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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/28/2020	.	
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The Committee on Appropriations (Simpson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Paragraphs (b), (d), and (e) of subsection (5) of section 20.19, Florida Statutes, are amended, and a new subsection (7) is added to that section, to read:

20.19 Department of Children and Families.—There is created a Department of Children and Families.

(5) COMMUNITY ALLIANCES.—



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11 (b) The duties of the community alliance include, but are  
12 not limited to:

13 1. Joint planning for resource utilization in the  
14 community, including resources appropriated to the department  
15 and any funds that local funding sources choose to provide.

16 2. Needs assessment and establishment of community  
17 priorities for service delivery.

18 3. Determining community outcome goals to supplement state-  
19 required outcomes.

20 4. Serving as a catalyst for community resource  
21 development, including, but not limited to, identifying existing  
22 programs and services delivered by and assistance available from  
23 community-based organizations and faith-based organizations, and  
24 encouraging the development and availability of such programs,  
25 services, and assistance by such organizations. The community  
26 alliance shall ensure that the community-based care lead agency  
27 is aware of such programs, services, and assistance and work to  
28 facilitate the lead agency's appropriate use of these resources.

29 5. Providing for community education and advocacy on issues  
30 related to delivery of services.

31 6. Promoting prevention and early intervention services.

32 (d) The ~~initial~~ membership of the community alliance in a  
33 county, at a minimum, must ~~shall~~ be composed of the following:

34 1. A representative from the department.

35 2. A representative from county government.

36 3. A representative from the school district.

37 4. A representative from the county United Way.

38 5. A representative from the county sheriff's office.

39 6. A representative from the circuit court corresponding to



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40 the county.

41 7. A representative from the county children's board, if  
42 one exists.

43 8. A representative of a faith-based organization involved  
44 in efforts to prevent child maltreatment, strengthen families,  
45 or promote adoption.

46 ~~(e) At any time after the initial meeting of the community~~  
47 ~~alliance,~~ The community alliance shall adopt bylaws and may  
48 increase the membership of the alliance to include the state  
49 attorney for the judicial circuit in which the community  
50 alliance is located, or his or her designee, the public defender  
51 for the judicial circuit in which the community alliance is  
52 located, or his or her designee, and other individuals and  
53 organizations who represent funding organizations, are community  
54 leaders, have knowledge of community-based service issues, or  
55 otherwise represent perspectives that will enable them to  
56 accomplish the duties listed in paragraph (b), if, in the  
57 judgment of the alliance, such change is necessary to adequately  
58 represent the diversity of the population within the community  
59 alliance service circuits.

60 (7) OFFICE OF QUALITY.—The department shall establish an  
61 enterprise wide Office of Quality to ensure that the department  
62 and contracted service providers meet the highest levels of  
63 performance standards.

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

66 1. Identifying performance standards and metrics for  
67 department programs and all other service providers, including,  
68 but not limited to, behavioral health managing entities,



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69 community-based care lead agencies, and attorney services.

70 2. Conducting ongoing quality assurance reviews of  
71 department programs and contracted service providers on at least  
72 a quarterly basis using cases randomly selected by the  
73 department.

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

76 4. In consultation with the department's program offices,  
77 recommending unique and varied initiatives to correct  
78 programmatic and systemic deficiencies.

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

81 6. Reporting any persistent failure by the department or  
82 contracted providers to meet performance standards and  
83 recommending corrective actions to the secretary.

84 7. By each December 1, developing and submitting an annual  
85 report to the Governor, the President of the Senate, and the  
86 Speaker of the House of Representatives for the preceding fiscal  
87 year which encompasses all legislatively mandated statewide  
88 reports required to be issued by the department.

89 (b) The department may adopt rules to administer this  
90 subsection.

91 Section 2. Section 409.991, Florida Statutes, is amended to  
92 read:

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

95 409.991 Allocation of funds for community-based care lead  
96 agencies.—

97 (1) As used in this section, the term "core services funds"



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98 means all funds allocated to lead agencies operating under  
99 contract with the department pursuant to s. 409.987, with the  
100 following exceptions:

101 (a) Funds appropriated for independent living services;  
102 (b) Funds appropriated for maintenance adoption subsidies;  
103 (c) Funds allocated by the department for child protective  
104 investigative service training;

105 (d) Nonrecurring funds;  
106 (e) Designated mental health wrap-around service funds;  
107 (f) Funds for special projects for a designated lead  
108 agency; and

109 (g) Funds appropriated for the Guardianship Assistance  
110 Program established under s. 39.6225.

111 (2) The department shall use an objective, workload-based  
112 methodology to identify and report the optimal level of funding  
113 for each lead agency considering demand for each of the  
114 following:

115 (a) Prevention services;  
116 (b) Client services;  
117 (c) Licensed out-of-home care costs; and  
118 (d) Staffing, using the ratio for case managers compared to  
119 the caseload requirements specified in s. 20.19(4)(c)2.

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

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

125 (b) A comparison of the total optimal funding amount to the  
126 actual allocated funding for the most recent fiscal year to



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127 determine the percentage of optimal funding the lead agency is  
128 currently receiving.

129 (4) By November 1 of each year, the secretary must submit a  
130 report to the Governor, the President of the Senate, and the  
131 Speaker of the House of Representatives which includes the  
132 current funding level of each lead agency based on the optimal  
133 funding level as determined by using each lead agency workload  
134 using the department's methodology. The report must identify any  
135 lead agency that is persistently funded at less than the optimal  
136 funding level and recommend strategies to address the shortfall  
137 including, but not limited to, business process redesign, the  
138 adoption of best practices, and requesting additional funding.

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

141 (6) Unless otherwise specified in the General  
142 Appropriations Act, the department shall allocate any new  
143 funding for core services, based on the department's  
144 methodology, to achieve optimal funding for all lead agencies  
145 inversely proportional to each lead agency optimal funding  
146 percentage.

147 (7) Unless otherwise specified in the General  
148 Appropriations Act, the department shall consider a lead  
149 agency's funding level compared to its optimal funding level  
150 when allocating funding from the risk pool, as provided in s.  
151 409.990.

152 Section 3. Subsections (24) and (25) are added to section  
153 409.996, Florida Statutes, to read:

154 409.996 Duties of the Department of Children and Families.-  
155 The department shall contract for the delivery, administration,



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156 or management of care for children in the child protection and  
157 child welfare system. In doing so, the department retains  
158 responsibility for the quality of contracted services and  
159 programs and shall ensure that services are delivered in  
160 accordance with applicable federal and state statutes and  
161 regulations.

162 (24) In collaboration with lead agencies, service  
163 providers, and other community stakeholders, the department  
164 shall develop a statewide accountability system based on  
165 measurable quality standards. The accountability system must be  
166 implemented by July 1, 2021.

167 (a) The accountability system must:

168 1. Assess the overall health of the child welfare system,  
169 by circuit, using grading criteria established by the  
170 department;

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

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

179 (b) After the development and implementation of the  
180 accountability system under this subsection, the department and  
181 each lead agency shall use the information from the  
182 accountability system to promote enhanced quality service  
183 delivery within their respective areas of responsibility.

184 (c) By December 1 of each year, the department shall submit



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185 a report on the overall health of the child welfare system to  
186 the Governor, the President of the Senate, and the Speaker of  
187 the House of Representatives.

188 (d) The department may adopt rules to implement this  
189 subsection.

190 (25) Subject to an appropriation, for the 2020-2021 and  
191 2021-2022 fiscal years, the department shall implement a pilot  
192 project in the Sixth and Thirteenth Judicial Circuits,  
193 respectively, aimed at improving child welfare outcomes.

194 (a) In implementing the pilot projects, the department  
195 shall establish performance metrics and performance standards to  
196 assess improvements in safety, permanency, and the well-being of  
197 children in the local system of care for the lead agencies in  
198 those judicial circuits. Such metrics and standards must be  
199 aligned with indicators used in the most recent federal Child  
200 and Family Services Reviews.

201 (b) The lead agencies in the Sixth and Thirteenth Judicial  
202 Circuits shall provide performance data to the department each  
203 quarter. The department shall review the data for accuracy and  
204 completeness and then shall compare the actual performance of  
205 the lead agencies to the established performance metrics and  
206 standards. Each lead agency that exceeds performance metrics and  
207 standards is eligible for incentive funding.

208 (c) For the first quarter of each fiscal year, the  
209 department may advance incentive funding to the lead agencies in  
210 an amount equal to one quarter of the total allocated to the  
211 pilot project. After each quarter, the department shall assess  
212 the performance of the lead agencies for that quarter and adjust  
213 the subsequent quarter's incentive funding based on its actual





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214 prior quarter performance.

215 (d) The department shall include the results of the pilot  
216 projects in the report required under s. 20.19(7). The report  
217 must include the department's findings and recommendations  
218 relating to the pilot projects.

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

220 Section 4. This act shall take effect upon becoming a law.

221

222 ===== T I T L E A M E N D M E N T =====

223 And the title is amended as follows:

224 Delete everything before the enacting clause

225 and insert:

226

A bill to be entitled

227 An act relating to the Department of Children and  
228 Families; amending s. 20.19, F.S.; revising duties and  
229 membership of community alliances; requiring the  
230 department to establish an Office of Quality;  
231 providing duties of the office; requiring the office  
232 to develop and submit a report to the Governor and the  
233 Legislature annually by a specified date; authorizing  
234 the department to adopt rules; amending s. 409.991,  
235 F.S.; defining the term "core services funds";  
236 requiring the department to develop a methodology to  
237 identify and report the optimal level of funding for  
238 community-based care lead agencies; providing  
239 requirements for the allocation of core services  
240 funds; requiring the Secretary of the Department of  
241 Children and Families to submit a report to the  
242 Governor and Legislature annually by a specified date;



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243 providing requirements for such report; authorizing  
244 the department to adopt rules; requiring certain  
245 funding to be allocated based on the department's  
246 methodology, unless otherwise specified in the General  
247 Appropriations Act; amending s. 409.996, F.S. ;  
248 requiring the department to develop a statewide  
249 accountability system; requiring that such system be  
250 implemented by a specified date; providing  
251 requirements for such accountability system; requiring  
252 the department and lead agencies to promote enhanced  
253 quality service delivery; requiring the department to  
254 submit a report to the Governor and the Legislature  
255 annually by a specified date; authorizing the  
256 department to adopt rules; requiring the department to  
257 implement pilot projects to improve child welfare  
258 outcomes in specified judicial circuits; requiring the  
259 department to establish performance metrics and  
260 standards to implement the pilot projects; requiring  
261 lead agencies in specified judicial circuits to  
262 provide certain data to the department each quarter;  
263 requiring the department to review such data;  
264 authorizing the department to advance incentive  
265 funding to certain lead agencies that meet specified  
266 requirements; requiring the department to include  
267 certain results in a specified report; providing for  
268 future expiration; providing an effective date.