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1 A bill to be entitled
2 An act relating to a review of the Department of Children
3 and Family Services under the Florida Government
4 Accountability Act; reenacting and amending s. 20.19,
5 F.S., relating to the establishment of the department;
6 changing the name of the Department of Children and Family
7 Services to the Department of Children and Families;
8 revising provisions relating to the establishment and
9 structure of, and services provided by, the department;
10 providing for operating units called circuits that conform
11 to the geographic boundaries of judicial circuits;
12 providing for the establishment of and requirements for
13 membership and participation in community alliances and
14 community partnerships; amending s. 20.04, F.S.;
15 authorizing the department to establish circuits or
16 regions headed by circuit administrators or region
17 directors and deleting a requirement for statutory
18 enactment for additional divisions or offices in the
19 department; amending s. 20.43, F.S.; revising provisions
20 relating to service area boundaries; amending s. 39.001,
21 F.S.; providing an additional purpose of ch. 39, F.S.,
22 relating to proceedings relating to children; amending s.
23 394.47865, F.S.; deleting provisions relating to
24 distribution of privatization savings to specified service
25 districts to conform to changes made by the act; amending
26 s. 394.655, F.S.; extending the expiration date of the
27 Substance Abuse and Mental Health Corporation; amending s.
28 394.78, F.S.; deleting an obsolete provision relating to

29 | dispute resolution; amending s. 402.313, F.S.; revising
 30 | licensure requirements for family day care homes; amending
 31 | s. 402.315, F.S.; requiring the county, rather than the
 32 | department, to bear the costs of licensing family day care
 33 | homes, under certain circumstances; amending s. 420.621,
 34 | F.S.; revising the definition of the term "district" to
 35 | conform to changes made by the act; amending s. 420.622,
 36 | F.S.; deleting a requirement for the Governor to appoint
 37 | the executive director of the State Office of
 38 | Homelessness; conforming a provision; amending ss. 39.01,
 39 | 39.0121, 39.301, 39.302, 39.303, 39.806, 39.828, 381.0072,
 40 | 394.493, 394.4985, 394.67, 394.73, 394.74, 394.75, 394.76,
 41 | 394.82, 394.9084, 397.821, 402.49, 409.152, 409.1671,
 42 | 409.1755, 410.0245, 410.603, 410.604, 411.224, 414.24,
 43 | 415.1113, 420.623, 420.625, 429.35, and 1002.67, F.S.;
 44 | revising provisions to conform to changes made by the act;
 45 | correcting cross-references; repealing ss. 39.311, 39.312,
 46 | 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S.,
 47 | relating to the Family Builders Program; repealing s.
 48 | 394.9083, F.S., relating to the Behavioral Health Services
 49 | Integration Workgroup; repealing s. 402.35, F.S., which
 50 | provides for department employees to be governed by
 51 | Department of Management Services rules; directing the
 52 | Division of Statutory Revision to prepare a reviser's
 53 | bill; providing an effective date.

54 |
 55 | Be It Enacted by the Legislature of the State of Florida:
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57 Section 1. Section 20.19, Florida Statutes, is reenacted
58 and amended to read:

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

61 20.19 Department of Children and Families.—There is
62 created a Department of Children and Families.

63 (1) SECRETARY OF CHILDREN AND FAMILIES.—

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

68 (b) The secretary is responsible for planning,
69 coordinating, and managing the delivery of all services that are
70 the responsibility of the department.

71 (c) The secretary shall appoint a deputy secretary who
72 shall act in the absence of the secretary. The deputy secretary
73 is directly responsible to the secretary, performs such duties
74 as are assigned by the secretary, and serves at the pleasure of
75 the secretary.

76 (d) The secretary shall appoint an Assistant Secretary for
77 Substance Abuse and Mental Health and may establish assistant
78 secretary positions as necessary to administer the requirements
79 of this section. All persons appointed to such positions shall
80 serve at the pleasure of the secretary. The department shall
81 integrate substance abuse and mental health programs into the
82 overall structure and priorities of the department.

83 (2) SERVICES PROVIDED.—

84 (a) The department shall establish the following program

85 offices, each of which shall be headed by a program director who
 86 shall be appointed by and serve at the pleasure of the
 87 secretary:

- 88 1. Adult protection.
- 89 2. Child care licensure.
- 90 3. Domestic violence.
- 91 4. Economic self-sufficiency.
- 92 5. Family safety.
- 93 6. Mental health.
- 94 7. Refugee services.
- 95 8. Substance abuse.
- 96 9. Homelessness.

97 (b) The secretary may appoint additional directors as
 98 necessary for the effective management of the program services
 99 provided by the department.

100 (3) OPERATING UNITS.—

101 (a) The department shall plan and administer its program
 102 services through operating units called "circuits" that conform
 103 to the geographic boundaries of the judicial circuits
 104 established in s. 26.021. The department may also establish one
 105 or more regions consisting of one or more circuits. A region
 106 shall provide administrative, management, and infrastructure
 107 support to the circuits operating within the region. The region
 108 shall consolidate support functions to provide the most
 109 efficient use of resources to support the circuits operating
 110 within the region.

111 (b) The secretary may appoint a circuit administrator for
 112 each circuit and a region director for each region who shall

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113 serve at the pleasure of the secretary and shall perform such
114 duties as are assigned by the secretary.

115 (4) COMMUNITY ALLIANCES AND PARTNERSHIPS; ADVISORY
116 GROUPS.—The department may, or at the request of a county
117 government shall, establish in each circuit one or more
118 community alliances or community partnerships. The purpose of a
119 community alliance or community partnership is to provide a
120 focal point for community participation and the governance of
121 community-based services. The membership of a community alliance
122 or community partnership shall represent the diversity of a
123 community and consist of stakeholders, community leaders, client
124 representatives, and entities that fund human services. The
125 secretary may also establish advisory groups at the state level
126 as necessary to ensure and enhance communication and provide
127 liaison with stakeholders, community leaders, and client
128 representatives.

129 (a) The duties of a community alliance or community
130 partnership may include, but are not limited to:

131 1. Participating in joint planning for the effective use
132 of resources in the community, including resources appropriated
133 to the department, and any funds that local funding sources
134 choose to provide.

135 2. Performing a needs assessment and establishing
136 community priorities for service delivery.

137 3. Determining community outcome goals to supplement
138 state-required outcomes.

139 4. Serving as a catalyst for community resource
140 development.

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141 5. Providing for community education and advocacy on
142 issues related to service delivery.

143 6. Promoting prevention and early intervention services.

144 (b) If one or more community alliances or community
145 partnerships are established in a circuit, the department shall
146 ensure, to the greatest extent possible, that the formation of
147 each alliance or partnership builds on the strengths of the
148 existing community human services infrastructure.

149 (c) Members of community alliances, community
150 partnerships, and advisory groups shall serve without
151 compensation, but are entitled to reimbursement for per diem and
152 travel expenses in accordance with s. 112.061. The department
153 may also authorize payment for preapproved child care expenses
154 or lost wages for members who are consumers of services provided
155 by the department.

156 (d) Members of community alliances, community
157 partnerships, and advisory groups are subject to part III of
158 chapter 112, the Code of Ethics for Public Officers and
159 Employees.

160 (e) Actions taken by community alliances, community
161 partnerships, and advisory groups must be consistent with
162 department policy and state and federal laws, rules, and
163 regulations.

164 (f) Each member of a community alliance, community
165 partnership, or advisory group must submit annually to the
166 inspector general of the department a disclosure statement of
167 any interest in services provided by the department. Any member
168 who has an interest in a matter under consideration by the

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169 community alliance, community partnership, or advisory group
 170 must abstain from voting on that matter.

171 (g) All meetings of community alliances, community
 172 partnerships, and advisory groups are open to the public
 173 pursuant to s. 286.011 and are subject to the public records
 174 provisions of s. 119.07(1).

175 (5) CONSULTATION WITH COUNTIES ON MANDATED PROGRAMS.—It is
 176 the intent of the Legislature that when county governments are
 177 required by law to participate in the funding of programs
 178 serviced by the department, the department shall consult with
 179 designated representatives of county governments in developing
 180 policies and service delivery plans for those programs.

181 Section 2. Subsection (4) and paragraph (b) of subsection
 182 (7) of section 20.04, Florida Statutes, are amended to read:

183 20.04 Structure of executive branch.—The executive branch
 184 of state government is structured as follows:

185 (4) Within the Department of Children and Families ~~Family~~
 186 ~~Services~~ there are organizational units called "program
 187 offices," headed by program directors, and operating units
 188 called "circuits," headed by circuit administrators. In
 189 addition, there may be "regions," headed by region directors.

190 (7)

191 (b) Within the limitations of this subsection, the head of
 192 the department may recommend the establishment of additional
 193 divisions, bureaus, sections, and subsections of the department
 194 to promote efficient and effective operation of the department.
 195 However, additional divisions, or offices in ~~the Department of~~
 196 ~~Children and Family Services,~~ the Department of Corrections, and

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197 the Department of Transportation, may be established only by
 198 specific statutory enactment. New bureaus, sections, and
 199 subsections of departments may be initiated by a department and
 200 established as recommended by the Department of Management
 201 Services and approved by the Executive Office of the Governor,
 202 or may be established by specific statutory enactment.

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

205 20.43 Department of Health.—There is created a Department
 206 of Health.

207 (5) The department shall plan and administer its public
 208 health programs through its county health departments and may,
 209 for administrative purposes and efficient service delivery,
 210 establish up to 15 service areas to carry out such duties as may
 211 be prescribed by the State Surgeon General. ~~The boundaries of~~
 212 ~~the service areas shall be the same as, or combinations of, the~~
 213 ~~service districts of the Department of Children and Family~~
 214 ~~Services established in s. 20.19 and, to the extent practicable,~~
 215 ~~shall take into consideration the boundaries of the jobs and~~
 216 ~~education regional boards.~~

217 Section 4. Paragraph (o) is added to subsection (1) of
 218 section 39.001, Florida Statutes, to read:

219 39.001 Purposes and intent; personnel standards and
 220 screening.—

221 (1) PURPOSES OF CHAPTER.—The purposes of this chapter are:

222 (o) To provide all children and families with a fully
 223 integrated, comprehensive approach to handling all cases that
 224 involve children and families and resolving family disputes in a

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225 fair, timely, efficient, and cost-effective manner. It is the
 226 intent of the Legislature that the courts of this state embrace
 227 methods of resolving disputes that do not cause additional
 228 emotional harm to the children and families who are required to
 229 interact with the judicial system. It is the intent of the
 230 Legislature to support the development of a unified family court
 231 in a revenue-neutral manner and to support the efforts of the
 232 state courts system to improve the resolution of disputes
 233 involving children and families through a fully integrated,
 234 comprehensive approach that includes coordinated case
 235 management; the concept of "one family, one judge";
 236 collaboration with the community for referral to needed
 237 services; and methods of alternative dispute resolution. The
 238 Legislature supports the goal that the legal system focus on the
 239 needs of children who are involved in the litigation, refer
 240 families to resources that will make families' relationships
 241 stronger, coordinate families' cases to provide consistent
 242 results, and strive to leave families in better condition than
 243 when the families entered the system.

244 Section 5. Subsections (18) through (76) of section 39.01,
 245 Florida Statutes, are renumbered as subsections (19) through
 246 (75), respectively, subsection (10) is amended, present
 247 subsection (26) is repealed, and present subsection (27) of that
 248 section is renumbered as subsection (18) and amended, to read:

249 39.01 Definitions.—When used in this chapter, unless the
 250 context otherwise requires:

251 (10) "Caregiver" means the parent, legal custodian,
 252 permanent guardian, adult household member, or other person

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253 responsible for a child's welfare as defined in subsection (46)
 254 ~~(47)~~.

255 ~~(26) "District" means any one of the 15 service districts~~
 256 ~~of the department established pursuant to s. 20.19.~~

257 (18)~~(27)~~ "Circuit District administrator" means the chief
 258 operating officer of each circuit service district of the
 259 department as defined in s. 20.19~~(5)~~ and, ~~where appropriate,~~
 260 ~~includes any district administrator whose service district falls~~
 261 ~~within the boundaries of a judicial circuit.~~

262 Section 6. Subsection (10) of section 39.0121, Florida
 263 Statutes, is amended to read:

264 39.0121 Specific rulemaking authority.—Pursuant to the
 265 requirements of s. 120.536, the department is specifically
 266 authorized to adopt, amend, and repeal administrative rules
 267 which implement or interpret law or policy, or describe the
 268 procedure and practice requirements necessary to implement this
 269 chapter, including, but not limited to, the following:

270 (10) The ~~Family Builders Program,~~ the Intensive Crisis
 271 Counseling Program~~,~~ and any other early intervention programs
 272 and kinship care assistance programs.

273 Section 7. Paragraph (a) of subsection (15) of section
 274 39.301, Florida Statutes, is amended to read:

275 39.301 Initiation of protective investigations.—

276 (15) (a) If the department or its agent determines that a
 277 child requires immediate or long-term protection through:

- 278 1. Medical or other health care; or
- 279 2. Homemaker care, day care, protective supervision, or
- 280 other services to stabilize the home environment, including

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281 intensive family preservation services through ~~the Family~~
 282 ~~Builders Program~~ or the Intensive Crisis Counseling Program, ~~or~~
 283 ~~both,~~

284
 285 such services shall first be offered for voluntary acceptance
 286 unless there are high-risk factors that may impact the ability
 287 of the parents or legal custodians to exercise judgment. Such
 288 factors may include the parents' or legal custodians' young age
 289 or history of substance abuse or domestic violence.

290 Section 8. Subsection (1) of section 39.302, Florida
 291 Statutes, is amended to read:

292 39.302 Protective investigations of institutional child
 293 abuse, abandonment, or neglect.-

294 (1) The department shall conduct a child protective
 295 investigation of each report of institutional child abuse,
 296 abandonment, or neglect. Upon receipt of a report that alleges
 297 that an employee or agent of the department, or any other entity
 298 or person covered by s. 39.01 (32) ~~(33)~~ or (46) ~~(47)~~, acting in an
 299 official capacity, has committed an act of child abuse,
 300 abandonment, or neglect, the department shall initiate a child
 301 protective investigation within the timeframe established under
 302 s. 39.201(5) and orally notify the appropriate state attorney,
 303 law enforcement agency, and licensing agency, which shall
 304 immediately conduct a joint investigation, unless independent
 305 investigations are more feasible. When conducting investigations
 306 onsite or having face-to-face interviews with the child,
 307 investigation visits shall be unannounced unless it is
 308 determined by the department or its agent that unannounced

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309 visits threaten the safety of the child. If a facility is exempt
310 from licensing, the department shall inform the owner or
311 operator of the facility of the report. Each agency conducting a
312 joint investigation is entitled to full access to the
313 information gathered by the department in the course of the
314 investigation. A protective investigation must include an onsite
315 visit of the child's place of residence. The department shall
316 make a full written report to the state attorney within 3
317 working days after making the oral report. A criminal
318 investigation shall be coordinated, whenever possible, with the
319 child protective investigation of the department. Any interested
320 person who has information regarding the offenses described in
321 this subsection may forward a statement to the state attorney as
322 to whether prosecution is warranted and appropriate. Within 15
323 days after the completion of the investigation, the state
324 attorney shall report the findings to the department and shall
325 include in the report a determination of whether or not
326 prosecution is justified and appropriate in view of the
327 circumstances of the specific case.

328 Section 9. Section 39.303, Florida Statutes, is amended to
329 read:

330 39.303 Child protection teams; services; eligible cases.—
331 The Children's Medical Services Program in the Department of
332 Health shall develop, maintain, and coordinate the services of
333 one or more multidisciplinary child protection teams in each of
334 the circuits ~~service districts~~ of the Department of Children and
335 Families ~~Family Services~~. Such teams may be composed of
336 appropriate representatives of school districts and appropriate

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337 health, mental health, social service, legal service, and law
338 enforcement agencies. The Legislature finds that optimal
339 coordination of child protection teams and sexual abuse
340 treatment programs requires collaboration between the Department
341 of Health and the Department of Children and Families ~~Family~~
342 ~~Services~~. The two departments shall maintain an interagency
343 agreement that establishes protocols for oversight and
344 operations of child protection teams and sexual abuse treatment
345 programs. The State Surgeon General and the Deputy Secretary for
346 Children's Medical Services, in consultation with the Secretary
347 of Children and Families ~~Family Services~~, shall maintain the
348 responsibility for the screening, employment, and, if necessary,
349 the termination of child protection team medical directors, at
350 headquarters and in the circuits ~~15 districts~~. Child protection
351 team medical directors shall be responsible for oversight of the
352 teams in the circuits ~~districts~~.

353 (1) The Department of Health shall utilize and convene the
354 teams to supplement the assessment and protective supervision
355 activities of the family safety and preservation program of the
356 Department of Children and Families ~~Family Services~~. Nothing in
357 this section shall be construed to remove or reduce the duty and
358 responsibility of any person to report pursuant to this chapter
359 all suspected or actual cases of child abuse, abandonment, or
360 neglect or sexual abuse of a child. The role of the teams shall
361 be to support activities of the program and to provide services
362 deemed by the teams to be necessary and appropriate to abused,
363 abandoned, and neglected children upon referral. The specialized
364 diagnostic assessment, evaluation, coordination, consultation,

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365 and other supportive services that a child protection team shall
366 be capable of providing include, but are not limited to, the
367 following:

368 (a) Medical diagnosis and evaluation services, including
369 provision or interpretation of X rays and laboratory tests, and
370 related services, as needed, and documentation of findings
371 relative thereto.

372 (b) Telephone consultation services in emergencies and in
373 other situations.

374 (c) Medical evaluation related to abuse, abandonment, or
375 neglect, as defined by policy or rule of the Department of
376 Health.

377 (d) Such psychological and psychiatric diagnosis and
378 evaluation services for the child or the child's parent or
379 parents, legal custodian or custodians, or other caregivers, or
380 any other individual involved in a child abuse, abandonment, or
381 neglect case, as the team may determine to be needed.

382 (e) Expert medical, psychological, and related
383 professional testimony in court cases.

384 (f) Case staffings to develop treatment plans for children
385 whose cases have been referred to the team. A child protection
386 team may provide consultation with respect to a child who is
387 alleged or is shown to be abused, abandoned, or neglected, which
388 consultation shall be provided at the request of a
389 representative of the family safety and preservation program or
390 at the request of any other professional involved with a child
391 or the child's parent or parents, legal custodian or custodians,
392 or other caregivers. In every such child protection team case

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393 staffing, consultation, or staff activity involving a child, a
 394 family safety and preservation program representative shall
 395 attend and participate.

396 (g) Case service coordination and assistance, including
 397 the location of services available from other public and private
 398 agencies in the community.

399 (h) Such training services for program and other employees
 400 of the Department of Children and Families ~~Family Services~~,
 401 employees of the Department of Health, and other medical
 402 professionals as is deemed appropriate to enable them to develop
 403 and maintain their professional skills and abilities in handling
 404 child abuse, abandonment, and neglect cases.

405 (i) Educational and community awareness campaigns on child
 406 abuse, abandonment, and neglect in an effort to enable citizens
 407 more successfully to prevent, identify, and treat child abuse,
 408 abandonment, and neglect in the community.

409 (j) Child protection team assessments that include, as
 410 appropriate, medical evaluations, medical consultations, family
 411 psychosocial interviews, specialized clinical interviews, or
 412 forensic interviews.

413
 414 All medical personnel participating on a child protection team
 415 must successfully complete the required child protection team
 416 training curriculum as set forth in protocols determined by the
 417 Deputy Secretary for Children's Medical Services and the
 418 Statewide Medical Director for Child Protection.

419 (2) The child abuse, abandonment, and neglect reports that
 420 must be referred by the department to child protection teams of

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421 the Department of Health for an assessment and other appropriate
 422 available support services as set forth in subsection (1) must
 423 include cases involving:

424 (a) Injuries to the head, bruises to the neck or head,
 425 burns, or fractures in a child of any age.

426 (b) Bruises anywhere on a child 5 years of age or under.

427 (c) Any report alleging sexual abuse of a child.

428 (d) Any sexually transmitted disease in a prepubescent
 429 child.

430 (e) Reported malnutrition of a child and failure of a
 431 child to thrive.

432 (f) Reported medical neglect of a child.

433 (g) Any family in which one or more children have been
 434 pronounced dead on arrival at a hospital or other health care
 435 facility, or have been injured and later died, as a result of
 436 suspected abuse, abandonment, or neglect, when any sibling or
 437 other child remains in the home.

438 (h) Symptoms of serious emotional problems in a child when
 439 emotional or other abuse, abandonment, or neglect is suspected.

440 (3) All abuse and neglect cases transmitted for
 441 investigation to a circuit ~~district~~ by the hotline must be
 442 simultaneously transmitted to the Department of Health child
 443 protection team for review. For the purpose of determining
 444 whether face-to-face medical evaluation by a child protection
 445 team is necessary, all cases transmitted to the child protection
 446 team which meet the criteria in subsection (2) must be timely
 447 reviewed by:

448 (a) A physician licensed under chapter 458 or chapter 459

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449 | who holds board certification in pediatrics and is a member of a
 450 | child protection team;

451 | (b) A physician licensed under chapter 458 or chapter 459
 452 | who holds board certification in a specialty other than
 453 | pediatrics, who may complete the review only when working under
 454 | the direction of a physician licensed under chapter 458 or
 455 | chapter 459 who holds board certification in pediatrics and is a
 456 | member of a child protection team;

457 | (c) An advanced registered nurse practitioner licensed
 458 | under chapter 464 who has a specialty ~~speciality~~ in pediatrics
 459 | or family medicine and is a member of a child protection team;

460 | (d) A physician assistant licensed under chapter 458 or
 461 | chapter 459, who may complete the review only when working under
 462 | the supervision of a physician licensed under chapter 458 or
 463 | chapter 459 who holds board certification in pediatrics and is a
 464 | member of a child protection team; or

465 | (e) A registered nurse licensed under chapter 464, who may
 466 | complete the review only when working under the direct
 467 | supervision of a physician licensed under chapter 458 or chapter
 468 | 459 who holds certification in pediatrics and is a member of a
 469 | child protection team.

470 | (4) A face-to-face medical evaluation by a child
 471 | protection team is not necessary when:

472 | (a) The child was examined for the alleged abuse or
 473 | neglect by a physician who is not a member of the child
 474 | protection team, and a consultation between the child protection
 475 | team board-certified pediatrician, advanced registered nurse
 476 | practitioner, physician assistant working under the supervision

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477 of a child protection team board-certified pediatrician, or
 478 registered nurse working under the direct supervision of a child
 479 protection team board-certified pediatrician, and the examining
 480 physician concludes that a further medical evaluation is
 481 unnecessary;

482 (b) The child protective investigator, with supervisory
 483 approval, has determined, after conducting a child safety
 484 assessment, that there are no indications of injuries as
 485 described in paragraphs (2) (a)-(h) as reported; or

486 (c) The child protection team board-certified
 487 pediatrician, as authorized in subsection (3), determines that a
 488 medical evaluation is not required.

489
 490 Notwithstanding paragraphs (a), (b), and (c), a child protection
 491 team pediatrician, as authorized in subsection (3), may
 492 determine that a face-to-face medical evaluation is necessary.

493 (5) In all instances in which a child protection team is
 494 providing certain services to abused, abandoned, or neglected
 495 children, other offices and units of the Department of Health,
 496 and offices and units of the Department of Children and Families
 497 ~~Family Services~~, shall avoid duplicating the provision of those
 498 services.

499 (6) The Department of Health child protection team quality
 500 assurance program and the Department of Children and Families'
 501 ~~Family Services'~~ Family Safety Program Office quality assurance
 502 program shall collaborate to ensure referrals and responses to
 503 child abuse, abandonment, and neglect reports are appropriate.
 504 Each quality assurance program shall include a review of records

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505 in which there are no findings of abuse, abandonment, or
 506 neglect, and the findings of these reviews shall be included in
 507 each department's quality assurance reports.

508 Section 10. Paragraph (k) of subsection (1) of section
 509 39.806, Florida Statutes, is amended to read:

510 39.806 Grounds for termination of parental rights.—

511 (1) Grounds for the termination of parental rights may be
 512 established under any of the following circumstances:

513 (k) A test administered at birth that indicated that the
 514 child's blood, urine, or meconium contained any amount of
 515 alcohol or a controlled substance or metabolites of such
 516 substances, the presence of which was not the result of medical
 517 treatment administered to the mother or the newborn infant, and
 518 the biological mother of the child is the biological mother of
 519 at least one other child who was adjudicated dependent after a
 520 finding of harm to the child's health or welfare due to exposure
 521 to a controlled substance or alcohol as defined in s.

522 39.01 (31) ~~(32)~~ (g), after which the biological mother had the
 523 opportunity to participate in substance abuse treatment.

524 Section 11. Paragraph (a) of subsection (1) of section
 525 39.828, Florida Statutes, is amended to read:

526 39.828 Grounds for appointment of a guardian advocate.—

527 (1) The court shall appoint the person named in the
 528 petition as a guardian advocate with all the powers and duties
 529 specified in s. 39.829 for an initial term of 1 year upon a
 530 finding that:

531 (a) The child named in the petition is or was a drug
 532 dependent newborn as described in s. 39.01 (31) ~~(32)~~ (g);

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533 Section 12. Paragraph (a) of subsection (3) of section
 534 381.0072, Florida Statutes, is amended to read:

535 381.0072 Food service protection.—It shall be the duty of
 536 the Department of Health to adopt and enforce sanitation rules
 537 consistent with law to ensure the protection of the public from
 538 food-borne illness. These rules shall provide the standards and
 539 requirements for the storage, preparation, serving, or display
 540 of food in food service establishments as defined in this
 541 section and which are not permitted or licensed under chapter
 542 500 or chapter 509.

543 (3) LICENSES REQUIRED.—

544 (a) Licenses; annual renewals.—Each food service
 545 establishment regulated under this section shall obtain a
 546 license from the department annually. Food service establishment
 547 licenses shall expire annually and are not transferable from one
 548 place or individual to another. However, those facilities
 549 licensed by the department's Office of Licensure and
 550 Certification, the Child Care Licensure ~~Services~~ Program Office,
 551 or the Agency for Persons with Disabilities are exempt from this
 552 subsection. It shall be a misdemeanor of the second degree,
 553 punishable as provided in s. 381.0061, s. 775.082, or s.
 554 775.083, for such an establishment to operate without this
 555 license. The department may refuse a license, or a renewal
 556 thereof, to any establishment that is not constructed or
 557 maintained in accordance with law and with the rules of the
 558 department. Annual application for renewal is not required.

559 Section 13. Subsection (3) of section 394.47865, Florida
 560 Statutes, is amended to read:

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561 394.47865 South Florida State Hospital; privatization.—

562 (3)~~(a)~~ Current South Florida State Hospital employees who
563 are affected by the privatization shall be given first
564 preference for continued employment by the contractor. The
565 department shall make reasonable efforts to find suitable job
566 placements for employees who wish to remain within the state
567 Career Service System.

568 ~~(b) Any savings that result from the privatization of~~
569 ~~South Florida State Hospital shall be directed to the~~
570 ~~department's service districts 9, 10, and 11 for the delivery of~~
571 ~~community mental health services.~~

572 Section 14. Subsection (2) of section 394.493, Florida
573 Statutes, is amended to read:

574 394.493 Target populations for child and adolescent mental
575 health services funded through the department.—

576 (2) Each mental health provider under contract with the
577 department to provide mental health services to the target
578 population shall collect fees from the parent or legal guardian
579 of the child or adolescent receiving services. The fees shall be
580 based on a sliding fee scale for families whose net family
581 income is at or above 150 percent of the Federal Poverty Income
582 Guidelines. The department shall adopt, by rule, a sliding fee
583 scale for statewide implementation. Fees collected from families
584 shall be retained in the circuit ~~service district~~ and used for
585 expanding child and adolescent mental health treatment services.

586 Section 15. Section 394.4985, Florida Statutes, is amended
587 to read:

588 394.4985 Circuitwide ~~Districtwide~~ information and referral

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589 network; implementation.-

590 (1) Each circuit ~~service district~~ of the Department of
 591 Children and Families ~~Family Services~~ shall develop a detailed
 592 implementation plan for a circuitwide ~~districtwide~~ comprehensive
 593 child and adolescent mental health information and referral
 594 network to be operational by July 1, 1999. The plan must include
 595 an operating budget that demonstrates cost efficiencies and
 596 identifies funding sources for the circuit ~~district~~ information
 597 and referral network. The plan must be submitted by the
 598 department to the Legislature by October 1, 1998. The circuit
 599 ~~district~~ shall use existing circuit ~~district~~ information and
 600 referral providers if, in the development of the plan, it is
 601 concluded that these providers would deliver information and
 602 referral services in a more efficient and effective manner when
 603 compared to other alternatives. The circuit ~~district~~ information
 604 and referral network must include:

605 (a) A resource file that contains information about the
 606 child and adolescent mental health services as described in s.
 607 394.495, including, but not limited to:

- 608 1. Type of program;
- 609 2. Hours of service;
- 610 3. Ages of persons served;
- 611 4. Program description;
- 612 5. Eligibility requirements; and
- 613 6. Fees.

614 (b) Information about private providers and professionals
 615 in the community which serve children and adolescents with an
 616 emotional disturbance.

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617 (c) A system to document requests for services that are
 618 received through the network referral process, including, but
 619 not limited to:

- 620 1. Number of calls by type of service requested;
- 621 2. Ages of the children and adolescents for whom services
 622 are requested; and
- 623 3. Type of referral made by the network.

624 (d) The ability to share client information with the
 625 appropriate community agencies.

626 (e) The submission of an annual report to the department,
 627 the Agency for Health Care Administration, and appropriate local
 628 government entities, which contains information about the
 629 sources and frequency of requests for information, types and
 630 frequency of services requested, and types and frequency of
 631 referrals made.

632 (2) In planning the information and referral network, the
 633 circuit ~~district~~ shall consider the establishment of a 24-hour
 634 toll-free telephone number, staffed at all times, for parents
 635 and other persons to call for information that concerns child
 636 and adolescent mental health services and a community public
 637 service campaign to inform the public about information and
 638 referral services.

639 Section 16. Subsection (12) of section 394.655, Florida
 640 Statutes, is amended to read:

641 394.655 The Substance Abuse and Mental Health Corporation;
 642 powers and duties; composition; evaluation and reporting
 643 requirements.—

644 (12) This section expires on October 1, 2015 ~~2011~~, unless

645 reviewed and reenacted by the Legislature before that date.

646 Section 17. Subsections (2) through (6) of section 394.67,
 647 Florida Statutes, are renumbered as subsections (4) and (8),
 648 respectively, and present subsections (7) and (8) are renumbered
 649 as subsections (2) and (3), respectively, and amended to read:

650 394.67 Definitions.—As used in this part, the term:

651 ~~(2)-(7)~~ "Circuit District administrator" means the person
 652 appointed by the Secretary of Children and Families ~~Family~~
 653 ~~Services~~ for the purpose of administering a department circuit
 654 ~~service-district~~ as set forth in s. 20.19.

655 ~~(3)-(8)~~ "Circuit District plan" or "plan" means the
 656 combined circuit ~~district~~ substance abuse and mental health plan
 657 approved by the circuit ~~district~~ administrator and governing
 658 bodies in accordance with this part.

659 Section 18. Section 394.73, Florida Statutes, is amended
 660 to read:

661 394.73 Joint alcohol, drug abuse, and mental health
 662 service programs in two or more counties.—

663 (1) Subject to rules established by the department, any
 664 county within a circuit ~~service-district~~ shall have the same
 665 power to contract for alcohol, drug abuse, and mental health
 666 services as the department has under existing statutes.

667 (2) In order to carry out the intent of this part and to
 668 provide alcohol, drug abuse, and mental health services in
 669 accordance with the circuit ~~district~~ plan, the counties within a
 670 circuit ~~service-district~~ may enter into agreements with each
 671 other for the establishment of joint service programs. The
 672 agreements may provide for the joint provision or operation of

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673 services and facilities or for the provision or operation of
 674 services and facilities by one participating county under
 675 contract with other participating counties.

676 (3) When a circuit ~~service district~~ comprises two or more
 677 counties or portions thereof, it is the obligation of the
 678 planning council to submit to the governing bodies, prior to the
 679 budget submission date of each governing body, an estimate of
 680 the proportionate share of costs of alcohol, drug abuse, and
 681 mental health services proposed to be borne by each such
 682 governing body.

683 (4) Any county desiring to withdraw from a joint program
 684 may submit to the circuit ~~district~~ administrator a resolution
 685 requesting withdrawal therefrom together with a plan for the
 686 equitable adjustment and division of the assets, property,
 687 debts, and obligations, if any, of the joint program.

688 Section 19. Paragraph (a) of subsection (3) of section
 689 394.74, Florida Statutes, is amended to read:

690 394.74 Contracts for provision of local substance abuse
 691 and mental health programs.—

692 (3) Contracts shall include, but are not limited to:

693 (a) A provision that, within the limits of available
 694 resources, substance abuse and mental health crisis services, as
 695 defined in s. 394.67 (5) ~~(3)~~, shall be available to any individual
 696 residing or employed within the service area, regardless of
 697 ability to pay for such services, current or past health
 698 condition, or any other factor;

699 Section 20. Subsection (10) of section 394.75, Florida
 700 Statutes, is amended to read:

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701 394.75 State and circuit ~~district~~ substance abuse and
702 mental health plans.—

703 (10) The circuit ~~district~~ administrator shall ensure that
704 the circuit ~~district~~ plan:

705 (a) Conforms to the priorities in the state plan, the
706 requirements of this part, and the standards adopted under this
707 part;

708 (b) Ensures that the most effective and economical use
709 will be made of available public and private substance abuse and
710 mental health resources in the circuit ~~service-district~~; and

711 (c) Has adequate provisions made for review and evaluation
712 of the services provided in the circuit ~~service-district~~.

713 Section 21. Subsection (2) of section 394.76, Florida
714 Statutes, is amended to read:

715 394.76 Financing of circuit ~~district~~ programs and
716 services.—If the local match funding level is not provided in
717 the General Appropriations Act or the substantive bill
718 implementing the General Appropriations Act, such funding level
719 shall be provided as follows:

720 (2) If in any fiscal year the approved state appropriation
721 is insufficient to finance the programs and services specified
722 by this part, the department shall have the authority to
723 determine the amount of state funds available to each circuit
724 ~~service-district~~ for such purposes in accordance with the
725 priorities in both the state and circuit ~~district~~ plans. The
726 circuit ~~district~~ administrator shall consult with the planning
727 council to ensure that the summary operating budget conforms to
728 the approved plan.

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729 Section 22. Subsection (5) of section 394.78, Florida
 730 Statutes, is amended to read:

731 394.78 Operation and administration; personnel standards;
 732 procedures for audit and monitoring of service providers;
 733 ~~resolution of disputes.-~~

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

738 Section 23. Subsections (3) and (4) of section 394.82,
 739 Florida Statutes, are amended to read:

740 394.82 Funding of expanded services.-

741 (3) Each fiscal year, any funding increases for crisis
 742 services or community mental health services that are included
 743 in the General Appropriations Act shall be appropriated in a
 744 lump-sum category as defined in s. 216.011(1)(aa). In accordance
 745 with s. 216.181(6)(a), the Executive Office of the Governor
 746 shall require the Department of Children and Families ~~Family~~
 747 ~~Services~~ to submit a spending plan for the use of funds
 748 appropriated for this purpose. The spending plan must include a
 749 schedule for phasing in the new community mental health services
 750 in each circuit ~~service district~~ of the department and must
 751 describe how the new services will be integrated and coordinated
 752 with all current community-based health and human services.

753 (4) By January 1, 2004, the crisis services defined in s.
 754 394.67 (5) ~~(3)~~ shall be implemented, as appropriate, in the
 755 state's public community mental health system to serve children
 756 and adults who are experiencing an acute mental or emotional

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757 crisis, as defined in s. 394.67(17). By January 1, 2006, the
758 mental health services defined in s. 394.67(15) shall be
759 implemented, as appropriate, in the state's public community
760 mental health system to serve adults and older adults who have a
761 severe and persistent mental illness and to serve children who
762 have a serious emotional disturbance or mental illness, as
763 defined in s. 394.492(6).

764 Section 24. Subsection (1) of section 394.9084, Florida
765 Statutes, is amended to read:

766 394.9084 Florida Self-Directed Care program.—

767 (1) The Department of Children and Families ~~Family~~
768 ~~Services~~, in cooperation with the Agency for Health Care
769 Administration, may provide a client-directed and choice-based
770 Florida Self-Directed Care program in all department circuits
771 ~~service-districts~~, in addition to the pilot projects established
772 in district 4 and district 8, to provide mental health treatment
773 and support services to adults who have a serious mental
774 illness. The department may also develop and implement a client-
775 directed and choice-based pilot project in one circuit ~~district~~
776 to provide mental health treatment and support services for
777 children with a serious emotional disturbance who live at home.
778 If established, any staff who work with children must be
779 screened under s. 435.04. The department shall implement a
780 payment mechanism in which each client controls the money that
781 is available for that client's mental health treatment and
782 support services. The department shall establish interagency
783 cooperative agreements and work with the agency, the Division of
784 Vocational Rehabilitation, and the Social Security

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785 Administration to implement and administer the Florida Self-
 786 Directed Care program.

787 Section 25. Subsection (1) of section 397.821, Florida
 788 Statutes, is amended to read:

789 397.821 Juvenile substance abuse impairment prevention and
 790 early intervention councils.-

791 (1) Each judicial circuit as set forth in s. 26.021 may
 792 establish a juvenile substance abuse impairment prevention and
 793 early intervention council composed of at least 12 members,
 794 including representatives from law enforcement, the department,
 795 school districts, state attorney and public defender offices,
 796 the circuit court, the religious community, substance abuse
 797 impairment professionals, child advocates from the community,
 798 business leaders, parents, and high school students. However,
 799 those circuits which already have in operation a council of
 800 similar composition may designate the existing body as the
 801 juvenile substance abuse impairment prevention and early
 802 intervention council for the purposes of this section. Each
 803 council shall establish bylaws providing for the length of term
 804 of its members, but the term may not exceed 4 years. The circuit
 805 ~~substate entity~~ administrator, as defined in s. 20.19, and the
 806 chief judge of the circuit court shall each appoint six members
 807 of the council. The circuit ~~substate entity~~ administrator shall
 808 appoint a representative from the department, a school district
 809 representative, a substance abuse impairment treatment
 810 professional, a child advocate, a parent, and a high school
 811 student. The chief judge of the circuit court shall appoint a
 812 business leader and representatives from the state attorney's

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813 office, the public defender's office, the religious community,
814 the circuit court, and law enforcement agencies.

815 Section 26. Subsection (1) of section 402.313, Florida
816 Statutes, is amended to read:

817 402.313 Family day care homes.—

818 (1) Family day care homes shall be licensed under this act
819 if they are presently being licensed under an existing county
820 licensing ordinance, if they are participating in the subsidized
821 child care program, or if the board of county commissioners
822 passes a resolution that family day care homes be licensed. If
823 no county authority exists for the licensing of a family day
824 care home and the county passes a resolution requiring
825 licensure, the department shall have the authority to license
826 family day care homes under contract with the county ~~for the~~
827 ~~purchase of service system in the subsidized child care program.~~

828 (a) If not subject to license, family day care homes shall
829 register annually with the department, providing the following
830 information:

- 831 1. The name and address of the home.
- 832 2. The name of the operator.
- 833 3. The number of children served.
- 834 4. Proof of a written plan to provide at least one other
835 competent adult to be available to substitute for the operator
836 in an emergency. This plan shall include the name, address, and
837 telephone number of the designated substitute.
- 838 5. Proof of screening and background checks.
- 839 6. Proof of successful completion of the 30-hour training
840 course, as evidenced by passage of a competency examination,

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841 which shall include:

842 a. State and local rules and regulations that govern child
843 care.

844 b. Health, safety, and nutrition.

845 c. Identifying and reporting child abuse and neglect.

846 d. Child development, including typical and atypical
847 language development; and cognitive, motor, social, and self-
848 help skills development.

849 e. Observation of developmental behaviors, including using
850 a checklist or other similar observation tools and techniques to
851 determine a child's developmental level.

852 f. Specialized areas, including early literacy and
853 language development of children from birth to 5 years of age,
854 as determined by the department, for owner-operators of family
855 day care homes.

856 7. Proof that immunization records are kept current.

857 8. Proof of completion of the required continuing
858 education units or clock hours.

859 (b) A family day care home not participating in the
860 subsidized child care program may volunteer to be licensed under
861 the provisions of this act.

862 (c) The department may provide technical assistance to
863 counties and family day care home providers to enable counties
864 and family day care providers to achieve compliance with family
865 day care homes standards.

866 Section 27. Subsection (2) of section 402.315, Florida
867 Statutes, is amended to read:

868 402.315 Funding; license fees.—

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869 (2) The county ~~department~~ shall bear the costs of the
870 licensing of family day care homes when contracting with the
871 department pursuant to s. 402.313(1) ~~child care facilities when~~
872 ~~contracted to do so by a county or when directly responsible for~~
873 ~~licensing in a county which fails to meet or exceed state~~
874 ~~minimum standards.~~

875 Section 28. Subsection (2) of section 402.49, Florida
876 Statutes, is amended to read:

877 402.49 Mediation process established.—

878 (2) (a) The department shall appoint at least one mediation
879 panel in each of the department's circuits ~~service districts~~.
880 Each panel shall have at least three and not more than five
881 members and shall include a representative from the department,
882 a representative of an agency that provides similar services to
883 those provided by the agency that is a party to the dispute, and
884 additional members who are mutually acceptable to the department
885 and the agency that is a party to the dispute. Such additional
886 members may include laypersons who are involved in advocacy
887 organizations, members of boards of directors of agencies
888 similar to the agency that is a party to the dispute, members of
889 families of department clients, members of department planning
890 councils in the area of services that are the subject of the
891 dispute, and interested and informed members of the local
892 community.

893 (b) If the parties to the conflict agree, a mediation
894 panel may hear a complaint that is filed outside of the panel's
895 circuit ~~service district~~.

896 Section 29. Subsection (3) of section 409.152, Florida

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897 Statutes, is amended to read:

898 409.152 Service integration and family preservation.—

899 (3) Each circuit ~~service district~~ of the department shall
 900 develop a family preservation service integration plan that
 901 identifies various programs that can be organized at the point
 902 of service delivery into a logical and cohesive family-centered
 903 services constellation. The plan shall include:

904 (a) Goals and objectives for integrating services for
 905 families and avoiding barriers to service integration,
 906 procedures for centralized intake and assessment, a
 907 comprehensive service plan for each family, and an evaluation
 908 method of program outcome.

909 (b) Recommendations for proposed changes to fiscal and
 910 substantive policies, regulations, and laws at local, circuit
 911 ~~district~~, and state delivery levels, including budget and
 912 personnel policies; purchasing flexibility and workforce
 913 incentives; discretionary resources; and incentives to reduce
 914 dependency on government programs and services.

915 (c) Strategies for creating partnerships with the
 916 community, clients, and consumers of services which establish,
 917 maintain, and preserve family units.

918 Section 30. Subsection (8) of section 409.1671, Florida
 919 Statutes, is amended to read:

920 409.1671 Foster care and related services; outsourcing.—

921 (8) Notwithstanding the provisions of s. 215.425, all
 922 documented federal funds earned for the current fiscal year by
 923 the department and community-based agencies which exceed the
 924 amount appropriated by the Legislature shall be distributed to

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925 all entities that contributed to the excess earnings based on a
 926 schedule and methodology developed by the department and
 927 approved by the Executive Office of the Governor. Distribution
 928 shall be pro rata based on total earnings and shall be made only
 929 to those entities that contributed to excess earnings. Excess
 930 earnings of community-based agencies shall be used only in the
 931 circuit ~~service district~~ in which they were earned. Additional
 932 state funds appropriated by the Legislature for community-based
 933 agencies or made available pursuant to the budgetary amendment
 934 process described in s. 216.177 shall be transferred to the
 935 community-based agencies. The department shall amend a
 936 community-based agency's contract to permit expenditure of the
 937 funds.

938 Section 31. Paragraph (a) of subsection (4) of section
 939 409.1755, Florida Statutes, is amended to read:

940 409.1755 One Church, One Child of Florida Corporation Act;
 941 creation; duties.—

942 (4) BOARD OF DIRECTORS.—

943 (a) The One Church, One Child of Florida Corporation shall
 944 operate subject to the supervision and approval of a board of
 945 directors consisting of 23 members, with two directors
 946 representing each circuit ~~service district~~ of the Department of
 947 Children and Families ~~Family Services~~ and one director who shall
 948 be an at-large member.

949 Section 32. Paragraph (a) of subsection (1) and subsection
 950 (2) of section 410.0245, Florida Statutes, are amended to read:

951 410.0245 Study of service needs; report; multiyear plan.—

952 (1) (a) The Adult Protection ~~Services~~ Program Office of the

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953 Department of Children and Families ~~Family Services~~ shall
954 contract for a study of the service needs of the 18-to-59-year-
955 old disabled adult population served or waiting to be served by
956 the community care for disabled adults program. The Division of
957 Vocational Rehabilitation of the Department of Education and
958 other appropriate state agencies shall provide information to
959 the Department of Children and Families ~~Family Services~~ when
960 requested for the purposes of this study.

961 (2) Based on the findings of the study, the Adult
962 Protection ~~Services~~ Program of the Department of Children and
963 Families ~~Family Services~~ shall develop a multiyear plan which
964 shall provide for the needs of disabled adults in this state and
965 shall provide strategies for statewide coordination of all
966 services for disabled adults. The multiyear plan shall include
967 an inventory of existing services and an analysis of costs
968 associated with existing and projected services. The multiyear
969 plan shall be presented to the Governor, the President of the
970 Senate, and the Speaker of the House of Representatives every 3
971 years on or before March 1, beginning in 1992. On or before
972 March 1 of each intervening year, the department shall submit an
973 analysis of the status of the implementation of each element of
974 the multiyear plan, any continued unmet need, and the
975 relationship between that need and the department's budget
976 request for that year.

977 Section 33. Subsections (1) and (2) of section 410.603,
978 Florida Statutes, are renumbered as subsections (2) and (3),
979 respectively, and present subsection (3) is renumbered as
980 subsection (1) and amended to read:

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981 410.603 Definitions relating to Community Care for
 982 Disabled Adults Act.—As used in ss. 410.601-410.606:

983 (1)~~(3)~~ "Circuit District" means a specified geographic
 984 service area that conforms to the judicial circuits established
 985 in s. 26.021, ~~as defined in s. 20.19~~, in which the programs of
 986 the department are administered and services are delivered.

987 Section 34. Subsection (2) of section 410.604, Florida
 988 Statutes, is amended to read:

989 410.604 Community care for disabled adults program; powers
 990 and duties of the department.—

991 (2) Any person who meets the definition of a disabled
 992 adult pursuant to s. 410.603(3)~~(2)~~ is eligible to receive the
 993 services of the community care for disabled adults program.
 994 However, the community care for disabled adults program shall
 995 operate within the funds appropriated by the Legislature.
 996 Priority shall be given to disabled adults who are not eligible
 997 for comparable services in programs of or funded by the
 998 department or the Division of Vocational Rehabilitation of the
 999 Department of Education; who are determined to be at risk of
 1000 institutionalization; and whose income is at or below the
 1001 existing institutional care program eligibility standard.

1002 Section 35. Section 411.224, Florida Statutes, is amended
 1003 to read:

1004 411.224 Family support planning process.—The Legislature
 1005 establishes a family support planning process to be used by the
 1006 Department of Children and Families ~~Family Services~~ as the
 1007 service planning process for targeted individuals, children, and
 1008 families under its purview.

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1009 (1) The Department of Education shall take all appropriate
 1010 and necessary steps to encourage and facilitate the
 1011 implementation of the family support planning process for
 1012 individuals, children, and families within its purview.

1013 (2) To the extent possible within existing resources, the
 1014 following populations must be included in the family support
 1015 planning process:

1016 (a) Children from birth to age 5 who are served by the
 1017 clinic and programs of the Division of Children's Medical
 1018 Services of the Department of Health.

1019 (b) Children participating in the developmental evaluation
 1020 and intervention program of the Division of Children's Medical
 1021 Services of the Department of Health.

1022 (c) Children from age 3 through age 5 who are served by
 1023 the Agency for Persons with Disabilities.

1024 (d) Children from birth through age 5 who are served by
 1025 the Mental Health Program Office of the Department of Children
 1026 and Families ~~Family Services~~.

1027 (e) Participants who are served by the Children's Early
 1028 Investment Program established in s. 411.232.

1029 (f) Healthy Start participants in need of ongoing service
 1030 coordination.

1031 (g) Children from birth through age 5 who are served by
 1032 the voluntary family services, protective supervision, foster
 1033 care, or adoption and related services programs of the Child
 1034 Care Licensure ~~Services~~ Program Office of the Department of
 1035 Children and Families ~~Family Services~~, and who are eligible for
 1036 ongoing services from one or more other programs or agencies

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1037 that participate in family support planning; however, children
 1038 served by the voluntary family services program, where the
 1039 planned length of intervention is 30 days or less, are excluded
 1040 from this population.

1041 (3) When individuals included in the target population are
 1042 served by Head Start, local education agencies, or other
 1043 prevention and early intervention programs, providers must be
 1044 notified and efforts made to facilitate the concerned agency's
 1045 participation in family support planning.

1046 (4) Local education agencies are encouraged to use a
 1047 family support planning process for children from birth through
 1048 5 years of age who are served by the prekindergarten program for
 1049 children with disabilities, in lieu of the Individual Education
 1050 Plan.

1051 (5) There must be only a single-family support plan to
 1052 address the problems of the various family members unless the
 1053 family requests that an individual family support plan be
 1054 developed for different members of that family. The family
 1055 support plan must replace individual habilitation plans for
 1056 children from 3 through 5 years old who are served by the Agency
 1057 for Persons with Disabilities.

1058 (6) The family support plan at a minimum must include the
 1059 following information:

1060 (a) The family's statement of family concerns, priorities,
 1061 and resources.

1062 (b) Information related to the health, educational,
 1063 economic and social needs, and overall development of the
 1064 individual and the family.

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1065 (c) The outcomes that the plan is intended to achieve.

1066 (d) Identification of the resources and services to
 1067 achieve each outcome projected in the plan. These resources and
 1068 services are to be provided based on availability and funding.

1069 (7) A family support plan meeting must be held with the
 1070 family to initially develop the family support plan and annually
 1071 thereafter to update the plan as necessary. The family includes
 1072 anyone who has an integral role in the life of the individual or
 1073 child as identified by the individual or family. The family
 1074 support plan must be reviewed periodically during the year, at
 1075 least at 6-month intervals, to modify and update the plan as
 1076 needed. Such periodic reviews do not require a family support
 1077 plan team meeting but may be accomplished through other means
 1078 such as a case file review and telephone conference with the
 1079 family.

1080 (8) The initial family support plan must be developed
 1081 within a 90-day period. If exceptional circumstances make it
 1082 impossible to complete the evaluation activities and to hold the
 1083 initial family support plan team meeting within a reasonable
 1084 time period, these circumstances must be documented, and the
 1085 individual or family must be notified of the reason for the
 1086 delay. With the agreement of the family and the provider,
 1087 services for which either the individual or the family is
 1088 eligible may be initiated before the completion of the
 1089 evaluation activities and the family support plan.

1090 (9) The Department of Children and Families ~~Family~~
 1091 ~~Services~~, the Department of Health, and the Department of
 1092 Education, to the extent that funds are available, must offer

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1093 technical assistance to communities to facilitate the
 1094 implementation of the family support plan.

1095 (10) The Department of Children and Families ~~Family~~
 1096 ~~Services~~, the Department of Health, and the Department of
 1097 Education shall adopt rules necessary to implement this act.

1098 Section 36. Section 414.24, Florida Statutes, is amended
 1099 to read:

1100 414.24 Integrated welfare reform and child welfare
 1101 services.—The department shall develop integrated service
 1102 delivery strategies to better meet the needs of families subject
 1103 to work activity requirements who are involved in the child
 1104 welfare system or are at high risk of involvement in the child
 1105 welfare system. To the extent that resources are available, the
 1106 department and the Department of Labor and Employment Security
 1107 shall provide funds to one or more circuits ~~service districts~~ to
 1108 promote development of integrated, nonduplicative case
 1109 management within the department, the Department of Labor and
 1110 Employment Security, other participating government agencies,
 1111 and community partners. Alternative delivery systems shall be
 1112 encouraged which include well-defined, pertinent outcome
 1113 measures. Other factors to be considered shall include
 1114 innovation regarding training, enhancement of existing
 1115 resources, and increased private sector and business sector
 1116 participation.

1117 Section 37. Subsection (8) of section 415.1113, Florida
 1118 Statutes, is amended to read:

1119 415.1113 Administrative fines for false report of abuse,
 1120 neglect, or exploitation of a vulnerable adult.—

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1121 (8) All amounts collected under this section must be
 1122 deposited into the Operations and Maintenance Trust Fund within
 1123 the Adult Protection Services Program of the department.

1124 Section 38. Subsections (1) through (3) of section
 1125 420.621, Florida Statutes, are renumbered as subsections (2)
 1126 through (4), respectively, and present subsection (4) of that
 1127 section is renumbered as subsection (1) and amended to read:

1128 420.621 Definitions.—As used in ss. 420.621-420.628, the
 1129 term:

1130 (1)(4) "Circuit District" means a specified geographic
 1131 service area that conforms to the judicial circuits established
 1132 in s. 26.021 ~~service district of the department, as set forth in~~
 1133 ~~s. 20.19.~~

1134 Section 39. Subsection (1) of section 420.622, Florida
 1135 Statutes, is amended to read:

1136 420.622 State Office on Homelessness; Council on
 1137 Homelessness.—

1138 (1) The State Office on Homelessness is created within the
 1139 Department of Children and Families ~~Family Services~~ to provide
 1140 interagency, council, and other related coordination on issues
 1141 relating to homelessness. ~~An executive director of the office~~
 1142 ~~shall be appointed by the Governor.~~

1143 Section 40. Subsection (4) of section 420.623, Florida
 1144 Statutes, is amended to read:

1145 420.623 Local coalitions for the homeless.—

1146 (4) ANNUAL REPORTS.—The department shall submit to the
 1147 Governor, the Speaker of the House of Representatives, and the
 1148 President of the Senate, by June 30, an annual report consisting

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1149 of a compilation of data collected by local coalitions, progress
1150 made in the development and implementation of local homeless
1151 assistance continuums of care plans in each circuit ~~district~~,
1152 local spending plans, programs and resources available at the
1153 local level, and recommendations for programs and funding.

1154 Section 41. Subsections (4) through (8) of section
1155 420.625, Florida Statutes, are amended to read:

1156 420.625 Grant-in-aid program.—

1157 (4) APPLICATION PROCEDURE.—Local agencies shall submit an
1158 application for grant-in-aid funds to the circuit ~~district~~
1159 administrator for review. During the first year of
1160 implementation, circuit ~~district~~ administrators shall begin to
1161 accept applications for circuit ~~district~~ funds no later than
1162 October 1, 1988, and by August 1 of each year thereafter for
1163 which funding for this section is provided. Circuit ~~District~~
1164 funds shall be made available to local agencies no more than 30
1165 days after the deadline date for applications for each funding
1166 cycle.

1167 (5) SPENDING PLANS.—The department shall develop
1168 guidelines for the development of spending plans and for the
1169 evaluation and approval by circuit ~~district~~ administrators of
1170 spending plans, based upon such factors as:

1171 (a) The demonstrated level of need for the program.

1172 (b) The demonstrated ability of the local agency or
1173 agencies seeking assistance to deliver the services and to
1174 assure that identified needs will be met.

1175 (c) The ability of the local agency or agencies seeking
1176 assistance to deliver a wide range of services as enumerated in

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1177 subsection (3).

1178 (d) The adequacy and reasonableness of proposed budgets
 1179 and planned expenditures, and the demonstrated capacity of the
 1180 local agency or agencies to administer the funds sought.

1181 (e) A statement from the local coalition for the homeless
 1182 as to the steps to be taken to assure coordination and
 1183 integration of services in the circuit ~~district~~ to avoid
 1184 unnecessary duplication and costs.

1185 (f) Assurances by the local coalition for the homeless
 1186 that alternative funding strategies for meeting needs through
 1187 the reallocation of existing resources, utilization of
 1188 volunteers, and local government or private agency funding have
 1189 been explored.

1190 (g) The existence of an evaluation component designed to
 1191 measure program outcomes and determine the overall effectiveness
 1192 of the local programs for the homeless for which funding is
 1193 sought.

1194 (6) ALLOCATION OF GRANT FUNDS TO CIRCUITS ~~DISTRICTS~~.—State
 1195 grant-in-aid funds for local initiatives for the homeless shall
 1196 be allocated by the department to, and administered by,
 1197 department circuits ~~districts~~. Allocations shall be based upon
 1198 sufficient documentation of:

1199 (a) The magnitude of the problem of homelessness in the
 1200 circuit ~~district~~, and the demonstrated level of unmet need for
 1201 services in the circuit ~~district~~ for those who are homeless or
 1202 are about to become homeless.

1203 (b) A strong local commitment to seriously address the
 1204 problem of homelessness as evidenced by coordinated programs

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1205 involving preventive, emergency, and transitional services and
 1206 by the existence of active local organizations committed to
 1207 serving those who have become, or are about to become, homeless.

1208 (c) Agreement by local government and private agencies
 1209 currently serving the homeless not to reduce current
 1210 expenditures for services presently provided to those who are
 1211 homeless or are about to become homeless if grant assistance is
 1212 provided pursuant to this section.

1213 (d) Geographic distribution of circuit ~~district~~ programs
 1214 to ensure that such programs serve both rural and urban areas,
 1215 as needed.

1216 (7) DISTRIBUTION TO LOCAL AGENCIES.—Circuit ~~District~~ funds
 1217 so allocated shall be available for distribution by the circuit
 1218 ~~district~~ administrator to local agencies to fund programs such
 1219 as those set forth in subsection (3), based upon the
 1220 recommendations of the local coalitions in accordance with
 1221 spending plans developed by the coalitions and approved by the
 1222 circuit ~~district~~ administrator. Not more than 10 percent of the
 1223 total state funds awarded under a spending plan may be used by
 1224 the local coalition for staffing and administration.

1225 (8) LOCAL MATCHING FUNDS.—Entities contracting to provide
 1226 services through financial assistance obtained under this
 1227 section shall provide a minimum of 25 percent of the funding
 1228 necessary for the support of project operations. In-kind
 1229 contributions, whether materials, commodities, transportation,
 1230 office space, other types of facilities, or personal services,
 1231 and contributions of money or services from homeless persons may
 1232 be evaluated and counted as part or all of this required local

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1233 funding, in the discretion of the circuit ~~district~~
 1234 administrator.

1235 Section 42. Subsection (2) of section 429.35, Florida
 1236 Statutes, is amended to read:

1237 429.35 Maintenance of records; reports.—

1238 (2) Within 60 days after the date of the biennial
 1239 inspection visit required under s. 408.811 or within 30 days
 1240 after the date of any interim visit, the agency shall forward
 1241 the results of the inspection to the local ombudsman council in
 1242 whose planning and service area, as defined in part II of
 1243 chapter 400, the facility is located; to at least one public
 1244 library or, in the absence of a public library, the county seat
 1245 in the county in which the inspected assisted living facility is
 1246 located; and, when appropriate, to the circuit ~~district~~ Adult
 1247 Protection Services and Mental Health Program Offices.

1248 Section 43. Paragraph (d) of subsection (3) of section
 1249 1002.67, Florida Statutes, is amended to read:

1250 1002.67 Performance standards; curricula and
 1251 accountability.—

1252 (3)

1253 (d) Each early learning coalition, the Agency for
 1254 Workforce Innovation, and the department shall coordinate with
 1255 the Child Care Licensure ~~Services~~ Program Office of the
 1256 Department of Children and Families ~~Family Services~~ to minimize
 1257 interagency duplication of activities for monitoring private
 1258 prekindergarten providers for compliance with requirements of
 1259 the Voluntary Prekindergarten Education Program under this part,
 1260 the school readiness programs under s. 411.01, and the licensing

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1261 of providers under ss. 402.301-402.319.

1262 Section 44. Sections 39.311, 39.312, 39.313, 39.314,
 1263 39.315, 39.316, 39.317, 39.318, 394.9083, and 402.35, Florida
 1264 Statutes, are repealed.

1265 Section 45. The Division of Statutory Revision of the
 1266 Joint Legislative Management Committee is directed to prepare a
 1267 reviser's bill for introduction at a subsequent session of the
 1268 Legislature to change the term "Department of Children and
 1269 Family Services" to "Department of Children and Families," the
 1270 term "Secretary of Children and Family Services" to "Secretary
 1271 of Children and Families," and the term "district administrator"
 1272 to "circuit administrator," as that term relates to the
 1273 responsibilities of the Department of Children and Families,
 1274 wherever that term appears in the Florida Statutes.

1275 Section 46. This act shall take effect July 1, 2010.