



835096

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

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.—



835096

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



835096

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,



835096

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"



835096

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



835096

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,



835096

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



835096

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



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;



835096

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.