

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #:	CS/CS/HB 1229 (CS/SB 2048)	FINAL HOUSE FLOOR ACTION:	
SPONSOR(S):	Health & Human Services Committee; Health & Human Services Access Subcommittee; Drake (Governmental Oversight and Accountability; Children, Families, and Elder Affairs)	116 Y's	0 N's
COMPANION BILLS:	CS/SB 2048	GOVERNOR'S ACTION:	Approved

SUMMARY ANALYSIS

CS/CS/HB 1229 passed the House on February 23, 2012, and subsequently passed the Senate on March 9, 2012. The bill amends s. 20.04, F.S. and substantially rewords s. 20.19, F.S., to provide for the reorganization of the Department of Children and Families (department). The 2007 Legislature directed the department to begin the process of reorganization subject to further legislative review and approval. This bill places in statute the reorganization plans of the department. The bill makes the following changes:

- Replaces the title "Department of Children and Family Services" with the "Department of Children and Families."
- Changes the department mission statement to reflect current operations.
- Integrates the substance abuse and mental health programs into the department, by consolidating director positions, eliminating line authority over circuit program staff and deleting separate budget and contract responsibilities.
- Provides for specific services to be provided by the department and eliminates the requirement for program directors over each service area.
- Changes the sub-state structure of the department by eliminating service districts and providing that services will be delivered through organizational units known as circuits, which must be aligned with judicial circuits.
- Establishes an unspecified number of regions which are comprised of multiple circuits in geographic proximity to each other. Deletes provisions relating to the establishment of a prototype region.
- Deletes the requirement for appointing an executive director over the state Office of Homelessness.

The bill was approved by the Governor on April 6, 2012, ch. 2012-84, Laws of Florida. The effective date of this bill is July 1, 2012.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Department of Children and Families

The Department of Children and Family Services (department) is created and its organizational structure established in section 20.19, Florida Statutes. In 2007, the Legislature authorized the department through Chapter 2007-174 Laws of Florida, to begin a process of reorganization and change the organizational structure in specific areas subject to further Legislative review.

Legislative Direction for Reorganization

The 2007 Legislature directed the department to begin the process of reorganization to improve efficiency and effectiveness.¹ The legislation in Chapter 2007-174, Laws of Florida directed that the reorganization:

- Shall integrate substance abuse and mental health programs into the overall department structure and priorities;
- May plan for realignment of the department districts to conform to judicial circuits;
- May phase in organizational changes to ensure children are not adversely affected;
- May establish community partnerships with the department at the request of local communities;
- Provide the department Secretary with the discretion to establish advisory groups at the state level as necessary.

The 2007 legislation also authorized the department to begin using the name Department of Children and Families instead of Department of Children and Family Services. The changes to the department structure which were authorized in Laws of Florida have yet to be codified into statute.²

Current Organizational Structure:

The Secretary of the department is appointed by the Governor. The offices under the Secretary include: General Counsel, Children's Legal Services, Inspector General, Chief of Staff, Communications, Executive Communications, Legislative Affairs, and External Affairs.

The Deputy Secretary which is required by statute³, oversees all operational and business units. The Deputy Secretary position supervises three Assistant Secretaries:

- The Assistant Secretary for Administration, which oversees all business functions, including Information Technology, General Services, Human Resources, Finance, Accounting and Budget, and Contract Administration.
- The Assistant Secretary for Substance Abuse and Mental Health oversees staff offices with expertise in these program areas, as well as exercising line authority over all state mental health hospitals, both directly operated and contracted. This position is required by statute to be appointed by the Secretary.⁴
- The Assistant Secretary for Operations oversees all program staff offices: Family and Community Services (encompassing the Hotline, Interstate Compact for Children, Domestic

¹Chapter 2007-174, L.O.F .

²The authority for reorganization has been reauthorized each year since 2007 by resetting the expiration dates in Chapters 2009-82, 2010-153, 2011-47, L.O.F.

³ S.20.19(2)(b),F.S.

⁴ s.20.19(2)(c)1., F.S.

Violence, Child Care, Adult Protective Services, Homelessness, and Child Welfare), Economic Self-Sufficiency (ACCESS), and Refugee Services. Each of these offices are currently named in statute and are required to have a Director who is appointed by the Secretary.⁵

Service Regions

The department administers programs and services through 20 circuit offices (aligned with judicial circuits) which operate within six larger service regions⁶. The Assistant Secretary for Operations also has direct line authority to the field, overseeing six Regional Managing Directors, corresponding to the six service regions of the department. Within each Region, the Regional Managing Directors oversee a staff which includes a Client Relations Coordinator, Regional Community Development Administrator, Family and Community Services program administrator, Economic Self Sufficiency program administrator, and associated field managers, supervisors and direct service employees.⁷

Effect of Proposed Changes

The 2007 Legislature directed the department to begin the process of reorganization subject to further legislative review and approval. This bill places in statute the reorganization plans of the department and codifies some changes already implemented by the department under the authority of Chapter 2007-174 LOF.

The bill changes the name of the “Department of Children and Family Services” to the “Department of Children and Families” in ss. 20.04, 20.19, and 420.622, F.S.⁸ The bill also changes the DCF mission statement in statute to “work in partnership with local communities, to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency.”

The bill amends current law by changing the term service districts to organizational units and provides that the department will administer programs through organizational units,⁹ known as circuits, which conform to the geographic boundaries of the 20 judicial circuits prescribed in s. 26.021, F.S. The bill also provides for the creation of an unspecified number of regions, consisting of multiple circuits in the same geographic area. The bill provides the department with unlimited flexibility as to the number of region offices to establish. The department currently operates with 6 regions which provide management oversight to circuits and consolidate administrative activities. Finally, the bill deletes authority in statute for a prototype region¹⁰, which has evolved into the current six region structure of the department

The bill integrates the substance abuse and mental health programs into the overall department by consolidating the substance abuse and mental health director positions, eliminating line authority over program staff in circuit offices, and deleting separate budget and contract responsibilities for these programs.¹¹

The bill eliminates a requirement in statute to appoint separate program directors for program offices. However, the bill retains a flexible authority for the DCF Secretary to appoint managers and administrators as necessary.¹²

⁵ Email from Amanda Prater, DCF dated January 26, 2012, on file with committee.

⁶ S. 20.19 (5), F.S. directs the department to administer programs through 15 service districts and specified sub-districts. This was modified into the current circuit regions structure under the authority of Chapter 2007-174, L.O.F. The region structure began as a prototype authorized in s. 20.19(7), F.S. which became known as the Suncoast region, headquartered in Tampa.

⁷ Email from Amanda Prater, DCF dated January 26, 2012, on file with committee

⁸ This bill codifies the actions already taken by the department under the authority of Chapter 2007-174, L.O.F.

⁹ *Id.*

¹⁰ S. 20.19(7), F.S

¹¹ This codifies the actions already taken by the department under the authority of Chapter 2007-174, L.O.F..

¹² S. 20.19(3)(b), F.S.

The bill changes the name “family safety” to “child welfare” and requires the department to provide the following services through offices:

- Adult Protection;
- Child Care Regulation;
- Child Welfare;
- Domestic Violence;
- Economic Self-Sufficiency;
- Homelessness;
- Mental Health;
- Refugees;
- Substance Abuse.

Current law requires the Executive Director of the Office on Homelessness be appointed by the Governor.¹³ The bill deletes the requirement to appoint an Executive Director.

Current law requires the department to establish community alliances of stakeholders, community leaders, client representatives and funders of human services in each county. The bill provides that the department may establish a “similar group” as an alternative to community alliances. The term similar group is not defined.

The bill also deletes duplicative exemption language for competitive bids for health services involving examination, diagnosis and treatment. This exemption already exists in s. 287.057(3)(f), F.S.

The bill deletes obsolete language related to district health and human services boards and makes conforming changes to statute.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

¹³ s. 420.622(1), F.S.

None.

D. FISCAL COMMENTS:

None.