

1                   A bill to be entitled  
2           An act relating to the reorganization of the  
3           Department of Children and Family Services; amending  
4           s. 20.04, F.S.; changing the name of the Department of  
5           Children and Family Services to the Department of  
6           Children and Families; authorizing the department to  
7           restructure its organizational units to establish  
8           circuits, which are aligned geographically with  
9           judicial circuits, and regions, which include multiple  
10          circuits in geographical proximity to each other;  
11          revising requirements relating to community alliances;  
12          deleting provisions relating to service districts, the  
13          prototype region, and the procurement of health  
14          services; amending s. 20.19, F.S.; revising the  
15          mission of the department; deleting provisions  
16          relating to the appointment of an Assistant Secretary  
17          for Substance Abuse and Mental Health; deleting  
18          provisions relating to the appointment of a Program  
19          Director for Substance Abuse and a Program Director  
20          for Mental Health; deleting provisions establishing  
21          service districts; revising provisions relating to the  
22          structure of and services provided by the department;  
23          amending s. 20.43, F.S.; revising provisions aligning  
24          the boundaries of service areas for the Department of  
25          Health to those of the service districts of the  
26          department to conform to changes made by this act;  
27          amending s. 420.622, F.S.; deleting authority of the  
28          Governor to appoint the executive director of the

29 State Office on Homelessness; amending s. 394.78,  
 30 F.S.; deleting obsolete references; providing for  
 31 future legislation to conform the Florida Statutes to  
 32 changes made by the act; providing an effective date.

33  
 34 Be It Enacted by the Legislature of the State of Florida:

35  
 36 Section 1. Subsections (3) and (4) and paragraph (b) of  
 37 subsection (7) of section 20.04, Florida Statutes, are amended  
 38 to read:

39 20.04 Structure of executive branch.—The executive branch  
 40 of state government is structured as follows:

41 (3) For their internal structure, all departments, except  
 42 for the Department of Financial Services, the Department of  
 43 Children and Families ~~Family Services~~, the Department of  
 44 Corrections, the Department of Management Services, the  
 45 Department of Revenue, and the Department of Transportation,  
 46 must adhere to the following standard terms:

47 (a) The principal unit of the department is the  
 48 "division." Each division is headed by a "director."

49 (b) The principal unit of the division is the "bureau."  
 50 Each bureau is headed by a "chief."

51 (c) The principal unit of the bureau is the "section."  
 52 Each section is headed by an "administrator."

53 (d) If further subdivision is necessary, sections may be  
 54 divided into "subsections," which are headed by "supervisors."

55 (4) Within the Department of Children and Families ~~Family~~  
 56 ~~Services~~ there are organizational units called "circuits" and

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57 "regions." Each circuit is aligned geographically with each  
 58 judicial circuit, and each region comprises multiple circuits  
 59 which are in geographical proximity to each other ~~"program~~  
 60 ~~offices,"~~ ~~headed by program directors.~~

61 (7)

62 (b) Within the limitations of this subsection, the head of  
 63 the department may recommend the establishment of additional  
 64 divisions, bureaus, sections, and subsections of the department  
 65 to promote efficient and effective operation of the department.  
 66 However, additional divisions, or offices in the Department of  
 67 Children and Families ~~Family Services~~, the Department of  
 68 Corrections, and the Department of Transportation, may be  
 69 established only by specific statutory enactment. New bureaus,  
 70 sections, and subsections of departments may be initiated by a  
 71 department and established as recommended by the Department of  
 72 Management Services and approved by the Executive Office of the  
 73 Governor, or may be established by specific statutory enactment.

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

76 20.19 Department of Children and Families ~~Family~~  
 77 ~~Services~~.—There is created a Department of Children and Families  
 78 ~~Family Services~~.

79 (1) MISSION AND PURPOSE.—

80 (a) The mission of the Department of Children and Families  
 81 ~~Family Services~~ is to work in partnership with local communities  
 82 to protect the vulnerable, promote strong and economically self-  
 83 sufficient families, and advance personal and family recovery  
 84 and resiliency ~~ensure the safety, well-being, and self-~~

85 ~~sufficiency of the people served.~~

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

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

94 (2) SECRETARY OF CHILDREN AND FAMILIES ~~FAMILY SERVICES~~;  
 95 DEPUTY SECRETARY.—

96 (a) The head of the department is the Secretary of  
 97 Children and Families ~~Family Services~~. The secretary is  
 98 appointed by the Governor, subject to confirmation by the  
 99 Senate. The secretary serves at the pleasure of the Governor.

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

105 ~~(c)1. The secretary shall appoint an Assistant Secretary~~  
 106 ~~for Substance Abuse and Mental Health. The assistant secretary~~  
 107 ~~shall serve at the pleasure of the secretary and must have~~  
 108 ~~expertise in both areas of responsibility.~~

109 ~~2. The secretary shall appoint a Program Director for~~  
 110 ~~Substance Abuse and a Program Director for Mental Health who~~  
 111 ~~have the requisite expertise and experience in their respective~~  
 112 ~~fields to head the state's Substance Abuse and Mental Health~~

113 ~~programs.~~

114 ~~a. Each program director shall have line authority over~~  
 115 ~~all district substance abuse and mental health program~~  
 116 ~~management staff.~~

117 ~~b. The assistant secretary shall enter into a memorandum~~  
 118 ~~of understanding with each district or region administrator,~~  
 119 ~~which must be approved by the secretary or the secretary's~~  
 120 ~~designee, describing the working relationships within each~~  
 121 ~~geographic area.~~

122 ~~e. The mental health institutions shall report to the~~  
 123 ~~Program Director for Mental Health.~~

124 ~~d. Each program director shall have direct control over~~  
 125 ~~the program's budget and contracts for services. Support staff~~  
 126 ~~necessary to manage budget and contracting functions within the~~  
 127 ~~department shall be placed under the supervision of the program~~  
 128 ~~directors.~~

129 ~~(d) The secretary has the authority and responsibility to~~  
 130 ~~ensure that the mission of the department is fulfilled in~~  
 131 ~~accordance with state and federal laws, rules, and regulations.~~

132 ~~(3) PROGRAM DIRECTORS. The secretary shall appoint program~~  
 133 ~~directors who serve at the pleasure of the secretary. The~~  
 134 ~~secretary may delegate to the program directors responsibilities~~  
 135 ~~for the management, policy, program, and fiscal functions of the~~  
 136 ~~department.~~

137 ~~(3)(4) SERVICES PROVIDED PROGRAM OFFICES AND SUPPORT~~  
 138 ~~OFFICES.-~~

139 ~~(a) The department, through offices, shall provide~~  
 140 ~~services relating to: is authorized to establish program offices~~

141 ~~and support offices, each of which shall be headed by a director~~  
 142 ~~or other management position who shall be appointed by and~~  
 143 ~~serves at the pleasure of the secretary.~~

144 ~~(b) The following program offices are established:~~

- 145 1. Adult protection Services.
- 146 2. Child care regulation Services.
- 147 3. Child welfare.
- 148 ~~4.3.~~ Domestic violence.
- 149 ~~5.4.~~ Economic self-sufficiency Services.
- 150 ~~5.~~ Family Safety.
- 151 6. Homelessness.
- 152 ~~7.6.~~ Mental health.
- 153 ~~8.7.~~ Refugees ~~Refugee Services~~.
- 154 ~~9.8.~~ Substance abuse.

155 ~~(b)(c)~~ Program offices and support Offices of the  
 156 department may be consolidated, restructured, or rearranged by  
 157 the secretary, in consultation with the Executive Office of the  
 158 Governor, provided any such consolidation, restructuring, or  
 159 rearranging is capable of meeting functions and activities and  
 160 achieving outcomes as delineated in state and federal laws,  
 161 rules, and regulations. The secretary may appoint additional  
 162 managers and administrators as he or she determines are  
 163 necessary for the effective management of the department.

164 ~~(5) SERVICE DISTRICTS.—~~

165 ~~(a) The department shall plan and administer its programs~~  
 166 ~~of family services through service districts and subdistricts~~  
 167 ~~composed of the following counties:~~

- 168 1. ~~District 1. Escambia, Santa Rosa, Okaloosa, and Walton~~

- 169 ~~Counties.~~
- 170       ~~2. District 2, Subdistrict A. Holmes, Washington, Bay,~~
- 171 ~~Jackson, Calhoun, and Gulf Counties.~~
- 172       ~~3. District 2, Subdistrict B. Gadsden, Liberty, Franklin,~~
- 173 ~~Leon, Wakulla, Jefferson, Madison, and Taylor Counties.~~
- 174       ~~4. District 3. Hamilton, Suwannee, Lafayette, Dixie,~~
- 175 ~~Columbia, Gilchrist, Levy, Union, Bradford, Putnam, and Alachua~~
- 176 ~~Counties.~~
- 177       ~~5. District 4. Baker, Nassau, Duval, Clay, and St. Johns~~
- 178 ~~Counties.~~
- 179       ~~6. District 5. Pasco and Pinellas Counties.~~
- 180       ~~7. District 6. Hillsborough and Manatee Counties.~~
- 181       ~~8. District 7, Subdistrict A. Seminole, Orange, and~~
- 182 ~~Osceola Counties.~~
- 183       ~~9. District 7, Subdistrict B. Brevard County.~~
- 184       ~~10. District 8, Subdistrict A. Sarasota and DeSoto~~
- 185 ~~Counties.~~
- 186       ~~11. District 8, Subdistrict B. Charlotte, Lee, Glades,~~
- 187 ~~Hendry, and Collier Counties.~~
- 188       ~~12. District 9. Palm Beach County.~~
- 189       ~~13. District 10. Broward County.~~
- 190       ~~14. District 11, Subdistrict A. Miami-Dade County.~~
- 191       ~~15. District 11, Subdistrict B. Monroe County.~~
- 192       ~~16. District 12. Flagler and Volusia Counties.~~
- 193       ~~17. District 13. Marion, Citrus, Hernando, Sumter, and~~
- 194 ~~Lake Counties.~~
- 195       ~~18. District 14. Polk, Hardee, and Highlands Counties.~~
- 196       ~~19. District 15. Indian River, Okeechobee, St. Lucie, and~~

197 ~~Martin Counties.~~

198 ~~(b) The secretary shall appoint a district administrator~~  
 199 ~~for each of the service districts. The district administrator~~  
 200 ~~shall serve at the pleasure of the secretary and shall perform~~  
 201 ~~such duties as assigned by the secretary.~~

202 (c) Each fiscal year the secretary shall, in consultation  
 203 with the relevant employee representatives, develop projections  
 204 of the number of child abuse and neglect cases and shall include  
 205 in the department's legislative budget request a specific  
 206 appropriation for funds and positions for the next fiscal year  
 207 in order to provide an adequate number of full-time equivalent:

208 1. Child protection investigation workers so that  
 209 caseloads do not exceed the Child Welfare League Standards by  
 210 more than two cases; and

211 2. Child protection case workers so that caseloads do not  
 212 exceed the Child Welfare League Standards by more than two  
 213 cases.

214 ~~(4)(6)~~ COMMUNITY ALLIANCES.—

215 (a) The department may ~~shall~~, in consultation with local  
 216 communities, establish a community alliance of the stakeholders,  
 217 community leaders, client representatives and funders of human  
 218 services in each county to provide a focal point for community  
 219 participation and governance of community-based services. An  
 220 alliance may cover more than one county when such arrangement is  
 221 determined to provide for more effective representation. The  
 222 community alliance shall represent the diversity of the  
 223 community.

224 (b) The duties of the community alliance ~~shall~~ include,



225 | but are not ~~necessarily be~~ limited to:

226 |       1. Joint planning for resource utilization in the  
227 | community, including resources appropriated to the department  
228 | and any funds that local funding sources choose to provide.

229 |       2. Needs assessment and establishment of community  
230 | priorities for service delivery.

231 |       3. Determining community outcome goals to supplement  
232 | state-required outcomes.

233 |       4. Serving as a catalyst for community resource  
234 | development.

235 |       5. Providing for community education and advocacy on  
236 | issues related to delivery of services.

237 |       6. Promoting prevention and early intervention services.

238 |       (c) The department shall ensure, to the greatest extent  
239 | possible, that the formation of each community alliance builds  
240 | on the strengths of the existing community human services  
241 | infrastructure.

242 |       (d) The initial membership of the community alliance in a  
243 | county shall be composed of the following:

244 |       1. A representative from the department ~~The district~~  
245 | ~~administrator.~~

246 |       2. A representative from county government.

247 |       3. A representative from the school district.

248 |       4. A representative from the county United Way.

249 |       5. A representative from the county sheriff's office.

250 |       6. A representative from the circuit court corresponding  
251 | to the county.

252 |       7. A representative from the county children's board, if

253 one exists.

254 (e) At any time after the initial meeting of the community  
255 alliance, the community alliance shall adopt bylaws and may  
256 increase the membership of the alliance to include the state  
257 attorney for the judicial circuit in which the community  
258 alliance is located, or his or her designee, the public defender  
259 for the judicial circuit in which the community alliance is  
260 located, or his or her designee, and other individuals and  
261 organizations who represent funding organizations, are community  
262 leaders, have knowledge of community-based service issues, or  
263 otherwise represent perspectives that will enable them to  
264 accomplish the duties listed in paragraph (b), if, in the  
265 judgment of the alliance, such change is necessary to adequately  
266 represent the diversity of the population within the community  
267 alliance service circuits ~~districts~~.

268 (f) A member of the community alliance, other than a  
269 member specified in paragraph (d), may not receive payment for  
270 contractual services from the department or a community-based  
271 care lead agency.

272 (g) Members of the community alliances shall serve without  
273 compensation, but are entitled to receive reimbursement for per  
274 diem and travel expenses, as provided in s. 112.061. Payment may  
275 also be authorized for preapproved child care expenses or lost  
276 wages for members who are consumers of the department's services  
277 and for preapproved child care expenses for other members who  
278 demonstrate hardship.

279 (h) Members of a community alliance are subject to the  
280 provisions of part III of chapter 112, the Code of Ethics for

281 Public Officers and Employees.

282 (i) Actions taken by a community alliance must be  
 283 consistent with department policy and state and federal laws,  
 284 rules, and regulations.

285 (j) Alliance members shall annually submit a disclosure  
 286 statement of services interests to the department's inspector  
 287 general. Any member who has an interest in a matter under  
 288 consideration by the alliance must abstain from voting on that  
 289 matter.

290 (k) All alliance meetings are open to the public pursuant  
 291 to s. 286.011 and the public records provision of s. 119.07(1).

292 ~~(7) PROTOTYPE REGION.~~

293 ~~(a) Notwithstanding the provisions of this section, the~~  
 294 ~~department may consolidate the management and administrative~~  
 295 ~~structure or function of the geographic area that includes the~~  
 296 ~~counties in the sixth, twelfth, and thirteenth judicial circuits~~  
 297 ~~as defined in s. 26.021. The department shall evaluate the~~  
 298 ~~efficiency and effectiveness of the operation of the prototype~~  
 299 ~~region and upon a determination that there has been a~~  
 300 ~~demonstrated improvement in management and oversight of services~~  
 301 ~~or cost savings from more efficient administration of services,~~  
 302 ~~the secretary may consolidate management and administration of~~  
 303 ~~additional areas of the state. Any such additional consolidation~~  
 304 ~~shall comply with the provisions of subsection (5) unless~~  
 305 ~~legislative authorization to the contrary is provided.~~

306 ~~(b) Within the prototype region, the budget transfer~~  
 307 ~~authority defined in paragraph (5) (b) shall apply to the~~  
 308 ~~consolidated geographic area.~~

309 ~~(c) The department is authorized to contract for~~  
 310 ~~children's services with a lead agency in each county of the~~  
 311 ~~prototype area, except that the lead agency contract may cover~~  
 312 ~~more than one county when it is determined that such coverage~~  
 313 ~~will provide more effective or efficient services. The duties of~~  
 314 ~~the lead agency shall include, but not necessarily be limited~~  
 315 ~~to:~~

316 ~~1. Directing and coordinating the program and children's~~  
 317 ~~services within the scope of its contract.~~

318 ~~2. Providing or contracting for the provision of core~~  
 319 ~~services, including intake and eligibility, assessment, service~~  
 320 ~~planning, and case management.~~

321 ~~3. Creating a service provider network capable of~~  
 322 ~~delivering the services contained in client service plans, which~~  
 323 ~~shall include identifying the necessary services, the necessary~~  
 324 ~~volume of services, and possible utilization patterns and~~  
 325 ~~negotiating rates and expectations with providers.~~

326 ~~4. Managing and monitoring of provider contracts and~~  
 327 ~~subcontracts.~~

328 ~~5. Developing and implementing an effective bill payment~~  
 329 ~~mechanism to ensure all providers are paid in a timely fashion.~~

330 ~~6. Providing or arranging for administrative services~~  
 331 ~~necessary to support service delivery.~~

332 ~~7. Utilizing departmentally approved training and meeting~~  
 333 ~~departmentally defined credentials and standards.~~

334 ~~8. Providing for performance measurement in accordance~~  
 335 ~~with the department's quality assurance program and providing~~  
 336 ~~for quality improvement and performance measurement.~~

- 337 ~~9. Developing and maintaining effective interagency~~
- 338 ~~collaboration to optimize service delivery.~~
- 339 ~~10. Ensuring that all federal and state reporting~~
- 340 ~~requirements are met.~~
- 341 ~~11. Operating a consumer complaint and grievance process.~~
- 342 ~~12. Ensuring that services are coordinated and not~~
- 343 ~~duplicated with other major payors, such as the local schools~~
- 344 ~~and Medicaid.~~
- 345 ~~13. Any other duties or responsibilities defined in s.~~
- 346 ~~409.1671 related to community-based care.~~

347 (5) ~~(8)~~ CONSULTATION WITH COUNTIES ON MANDATED PROGRAMS.—It  
 348 is the intent of the Legislature that when county governments  
 349 are required by law to participate in the funding of programs,  
 350 the department shall consult with designated representatives of  
 351 county governments in developing policies and service delivery  
 352 plans for those programs.

353 ~~(9) PROCUREMENT OF HEALTH SERVICES. Nothing contained in~~  
 354 ~~chapter 287 shall require competitive bids for health services~~  
 355 ~~involving examination, diagnosis, or treatment.~~

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

358 20.43 Department of Health.—There is created a Department  
 359 of Health.

360 (5) The department shall plan and administer its public  
 361 health programs through its county health departments and may,  
 362 for administrative purposes and efficient service delivery,  
 363 establish up to 15 service areas to carry out such duties as may  
 364 be prescribed by the State Surgeon General. The boundaries of

365 the service areas shall ~~be the same as, or combinations of, the~~  
 366 ~~service districts of the Department of Children and Family~~  
 367 ~~Services established in s. 20.19 and, to the extent practicable,~~  
 368 shall take into consideration the boundaries of the jobs and  
 369 education regional boards.

370 Section 4. Subsection (1) of section 420.622, Florida  
 371 Statutes, is amended to read:

372 420.622 State Office on Homelessness; Council on  
 373 Homelessness.—

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

379 Section 5. Subsection (6) of section 394.78, Florida  
 380 Statutes, is renumbered as subsection (5), and subsection (4)  
 381 and present subsection (5) of that section are amended to read:

382 394.78 Operation and administration; personnel standards;  
 383 procedures for audit and monitoring of service providers;  
 384 resolution of disputes.—

385 (4) The department shall monitor service providers for  
 386 compliance with contracts and applicable state and federal  
 387 regulations. ~~A representative of the district health and human~~  
 388 ~~services board shall be represented on the monitoring team.~~

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

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393           Section 6. During the 2013 Regular Session of the  
394 Legislature, the Legislature shall adopt legislation to conform  
395 the Florida Statutes to the provisions of this act.

396           Section 7. This act shall take effect July 1, 2012.