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LEGISLATIVE ACTION

Senate

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House

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Senator Simpson moved the following:

**Senate Amendment (with title amendment)**

Delete lines 141 - 569

and insert:

(7) OFFICE OF QUALITY.-Subject to an appropriation, the department shall establish an enterprise-wide Office of Quality to ensure that the department and contracted service providers meet the highest levels of performance standards.

(a) Duties of the office include, but are not limited to, all of the following:

1. Identifying performance standards and metrics for



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12 department programs and all other service providers, including,  
13 but not limited to, behavioral health managing entities,  
14 community-based care lead agencies, and attorney services.

15 2. Conducting ongoing quality assurance reviews of  
16 department programs and contracted service providers on at least  
17 a quarterly basis using cases randomly selected by the  
18 department.

19 3. Strengthening the department's data and analytic  
20 capabilities to identify systemic strengths and deficiencies.

21 4. In consultation with the department's program offices,  
22 recommending unique and varied initiatives to correct  
23 programmatic and systemic deficiencies.

24 5. Collaborating and engaging partners of the department to  
25 improve service quality, efficiency, and effectiveness.

26 6. Reporting any persistent failure by the department or  
27 contracted providers to meet performance standards and  
28 recommending corrective actions to the secretary.

29 7. By each December 1, developing and submitting an annual  
30 report to the Governor, the President of the Senate, and the  
31 Speaker of the House of Representatives for the preceding fiscal  
32 year which encompasses all legislatively mandated statewide  
33 reports required to be issued by the department.

34 (b) The department may adopt rules to administer this  
35 subsection.

36 Section 2. Section 402.402, Florida Statutes, is amended to  
37 read:

38 402.402 Child protection and child welfare personnel;  
39 attorneys employed by the department.-

40 (1) CHILD PROTECTIVE INVESTIGATION PROFESSIONAL STAFF



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41 REQUIREMENTS.—The department is responsible for recruitment of  
42 qualified professional staff to serve as child protective  
43 investigators and child protective investigation supervisors.  
44 The department shall make every effort to recruit and hire  
45 persons qualified by their education and experience to perform  
46 social work functions. The department's efforts shall be guided  
47 by the goal that ~~by July 1, 2019,~~ at least half of all child  
48 protective investigators and supervisors will have a bachelor's  
49 degree or a master's degree in social work from a college or  
50 university social work program accredited by the Council on  
51 Social Work Education. The department, in collaboration with the  
52 lead agencies, subcontracted provider organizations, the Florida  
53 Institute for Child Welfare created pursuant to s. 1004.615, and  
54 other partners in the child welfare system, shall develop a  
55 protocol for screening candidates for child protective positions  
56 which reflects the preferences specified in paragraphs (a)-(f).  
57 The following persons shall be given preference in the  
58 recruitment of qualified professional staff, but the preferences  
59 serve only as guidance and do not limit the department's  
60 discretion to select the best available candidates:

61 (a) Individuals with baccalaureate degrees in social work  
62 and child protective investigation supervisors with master's  
63 degrees in social work from a college or university social work  
64 program accredited by the Council on Social Work Education.

65 (b) Individuals with baccalaureate or master's degrees in  
66 psychology, sociology, counseling, special education, education,  
67 human development, child development, family development,  
68 marriage and family therapy, and nursing.

69 (c) Individuals with baccalaureate degrees who have a



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70 combination of directly relevant work and volunteer experience,  
71 preferably in a public service field related to children's  
72 services, demonstrating critical thinking skills, formal  
73 assessment processes, communication skills, problem solving, and  
74 empathy; a commitment to helping children and families; a  
75 capacity to work as part of a team; an interest in continuous  
76 development of skills and knowledge; and personal strength and  
77 resilience to manage competing demands and handle workplace  
78 stresses.

79 (2) SPECIALIZED TRAINING.—All child protective  
80 investigators and child protective investigation supervisors  
81 employed by the department or a sheriff's office must complete  
82 specialized training either focused on serving a specific  
83 population, including, but not limited to, medically fragile  
84 children, sexually exploited children, children under 3 years of  
85 age, or families with a history of domestic violence, mental  
86 illness, or substance abuse, or focused on performing certain  
87 aspects of child protection practice, including, but not limited  
88 to, investigation techniques and analysis of family dynamics.  
89 The specialized training may be used to fulfill continuing  
90 education requirements under s. 402.40(3)(e). Individuals ~~hired~~  
91 ~~before July 1, 2014, shall complete the specialized training by~~  
92 ~~June 30, 2016, and individuals~~ hired on or after July 1, 2014,  
93 shall complete the specialized training within 2 years after  
94 hire. An individual may receive specialized training in multiple  
95 areas.

96 (3) STAFF SUPPORT.—The department shall implement policies  
97 and programs that mitigate and prevent the impact of secondary  
98 traumatic stress and burnout among child protective



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99 investigations staff, including, but not limited to:

100 (a) Initiatives to encourage and inspire child protective  
101 investigations staff, including recognizing their achievements  
102 on a recognition wall within their unit.

103 (b) Formal procedures for providing support to child  
104 protective investigations staff after a critical incident such  
105 as a child fatality.

106 (c) Initial training upon appointment to a supervisory  
107 position and annual continuing education for all supervisors on  
108 how to prevent secondary traumatic stress and burnout among the  
109 employees they supervise.

110 (d) Monitoring levels of secondary traumatic stress and  
111 burnout among individual employees and intervening as needed.  
112 The department shall closely monitor and respond to levels of  
113 secondary traumatic stress and burnout among employees during  
114 the first 2 years after hire.

115 (e) Ongoing training in self-care for all child protective  
116 investigations staff.

117  
118 Such programs may also include, but are not limited, to formal  
119 peer counseling and support programs.

120 (4)(3) REPORT.—By each October 1, the department shall  
121 submit a report on the educational qualifications, turnover,  
122 professional advancement, and working conditions of the child  
123 protective investigators and supervisors to the Governor, the  
124 President of the Senate, and the Speaker of the House of  
125 Representatives.

126 (5)(4) ATTORNEYS EMPLOYED BY OR CONTRACTING WITH THE  
127 DEPARTMENT TO HANDLE CHILD WELFARE CASES.—Attorneys hired or



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128 contracted with on or after July 1, 2014, whose primary  
129 responsibility is representing the department in child welfare  
130 cases shall, within the first 6 months of employment, receive  
131 training in:

132 (a) The dependency court process, including the attorney's  
133 role in preparing and reviewing documents prepared for  
134 dependency court for accuracy and completeness.~~†~~

135 (b) Preparing and presenting child welfare cases, including  
136 at least 1 week shadowing an experienced children's legal  
137 services attorney preparing and presenting cases.~~†~~

138 (c) Safety assessment, safety decisionmaking tools, and  
139 safety plans.~~†~~

140 (d) Developing information presented by investigators and  
141 case managers to support decisionmaking in the best interest of  
142 children.~~†~~~~and~~

143 (e) The experiences and techniques of case managers and  
144 investigators, including shadowing an experienced child  
145 protective investigator and an experienced case manager for at  
146 least 8 hours.

147 Section 3. Paragraph (1) is added to subsection (1) of  
148 section 409.988, Florida Statutes, to read:

149 409.988 Lead agency duties; general provisions.-

150 (1) DUTIES.-A lead agency:

151 (1) Shall identify an employee to serve as a liaison with  
152 the community alliance and community-based and faith-based  
153 organizations interested in collaborating with the lead agency  
154 or offering services or other assistance on a volunteer basis to  
155 the children and families served by the lead agency. The lead  
156 agency shall ensure that appropriate lead agency staff and



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157 subcontractors, including, but not limited to, case managers,  
158 are informed of the specific services or assistance available  
159 from community-based and faith-based organizations.

160 Section 4. Section 409.991, Florida Statutes, is amended to  
161 read:

162 (Substantial rewording of section. See s. 409.991,  
163 F.S., for present text.)

164 409.991 Allocation of funds for community-based care lead  
165 agencies.—

166 (1) As used in this section, the term "core services funds"  
167 means all funds allocated to lead agencies operating under  
168 contract with the department pursuant to s. 409.987, with the  
169 following exceptions:

170 (a) Funds appropriated for independent living services;

171 (b) Funds appropriated for maintenance adoption subsidies;

172 (c) Funds allocated by the department for child protective  
173 investigative service training;

174 (d) Nonrecurring funds;

175 (e) Designated mental health wrap-around service funds;

176 (f) Funds for special projects for a designated lead  
177 agency; and

178 (g) Funds appropriated for the Guardianship Assistance  
179 Program established under s. 39.6225.

180 (2) The department shall use an objective, workload-based  
181 methodology to identify and report the optimal level of funding  
182 for each lead agency considering demand for each of the  
183 following:

184 (a) Prevention services;

185 (b) Client services;



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186 (c) Licensed out-of-home care costs; and  
187 (d) Staffing, using the ratio for case managers compared to  
188 the caseload requirements specified in s. 20.19(4)(c)2.

189 (3) The allocation of core services funds must be based on  
190 the following:

191 (a) The total optimal funding amount as determined by  
192 adding together the funding for prevention services, client  
193 services, licensed out-of-home care, and staffing.

194 (b) A comparison of the total optimal funding amount to the  
195 actual allocated funding for the most recent fiscal year to  
196 determine the percentage of optimal funding the lead agency is  
197 currently receiving.

198 (4) By November 1 of each year, the secretary must submit a  
199 report to the Governor, the President of the Senate, and the  
200 Speaker of the House of Representatives which includes the  
201 current funding level of each lead agency based on the optimal  
202 funding level as determined by using each lead agency workload  
203 using the department's methodology. The report must identify any  
204 lead agency that is persistently funded at less than the optimal  
205 funding level and recommend strategies to address the shortfall  
206 including, but not limited to, business process redesign, the  
207 adoption of best practices, and requesting additional funding.

208 (5) The department may adopt rules to establish the optimal  
209 funding levels for lead agencies.

210 (6) Unless otherwise specified in the General  
211 Appropriations Act, the department shall allocate any new  
212 funding for core services, based on the department's  
213 methodology, to achieve optimal funding for all lead agencies  
214 inversely proportional to each lead agency optimal funding





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215 percentage.

216 (7) Unless otherwise specified in the General  
217 Appropriations Act, the department shall consider a lead  
218 agency's funding level compared to its optimal funding level  
219 when allocating funding from the risk pool, as provided in s.  
220 409.990.

221 Section 5. Present subsections (18) through (23) of section  
222 409.996, Florida Statutes, are renumbered as subsections (19)  
223 through (24), respectively, a new subsection (18) and  
224 subsections (25) and (26) are added to that section, and  
225 paragraph (a) of subsection (1) and subsection (17) of that  
226 section are amended, to read:

227 409.996 Duties of the Department of Children and Families.—  
228 The department shall contract for the delivery, administration,  
229 or management of care for children in the child protection and  
230 child welfare system. In doing so, the department retains  
231 responsibility for the quality of contracted services and  
232 programs and shall ensure that services are delivered in  
233 accordance with applicable federal and state statutes and  
234 regulations.

235 (1) The department shall enter into contracts with lead  
236 agencies for the performance of the duties by the lead agencies  
237 pursuant to s. 409.988. At a minimum, the contracts must:

238 (a) Provide for the services needed to accomplish the  
239 duties established in s. 409.988 and provide information to the  
240 department which is necessary to meet the requirements for a  
241 quality assurance program pursuant to subsection (19) ~~(18)~~ and  
242 the child welfare results-oriented accountability system  
243 pursuant to s. 409.997.



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244 (17) The department shall directly ~~or through contract~~  
245 provide attorneys to prepare and present cases in dependency  
246 court and shall ensure that the court is provided with adequate  
247 information for informed decisionmaking in dependency cases,  
248 including, at a minimum, a face sheet for each case which lists  
249 the names and contact information for any child protective  
250 investigator, child protective investigation supervisor, case  
251 manager, and case manager supervisor, and the regional  
252 department official responsible for the lead agency contract.  
253 The department shall provide to the court the case information  
254 and recommendations provided by the lead agency or  
255 subcontractor. ~~For the Sixth Judicial Circuit, the department~~  
256 ~~shall contract with the state attorney for the provision of~~  
257 ~~these services.~~

258 (18) (a) The department may contract for the provision of  
259 children's legal services to prepare and present cases in  
260 dependency court. The contracted attorneys shall ensure that the  
261 court is provided with adequate information for informed  
262 decisionmaking in dependency cases, including, at a minimum, a  
263 face sheet for each case which lists the names and contact  
264 information for any child protective investigator, child  
265 protective investigator supervisor, and the regional department  
266 official responsible for the lead agency contract. The  
267 contracted attorneys shall provide to the court the case  
268 information and recommendations provided by the lead agency or  
269 subcontractor. For the Sixth Judicial Circuit, the department  
270 shall contract with the state attorney for the provision of  
271 these services.

272 (b) The contracted attorneys shall adopt the child welfare



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273 practice model, as periodically updated by the department, that  
274 is used by attorneys employed by the department. The contracted  
275 attorneys shall operate in accordance with the same federal and  
276 state performance standards and metrics imposed on children's  
277 legal services attorneys employed by the department.

278 (c) The department and contracted attorneys providing  
279 children's legal services shall collaborate to monitor program  
280 performance on an ongoing basis. The department and contracted  
281 attorneys, or a representative from such contracted attorneys'  
282 offices, shall meet at least quarterly to collaborate on federal  
283 and state quality assurance and quality improvement initiatives.

284 (d) The department shall conduct an annual program  
285 performance evaluation which shall be based on the same child  
286 welfare practice model principles and federal and state  
287 performance standards that are imposed on children's legal  
288 services attorneys employed by the department. The program  
289 performance evaluation must be standardized statewide and the  
290 department shall select random cases for evaluation. The program  
291 performance evaluation shall be conducted by a team of peer  
292 reviewers from the respective contracted attorneys' offices that  
293 perform children's legal services and representatives from the  
294 department.

295 (e) The department shall publish an annual report  
296 regarding, at a minimum, performance quality, outcome-measure  
297 attainment, and cost efficiency of the services provided by the  
298 contracted attorneys. The annual report must include data and  
299 information on the performance of both the contracted attorneys'  
300 and the department's attorneys. The department shall submit the  
301 annual report to the Governor, the President of the Senate, and



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302 the Speaker of the House of Representatives no later than  
303 November 1 of each year that the contracted attorneys are  
304 receiving appropriations to provide children's legal services  
305 for the department.

306 (25) In collaboration with lead agencies, service  
307 providers, and other community stakeholders, the department  
308 shall develop a statewide accountability system based on  
309 measurable quality standards. The accountability system must be  
310 implemented by July 1, 2021.

311 (a) The accountability system must:

312 1. Assess the overall health of the child welfare system,  
313 by circuit, using grading criteria established by the  
314 department.

315 2. Include a quality measurement system with domains and  
316 clearly defined levels of quality. The system must measure the  
317 performance standards for child protective investigators, lead  
318 agencies, and children's legal services throughout the system of  
319 care, using criteria established by the department, and, at a  
320 minimum, address applicable federal- and state-mandated metrics.

321 3. Align with the principles of the results-oriented  
322 accountability program established under s. 409.997.

323 (b) After the development and implementation of the  
324 accountability system under this subsection, the department and  
325 each lead agency shall use the information from the  
326 accountability system to promote enhanced quality service  
327 delivery within their respective areas of responsibility.

328 (c) By December 1 of each year, the department shall submit  
329 a report on the overall health of the child welfare system to  
330 the Governor, the President of the Senate, and the Speaker of



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331 the House of Representatives.

332 (d) The department may adopt rules to implement this  
333 subsection.

334 (26) Subject to an appropriation, for the 2020-2021 and  
335 2021-2022 fiscal years, the department shall implement a pilot  
336 project in the Sixth and Thirteenth Judicial Circuits,  
337 respectively, aimed at improving child welfare outcomes.

338 (a) In implementing the pilot projects, the department  
339 shall establish performance metrics and performance standards to  
340 assess improvements in safety, permanency, and the well-being of  
341 children in the local system of care for the lead agencies in  
342 those judicial circuits. Such metrics and standards must be  
343 aligned with indicators used in the most recent federal Child  
344 and Family Services Reviews.

345 (b) The lead agencies in the Sixth and Thirteenth Judicial  
346 Circuits shall provide performance data to the department each  
347 quarter. The department shall review the data for accuracy and  
348 completeness and then shall compare the actual performance of  
349 the lead agencies to the established performance metrics and  
350 standards. Each lead agency that exceeds performance metrics and  
351 standards is eligible for incentive funding.

352 (c) For the first quarter of each fiscal year, the  
353 department may advance incentive funding to the lead agencies in  
354 an amount equal to one quarter of the total allocated to the  
355 pilot project. After each quarter, the department shall assess  
356 the performance of the lead agencies for that quarter and adjust  
357 the subsequent quarter's incentive funding based on its actual  
358 prior quarter performance.

359 (d) The department shall include the results of the pilot



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360 projects in the report required under s. 20.19(7). The report  
361 must include the department's findings and recommendations  
362 relating to the pilot projects.

363 (e) This subsection expires July 1, 2022.

364 Section 6. Present subsections (6) and (7) of section  
365 1004.615, Florida Statutes, are renumbered as subsections (9)  
366 and (10), respectively, and new subsections (6) and (7) and  
367 subsection (8) are added to that section, to read:

368 1004.615 Florida Institute for Child Welfare.—

369 (6) The institute and the Florida State University College  
370 of Social Work shall design and implement a curriculum that  
371 enhances knowledge and skills for the child welfare practice.  
372 The institute and the college shall create the curriculum using  
373 interactive and interdisciplinary approaches and include  
374 opportunities for students to gain an understanding of real-  
375 world child welfare cases. The institute shall disseminate the  
376 curriculum to other interested state universities and colleges  
377 and provide implementation support. The institute shall contract  
378 with a person or entity of its choosing, by November 1, 2020, to  
379 evaluate the curriculum and make recommendations for  
380 improvement. The college shall implement the curriculum during  
381 the 2021-2022 school year. This subsection is subject to an  
382 appropriation.

383 (7) The institute, in collaboration with the department,  
384 community-based care lead agencies, providers of case management  
385 services, and other child welfare stakeholders, shall design and  
386 implement a career-long professional development curriculum for  
387 child welfare professionals at all levels and from all  
388 disciplines. The professional development curriculum must



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389 enhance the performance of the current child welfare workforce,  
390 address issues related to retention, complement the social work  
391 curriculum, and be developed using social work principles. The  
392 professional development curriculum shall provide career-long  
393 coaching, training, certification, and mentorship. The institute  
394 must provide the professional support on a continuous basis  
395 through online and in-person services. The professional  
396 development curriculum must be available by July 1, 2021. The  
397 Department of Children and Families must approve the curriculum  
398 prior to implementation. This subsection is subject to an  
399 appropriation.

400 (8) The institute shall establish a consulting program for  
401 child welfare organizations to enhance workforce culture,  
402 supervision, and related management processes to improve  
403 retention, effectiveness, and overall well-being of staff to  
404 support improved child welfare outcomes. The institute shall  
405 select child welfare organizations through a competitive  
406 application process and provide ongoing analysis,  
407 recommendations, and support from a team of experts on a long-  
408 term basis to address systemic and operational workforce  
409 challenges. This subsection is subject to an appropriation.

410 Section 7. The Department of Children and Families, in  
411 collaboration with the Florida Institute of Child Welfare, shall  
412 develop an expanded career ladder for child protective  
413 investigations staff. The career ladder shall include multiple  
414 levels of child protective investigator classifications,  
415 corresponding milestones and professional development  
416 opportunities necessary for advancement, and compensation  
417 ranges. The department must submit a proposal for the expanded



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418 career ladder to the Governor, the President of the Senate, and  
419 the Speaker of the House of Representatives no later than  
420 November 1, 2020.

421  
422 ===== T I T L E A M E N D M E N T =====

423 And the title is amended as follows:

424 Delete lines 5 - 95

425 and insert:

426 department, subject to legislative appropriation, to  
427 establish an Office of Quality; providing duties of  
428 the office; requiring the office to develop and submit  
429 a report to the Governor and the Legislature annually  
430 by a specified date; authorizing the department to  
431 adopt rules; amending s. 402.402, F.S.; deleting  
432 obsolete language; requiring the department to  
433 implement certain policies and programs; expanding  
434 requirements for an annual report required to be  
435 submitted by the department to the Governor and the  
436 Legislature; requiring that attorneys contracted with  
437 the department receive certain training; amending s.  
438 409.988, F.S.; requiring community-based care lead  
439 agencies to identify an employee to serve as a liaison  
440 with the community alliance and community-based and  
441 faith-based organizations; requiring community-based  
442 care lead agencies to ensure that appropriate lead  
443 agency staff and subcontractors are informed of  
444 specified services and assistance; amending s.  
445 409.991, F.S.; defining the term "core services  
446 funds"; requiring the department to develop a





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447 methodology to identify and report the optimal level  
448 of funding for community-based care lead agencies;  
449 providing requirements for the allocation of core  
450 services funds; requiring the Secretary of Children  
451 and Families to submit a report to the Governor and  
452 Legislature annually by a specified date; providing  
453 requirements for such report; authorizing the  
454 department to adopt rules; requiring certain funding  
455 to be allocated based on the department's methodology,  
456 unless otherwise specified in the General  
457 Appropriations Act; amending s. 409.996, F.S.;  
458 deleting a provision requiring the department to  
459 contract with the state attorney for certain services;  
460 authorizing the department to contract for the  
461 provision of children's legal services; providing  
462 requirements for contracted attorneys; requiring the  
463 department and contracted attorneys to collaborate to  
464 monitor program performance; requiring the department  
465 to conduct annual program performance evaluations;  
466 providing requirements for such evaluations; requiring  
467 the department to annually publish a report; providing  
468 requirements for such report; requiring the department  
469 to annually submit such report to the Governor and  
470 Legislature by a specified date; requiring the  
471 department to develop a statewide accountability  
472 system; requiring that such system be implemented by a  
473 specified date; providing requirements for such  
474 accountability system; requiring the department and  
475 lead agencies to promote enhanced quality service



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476 delivery; requiring the department to submit a report  
477 to the Governor and the Legislature annually by a  
478 specified date; authorizing the department to adopt  
479 rules; requiring the department to implement pilot  
480 projects to improve child welfare outcomes in  
481 specified judicial circuits; requiring the department  
482 to establish performance metrics and standards to  
483 implement the pilot projects; requiring lead agencies  
484 in specified judicial circuits to provide certain data  
485 to the department each quarter; requiring the  
486 department to review such data; authorizing the  
487 department to advance incentive funding to certain  
488 lead agencies that meet specified requirements;  
489 requiring the department to include certain results in  
490 a specified report; providing for future expiration;  
491 amending s. 1004.615, F.S.; requiring the Florida  
492 Institute for Child Welfare and the Florida State  
493 University College of Social Work to design and  
494 implement a child welfare practice curriculum;  
495 requiring the institute to disseminate the curriculum  
496 to certain state universities and colleges; requiring  
497 the institute to contract with a person or entity by a  
498 specified date to evaluate the curriculum and make  
499 recommendations for improvement; requiring the college  
500 to implement the curriculum during a specified school  
501 year; requiring the institute, in collaboration with  
502 specified entities and individuals, to design and  
503 implement professional development curriculum for  
504 child welfare professionals; providing requirements



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505 for such curriculum; requiring that such curriculum be  
506 available by a specified date; requiring the  
507 department to approve the curriculum before  
508 implementation; requiring the institute to establish a  
509 consulting program; providing that specified  
510 provisions are subject to an appropriation; requiring  
511 the department, in collaboration with the institute,  
512 to develop a proposal for a career ladder for child  
513 protective investigations staff; providing  
514 requirements for such career ladder; requiring the  
515 department to submit a proposal for such career ladder  
516 to the Governor and the Legislature by a specified  
517 date; providing a short