requires:

177 (27) “District administrator” means the chief operating
178 officer of each service district of the department as defined in
179 s. 20.19~~(5)~~ and, where appropriate, includes any district
180 administrator whose service district falls within the boundaries
181 of a judicial circuit.

182 Section 5. Subsection (5) of section 394.78, Florida
183 Statutes, is amended to read:

184 394.78 Operation and administration; personnel standards;
185 procedures for audit and monitoring of service providers;
186 resolution of disputes.—

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

191 Section 6. Subsections (1) and (9) of section 420.622,
192 Florida Statutes, are amended to read:

193 420.622 State Office on Homelessness; Council on
194 Homelessness.—

195 (1) The State Office on Homelessness is created within the
196 Department of Children and Family Services to provide
197 interagency, council, and other related coordination on issues
198 relating to homelessness. ~~An executive director of the office~~
199 ~~shall be appointed by the Governor.~~

200 (9) ~~The council shall, By June 30 of each year, the council~~
201 ~~shall provide beginning in 2010, issue to the Governor, the~~
202 ~~President of the Senate, the Speaker of the House of~~
203 ~~Representatives, and the Secretary of Children and Family~~

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204 ~~Services an evaluation of the executive director's performance~~
205 ~~in fulfilling the statutory duties of the office, a report~~
206 ~~summarizing the council's recommendations to the office and the~~
207 ~~corresponding actions taken by the office, and any~~
208 recommendations to the Legislature for reducing ~~proposals to~~
209 ~~reduce~~ homelessness in this state.

210 Section 7. During the 2011 regular legislative session, the
211 Legislature shall adopt legislation to conform the Florida
212 Statutes to the provisions of this act.

213 Section 8. This act shall take effect upon becoming a law.