

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.; changing the
4 name of the department to the Department of Children
5 and Families; authorizing the department to establish
6 circuits and regions headed by circuit administrators
7 and regional directors; amending s. 20.19, F.S.;
8 revising provisions relating to the establishment of
9 the department; providing for operating units known as
10 circuits and regions based on judicial circuits;
11 deleting provisions relating to the program directors
12 for mental health and substance abuse, the service
13 districts, child protection workers, the membership of
14 community alliances, and the prototype region;
15 amending ss. 20.43, 39.01, and 394.78, F.S.;
16 conforming cross-references; repealing s. 402.35,
17 F.S., relating to the application of Department of
18 Management Services' rules; amending s. 420.622, F.S.;
19 deleting the requirement for the Governor to appoint
20 an executive director to the State Office on
21 Homelessness; providing for legislation to conform the
22 Florida Statutes to changes made by the act; providing
23 an effective date.

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

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27 Section 1. Subsection (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 Families ~~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 regional 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) 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.

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

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

(d) The secretary may establish assistant secretary positions as necessary to administer the requirements of this section and, at a minimum, shall establish an Assistant Secretary for Substance Abuse and Mental Health. All persons

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59 appointed to such positions serve at the pleasure of the
60 secretary.

61 (2) SERVICES PROVIDED.—

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

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

66 1. Adult protection.

67 2. Child care.

68 3. Domestic violence.

69 4. Economic self-sufficiency.

70 5. Family safety.

71 6. Homelessness.

72 7. Mental health.

73 8. Refugee services.

74 9. Substance abuse.

75 (c) Program offices may be consolidated, restructured, or
76 rearranged by the secretary, in consultation with the Executive
77 Office of the Governor, if such consolidation, restructuring, or
78 rearranging supports the functions and activities and achieves
79 the outcomes required by state and federal laws and rules. The
80 secretary may appoint additional program directors as necessary
81 for the effective management of program services provided by the
82 department.

83 (3) OPERATING UNITS.—

84 (a) The department shall plan and administer its program
85 services through operating units that conform to the geographic
86 boundaries of the judicial circuits established in s. 26.021.
87 The department may also establish regional divisions consisting

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88 of one or more judicial circuit operating units.

89 (b) The secretary may appoint a circuit administrator for
90 each circuit and a regional director for each region who shall
91 serve at the pleasure of the secretary and perform such duties
92 as are assigned by the secretary.

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

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

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

110 2. Needs assessment and establishment of community
111 priorities for service delivery.

112 3. Determining community outcome goals to supplement state-
113 required outcomes.

114 4. Serving as a catalyst for community resource
115 development.

116 5. Providing for community education and advocacy on issues

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117 related to service delivery.

118 6. Promoting prevention and early intervention services.

119 (b) If community alliances and partnerships are
120 established, the department must ensure, to the greatest extent
121 possible, that the formation of each community alliance and
122 partnership builds on the strengths of the existing community
123 human services infrastructure.

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

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

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

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

144 (g) All alliance, partnership, and advisory group meetings
145 are open to the public pursuant to s. 286.011 and are subject to

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146 the public-records provisions of s. 119.07(1).

147 (5) CONSULTATION WITH COUNTIES ON MANDATED PROGRAMS.—It is
148 the intent of the Legislature that, if county governments are
149 required by law to participate in funding specified programs,
150 the department shall consult with designated representatives of
151 such governments when developing policies and service delivery
152 plans for those programs.

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

155 20.43 Department of Health.—There is created a Department
156 of Health.

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

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

169 39.01 Definitions.—When used in this chapter, unless the
170 context otherwise requires:

171 (27) "District administrator" means the chief operating
172 officer of each service district of the department as defined in
173 s. 20.19~~(5)~~ and, where appropriate, includes any district
174 administrator whose service district falls within the boundaries

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175 of a judicial circuit.

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

178 394.78 Operation and administration; personnel standards;
179 procedures for audit and monitoring of service providers;
180 resolution of disputes.—

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

185 Section 6. Section 402.35, Florida Statutes, is repealed.

186 Section 7. Subsection (1) of section 420.622, Florida
187 Statutes, is amended to read:

188 420.622 State Office on Homelessness; Council on
189 Homelessness.—

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

195 Section 8. During the 2012 regular legislative session, the
196 Legislature shall adopt legislation to conform the Florida
197 Statutes to the provisions of this act.

198 Section 9. This act shall take effect upon becoming a law.