

## FINAL BILL ANALYSIS

**BILL #:** CS/HB 279

**FINAL HOUSE FLOOR ACTION:**

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**SPONSOR:** Rep. Davis

**GOVERNOR'S ACTION:** Approved

**COMPANION BILLS:** SB 380

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### **SUMMARY ANALYSIS**

CS/HB 279 passed the House on April 29, 2011, and subsequently passed the Senate on May 2, 2011. The bill was approved by the Governor on June 17, 2011, chapter 2011-163, Laws of Florida, and will take effect October 1, 2011.

The bill amends legislative intent by eliminating the responsibility of the Department of Children and Family Services (DCF) to establish, maintain and oversee child welfare training academies and by requiring that persons providing child welfare services earn and maintain a certification from a third party credentialing entity that is approved by DCF.

- The bill creates definitions for the terms "child welfare certification," "core competency," "pre-service curriculum," and "professional credentialing entity."
- The bill also provides requirements for a credentialing entity to secure DCF approval and requires the department to approve core competencies and related pre-service curricula.
- The use of the Child Welfare Training Trust Fund is amended, and the child welfare training academies are eliminated.
- The bill provides for entities to contract for training and grants reciprocity to individuals who hold certificates issued by the department for a specified period of time. The bill also eliminates the ability of the department to develop certification programs.

The bill is estimated to have a positive fiscal impact of approximately \$530,194 in the first year and \$423,394 in the out years.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### **Current Situation**

##### Statewide Training

Currently, DCF is required to provide a systematic approach to staff development and training for persons providing child welfare services.<sup>1</sup> The department is authorized to create certification programs to ensure that only qualified employees and service providers provide client services.<sup>2</sup> The department works with various stakeholders to ensure that minimum curriculum standards and core competencies are uniform and that service providers (e.g. Sheriff's Offices and Community Based Care lead agencies (CBC's)) can adjust those standards to meet local needs.

The department has the authority to develop rules that include qualifications for certification, including training and testing requirements, continuing education requirements for ongoing certification, and decertification procedures to be used to determine when an individual no longer meets the qualifications for certification and to implement the decertification of an employee or agent.<sup>3</sup>

The department is also required to establish child welfare training academies to perform one or more of the following: to offer developed training curricula; to administer the certification process; to develop, validate, and periodically evaluate additional training curricula determined to be necessary, including advanced training that is specific to a region or contractor, or that meets a particular training need; or to offer any additional training curricula. The department currently contracts with Florida Atlantic University and the University of South Florida to provide the child welfare training academy.

##### Child Welfare Certification Process

The certification process requires that each individual demonstrate the knowledge, skills and ability to competently carry out their duties as a Florida Child Protection Professional. Each individual in a position requiring certification must be certified within one year of the date of hire, or within one year of having successfully completed a post-test or a waiver test, whichever is earlier.<sup>4</sup> Currently, there are 11 types of certification designations for child protection professionals:

- Child Protective Investigator;
- Child Protective Investigations Supervisor;
- Child Protective Investigations Specialist;
- Child Protection Case Manager;
- Child Protection Case Management Supervisor;
- Child Protection Case Management Specialist;

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<sup>1</sup> S. 402.40(1), F.S.

<sup>2</sup> S.402.731, F.S.

<sup>3</sup> *Id*

<sup>4</sup> Ch. 65C-33.001, F.A.C.

- Child Protection Licensing Counselor;
- Child Protection Licensing Supervisor;
- Child Protection Licensing Specialist;
- Child Protection Specialized Services Professional; and
- Child Welfare Trainer.<sup>5</sup>

Each position classification has a different training, testing and certification requirement depending on the duties they perform. DCF estimates that during calendar year 2010, they initially certified 1,098 and recertified 1,239 child welfare professionals in the investigative, case management, and licensing specialties. There are currently 1,475 child protective investigators (employed either through DCF or sheriff's offices) and 2,200 case managers (employed by CBCs or subcontractors) statewide. More than half of the state's child welfare professionals (2,377 or 64%) who are required to be certified are currently certified. The remaining individuals are in the process of achieving certification, as newly hired staff or they have not yet met minimum certification requirements.<sup>6</sup>

In addition, there are currently 344 child welfare professionals who have met certification requirements to be a Child Welfare Trainer. Staff is employed by community-based care agencies, sheriff's offices, or the department. Certified child welfare trainers teach the department-approved standard pre-service curriculum, and the content must be delivered in its entirety to all newly-hired child protective investigative and case management staff statewide.<sup>7</sup> The intent of this model is to ensure that all necessary statutory, policy, procedural and best practice information is conveyed to child welfare personnel by qualified child welfare trainers and that minimum competency requirements are consistent statewide.<sup>8</sup>

#### Federal Requirements for Child Welfare Training, Child and Family Services Plan

Federal regulations require states to prepare a five-year plan, the Child Family Services Plan (CFSP), which lays out the framework for a system of coordinated, integrated, culturally relevant family focused services in the state child welfare agencies.<sup>9</sup> All training activities and funding for Title IV-E must be included in the agencies training plan.<sup>10</sup> This plan must be submitted and approved by the federal Administration of Families (ACF). According to DCF, failure to obtain approval prior to changing training requirements could jeopardize federal funding.<sup>11</sup>

#### Child Welfare Training Trust Fund

The Child Welfare Training Trust Fund was created to fund a comprehensive system of child welfare training, including the securing of consultants to develop the system and the developing of child welfare training academies that include the participation of persons providing child welfare services.<sup>12</sup> Revenue sources include \$5.00 for each petition for dissolution of marriage, \$1.00 from every non-criminal traffic infraction and a \$1.50 from an additional fee imposed on certification of births.<sup>13</sup>

<sup>5</sup> Ch. 65C-33.001, F.A.C.

<sup>6</sup> HB 279 (2011) Department of Children and Families Bill Analysis, on file with committee staff.

<sup>7</sup> F.S.

<sup>8</sup> S. 402.40, F.S.

<sup>9</sup> 45 CFR 1357.15

<sup>10</sup> 45 CFR 1356.60(b)(2)

<sup>11</sup> HB 279 (2011) Department of Children and Families Bill Analysis, on file with committee staff.

<sup>12</sup> Ch. 2008-16, L.O.F., Section 20.195(3) and 402.40(4)(a), F.S.

<sup>13</sup> S. 28.101(1)(a), s. 318.14(10)(b) and s. 382.0255(2)

## The Florida Certification Board

According to DCF, The Florida Certification Board (FCB) is currently the only certification board in the state that provides a child welfare certification. The FCB provides a number of certifications, including those for substance abuse counselors, prevention specialists, criminal justice professionals, mental health professionals, and behavioral health technicians in Florida. FCB does not offer or provide child welfare training. However, the FCB does offer a Child Welfare Case Manager (CWCM) certification as one of its professional certification programs. The FCB reports that 193 individuals have an active CWCM certification, and almost all of those individuals are employed by CBCs.

### **Effect of Changes**

The bill provides that DCF work in collaboration with child welfare stakeholders, including approved credentialing agencies, to ensure that child welfare staff have the knowledge and skills to competently provide child welfare services. The bill eliminates DCF's child welfare training program established in s. 402.40 and provides that third-party credentialing entities approved by DCF provide child welfare personnel certification.

The bill provides definitions for:

- child welfare certification;
- core competency;
- pre-service curriculum;
- third party credentialing entity

The bill establishes that DCF shall approve one or more third-party credentialing entities for awarding child welfare certification. The third-party credentialing entities will:

- establish requirements and standards for obtaining a child welfare certification,
- develop core competencies approved by DCF,
- maintain a code of ethics and disciplinary process for persons holding certification,
- maintain a database accessible to the public of all persons holding certifications and
- require annual continuing education requirements.

The bill provides that community based care agencies, sheriff's offices, and DCF may contract for the delivery of pre-service and additional training for persons delivering child welfare services if that training satisfies DCF approved core competencies.

The bill provides that credentialing entities shall for a period of no less than a year from the implementation of certification programs grant reciprocity and award certification to individuals in good standing who hold certification issued by DCF at no cost to the state or the individual.

The bill amends the purpose of the Child Welfare Training Trust Fund, to be used for funding the professional development of persons providing child welfare services.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The estimated first year costs to certify the DCF employed Child Protective Investigators (CPI) would be \$69,806 and the recurring annual cost is estimated to be \$176,606. The bill provides that selected third party certification entities will provide continuing certification for current department and contracted staff at no charge for the first 12 months. The bill eliminates training academies providing a recurring savings as displayed below:

	<b>2011-12</b>	<b>2012-13</b>
<b>Cost of University of South Florida Training Academy</b>	(\$600,000)	(\$600,000)
<b>Initial and Ongoing Certifications Costs for 1,241 Child Protective Investigators</b>	\$69,806	\$176,606
<b>Net Savings</b>	(\$530,194)	(\$423,394)

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

There are 234 child protective investigators at various contracted Sherriff's offices that will also require certification. The cost for certifying these staff will be the responsibility of the Sheriffs offices.

	<b>2011-12</b>	<b>2012-13</b>
<b>Cost for Certification of 234 Sheriff Child Protective Investigators</b>	\$13,162	\$30,712

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Currently, the child welfare case managers employed by CBCs and subcontractors receive the training required by s.402.40, F.S. from DCF at no additional cost. With the changes proposed in the bill, certification costs would be the responsibility of the CBC's and or subcontractors to certify 2,200 child welfare case managers.

		2011-12		2012-13
<b>Cost for Certification of 2,200 CBC and subcontractor Child Welfare Case Managers</b>		\$123,750		\$288,750

D. FISCAL COMMENTS:

The cost for certification of CBC and Sheriffs child welfare staff will be transferred to these organizations. DCF currently provides funding for training academies for child welfare through a contract with the University of South Florida at cost of \$600,000. The bill eliminates training academies creating a net savings of approximately \$530,194 in the first year and \$423,394 in recurring years.

DCF also has a contract with Florida International University for pre-service training curriculum development at a cost of \$675,782 and one position that administers the rule development process and reviews and approves preservice curricula for child welfare training. If individual third-party credentialing agencies or CBCs develop preservice curricula for department review and approval the department indicates that additional positions maybe necessary to avoid extended wait times for approval.