

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 1326

INTRODUCER: Appropriations Committee and Senator Simpson

SUBJECT: Department of Children and Families

DATE: March 2, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hendon</u>	<u>Hendon</u>	<u>CF</u>	Favorable
2.	<u>Sneed</u>	<u>Kidd</u>	<u>AHS</u>	Recommend: Favorable
3.	<u>Sneed</u>	<u>Kynoch</u>	<u>AP</u>	Fav/CS

I. Summary:

CS/SB 1326, also referred to as the “State of Hope Act,” makes several changes to the child welfare programs administered by the Department of Children and Families (DCF or department) to promote accountability and improve program performance. The bill:

- Requires local community alliances to include a representative of a faith-based organization and encourages the involvement of community-based and faith-based organizations in the community system of care. Requires the community-based care lead agencies (CBCs) to assign an employee to serve as a liaison to these organizations.
- Establishes the Office of Quality within the DCF to measure and monitor the performance of internal and contracted operations and recommend initiatives to correct deficiencies.
- Requires the DCF to implement programs to prevent and mitigate the impact of secondary traumatic stress and burnout among child protective investigators (CPIs).
- Revises the CBC funding formula for the allocation of new funding for core services.
- Requires the DCF to report the difference between the CBC’s funding levels and optimal funding levels. Additionally, it requires the DCF to take these differences into account when allocating risk pool funding to CBCs.
- Authorizes the DCF to contract for children’s legal services (CLS) and requires oversight of CLS attorneys under contract with the DCF.
- Requires the DCF to develop a statewide accountability system for child welfare.
- Requires the DCF to implement two 2-year pilot projects to improve child welfare services in the Sixth and Thirteenth judicial circuits.
- Expands the functions of the Florida Institute for Child Welfare (FICW) to inform, train, and engage social work students for a successful career in child welfare and directs the FICW to work with the FSU College of Social Work to redesign the social work curriculum to enable students to learn from real-world child welfare cases.
- Directs the DCF, in collaboration with the FICW, to develop an expanded career ladder for CPIs.

- Directs the FICW, subject to an appropriation, to design and implement a career long professional development curriculum for child welfare professionals by July 1, 2021.

The bill appropriates to the DCF \$8,235,052 of recurring funds from the General Revenue Fund for the judicial circuit pilot projects, and \$5,350,000 of recurring funds from the General Revenue Fund and associated salary rate for up to 125 currently authorized positions for the establishment of the Office of Quality.

The bill takes effect upon becoming a law.

II. Present Situation:

Florida's Child Welfare System

Chapter 39, F.S., creates the dependency system charged with protecting child welfare. Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline (hotline) and child protective investigations. The Department of Children and Families (DCF or department) and community-based care lead agencies (CBCs) work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children.

The DCF's practice model is based on the safety of the child within his or her home, using in-home services such as parent coaching and counseling to maintain and strengthen that child's natural supports in his or her environment. The DCF contracts for case management, out-of-home services, and related services with CBCs. The transition to outsourced provision of child welfare services is intended to increase local community ownership of service delivery and design. CBCs contract with a number of subcontractors for case management and direct care services to children and their families. There are 17 CBCs statewide, which together serve the state's 20 judicial circuits.

The DCF remains responsible for a number of child welfare functions, including operating the hotline, performing child protective investigations, and providing children's legal services.¹ Ultimately, the DCF is responsible for program oversight and the overall performance of the child welfare system.²

Community Alliances

In 2000, the Legislature amended s. 20.19, F.S., to include community alliances as an element of the state's community-based care child welfare system. Section 20.19(5), F.S., requires DCF to work with local communities to establish a community alliance or similar group of stakeholders, community leaders, client representatives and funders of human services in each county to provide a focal point for community participation and governance of community-based services.

The community alliances:

- Plan resource utilization in the community, including DCF and local funding;

¹ OPPAGA, report 06-50

² *Id.*

- Assess needs and establish community priorities for service delivery;
- Determine community outcome goals to supplement state-required outcomes;
- Serve as a catalyst for community resource development;
- Provide community education and advocacy on delivery of services; and
- Promote prevention and early intervention services.³

Initially, community alliances must include members from:

- DCF;
- County government;
- The school district;
- The county United Way;
- The county sheriff's office;
- The circuit court corresponding to the county; and
- The county children's board, if one exists.⁴

After the initial meeting of the community alliance, it may increase its membership to include the state attorney for the judicial circuit, the public defender, and other individuals who represent funding organizations, are community leaders, have knowledge of community-based service issues, or represent perspectives that will enable them to accomplish the duties of the community alliances.⁵

The community alliances are a central point for community input and collaboration and build on the community-based care model of building partnerships in the community to affect the outcomes, quality effectiveness, and efficiency of services. The role of the community alliances is to encourage community involvement to influence outcomes for children and their families.⁶

Community-Based and Faith-Based Organizations

Community-based and faith-based organizations have a history of providing assistance for those in need in their local communities. Florida has recognized these organizations could assist the work of the state. In 2004, Governor Bush signed an Executive Order⁷ creating the Governor's Faith-Based and Community-based Advisory Board, and, in 2006, the Legislature codified the advisory board in statute as the Florida Faith-based and Community-based Advisory Council (council). The purpose of the council is to advise the Governor and the Legislature on policies, priorities, and objectives for the state's effort "to enlist, equip, empower, and expand the work of faith-based, volunteer, and other community organizations to the full extent permitted by law."⁸ Past activities of the council have included promoting Florida's efforts to strengthen systems to better recruit families to meet the needs of children and youth awaiting adoption by providing

³ Section 20.19(5)(b), F.S.

⁴ Section 20.19(5)(d), F.S.

⁵ *Id.*

⁶ Department of Children and Families, *Community Alliances Resource Handbook*, (December 2000).

⁷ Executive Order No. 04-245, November 18, 2004. This Executive Order was amended by Executive Order No. 05-24, February 1, 2005, which incorporated by reference all of the first order, extended the time for a written report of the advisory board, and provided a January 1, 2007, expiration date for the order.

⁸ Section 14.31, F.S.

information to and assisting faith-based and community-based groups in their efforts to match families with children and youth awaiting adoption.

Currently, the community alliances are not statutorily mandated to identify existing programs and services delivered by community-based and faith-based organizations, nor are they encouraged to develop and make available such programs and services by these organizations. Additionally, current law does not mandate that the initial membership of the community alliances include a representative of a faith-based organization involved in providing services to strengthen families and protect child-welfare.

Child Protective Investigations

A child protective investigation begins with a report by any person to the Florida Abuse Hotline. The state is required to maintain a 24/hour, 7/day capacity for receiving reports of maltreatments. The reports are sent out to child protective investigators (CPIs) across the state to investigate.

The CPI receiving the report is most commonly a department employee, but in seven counties the local sheriff's office performs the investigative function. There are currently 1,789 positions within the department and Sheriff's Offices to conduct child abuse investigations.⁹

Court hearings are required whenever a child is removed from his or her home. The attorneys in these cases are either department employees or employees of the Attorney General's Office under contract to the department or, in one case, the state attorney's office in the 6th circuit (Pinellas and Pasco Counties).

The lead agencies and their subcontractors are the primary providers of services to children and families in the child welfare system. There are currently 17 CBCs with contracts covering all 20 judicial circuits.¹⁰ The CBCs and their subcontractors employ case managers to oversee the provision of services to children in the child welfare system. Many of the services are not directly provided by the CBCs or the case management subcontractors, but are provided by health care, substance abuse, mental health, and other specialized community based providers.

Child Protective Investigators

Career Advancement

The DCF attempted to create a type of career advancement incentive in 2017 with the implementation of the Child Protection Glide Path. The Glide Path was to increase recruitment and retention of critical staff positions by allowing CPIs to demonstrate specific skills and core competencies associated with their class title to achieve a competency-based increase in salary.¹¹

⁹ The Department of Children and Families, SB 1326 Bill Analysis, January 14, 2020. On file with the Senate Committee on Children, Families and Elder Affairs.

¹⁰ The Department of Children and Families website, available at: https://www.myflfamilies.com/service-programs/community-based-care/docs/lead_agency_map.pdf (last visited January 17, 2020).

¹¹ Florida Department of Children and Families, *Child Protective Investigator and Child Protective Supervisor Educational Qualifications, Turnover, and Working Conditions Status Report*, October 1, 2019, available at: <http://www.centerforchildwelfare.org/kb/LegislativeMandatedRpts/CPI%20SuperCPI%20and%20CPI%20Supervisor%20%20Workforce%202019%20.docx.pdf> (last visited January 26, 2020).

The Child Protection Glide Path divided CPI positions into five class titles with CPI class title having three salary levels based on skills and core competencies achieved. However, in June 2019, the DCF discontinued the Child Protection Glide Path for a new Career Path initiative designed to increase employee satisfaction and retention.

Education Qualifications

In 2014, the Legislature passed a bill mandating the DCF to recruit qualified professional staff and required DCF to make every effort to recruit and hire social workers. The DCF was required to set a goal of having at least half of all CPIs and CPI supervisors with a bachelor's degree or master's degree in social work from a college or university social work program accredited by the Council on Social Work Education by July 1, 2019. Florida has made little progress in achieving this goal. In 2018, 15 percent of CPIs held a degree in social work; that decreased to 13 percent at June 30, 2019.¹²

Turnover and Vacancies

The DCF has had a high turnover for CPIs for a number of years. The turnover rate for all CPI positions during the past two years has averaged around 37 percent,¹³ with the highest turnover occurring in entry-level CPI positions with an average turnover rate of 48 percent. High staff turnover puts vulnerable children at risk for recurrence of abuse, neglect, or abandonment and hinders timely intervention and permanency. When investigator positions are vacant or newly-hired investigators have reduced caseloads, the remaining staff must carry higher caseloads, which leads to burnout from workload and reduces the time and attention the CPI can provide to each case. Additionally, staff turnover costs the state money because of the associated expenses of training and onboarding new staff.

Sheriff's Offices that Conduct Child Protective Investigations

The DCF is authorized to enter into contracts with county sheriffs for the provision of child protective investigations.¹⁴ Sheriff's offices in seven counties are currently responsible for performing child protective investigations: Broward, Hillsborough, Manatee, Pasco, Pinellas, Seminole, and Walton. The sheriffs are funded by the DCF through grants. While s. 39.3065, F.S., specifically tasks four sheriff's offices to provide these services, all seven receive funding through the General Appropriations Act (GAA) to conduct child protective investigations. For the 2019-2020 fiscal year, a total of \$57,673,013 was appropriated to the DCF to provide for the grants to the seven county sheriff's offices.¹⁵

DCF has limited involvement in the quality assurance process for sheriff-provided child investigative services, despite DCF remaining ultimately responsible for that function. For instance, the sheriff's offices performing child protective investigations themselves report

¹² Florida Department of Children and Families, Office of Child Welfare, *Child Protective Investigators and Supervisors with a Social Work Degree – Statewide*, available at: <https://www.myflfamilies.com/programs/childwelfare/dashboard/education.shtml> (last visited Jan. 27, 2020).

¹³ *Supra* note 11.

¹⁴ Section 39.3065, F.S.

¹⁵ Specific Appropriation 315, General Appropriations Act, Chapter 2019-115, Laws of Fla.

metrics and provide data through the central system of record.¹⁶ While s. 39.3065(3)(d), F.S., requires a peer review for the sheriffs' program performance evaluation that involves both DCF and the sheriffs, the team's membership is largely sheriff's office representatives (composed of five or six sheriff's representatives and two DCF representatives¹⁷). This peer review team identifies closed investigations for the review and develops the approach for the review, which assesses compliance with statutory requirements, quality of investigations, safety decisions, and safety actions implemented throughout the life of the case.¹⁸

Although sheriffs providing child protective investigations are required by the grant agreement to act in accordance with state and federal law, no statutory mandate imposes the same procedures, policies, and outcomes on the sheriffs as are imposed on the DCF's CPIs. The DCF tracks the work of its CPIs through a CPI scorecard on its Child Welfare Dashboard.¹⁹ The CPI scorecard is used to measure the standards of the child protective investigations across the state, considering six measures²⁰ to ensure investigations are providing successful outcomes for children and families.²¹ The information on the sheriffs providing child protective investigations is limited on DCF's CPI scorecard due to limitations of data collection specified in their grant agreements.²²

Secondary Traumatic Stress in Child Welfare Professionals

Secondary traumatic stress and burnout from job-related activities is a leading cause for high turnover in the child welfare profession. Secondary traumatic stress is the emotional duress when an individual hears about firsthand trauma in the experiences of another.²³ Child welfare professionals engage daily with people who have experienced trauma. Case managers and CPIs hear about the abuse and neglect children have suffered, and the act of listening to traumatic stories can take an emotional toll that compromises a worker's professional and personal life.²⁴ Given the nature of the work in which child welfare professionals engage, they are at a high risk of developing secondary traumatic stress. Studies have shown that secondary traumatic stress predicts whether a professional will leave the field for another line of work.

¹⁶ *Supra* note 9.

¹⁷ Florida Department of Children and Families, *Florida Sheriffs Performing Child Protective Investigations, Annual Program Performance Evaluation Report, Fiscal Year 2107-2018*, available at: https://www.myflfamilies.com/service-programs/child-welfare/docs/2018LMRs/SO%20Annual%20Peer%20Review%20DCF%20Report%202017_2018.pdf (last visited January 26, 2020).

¹⁸ *Id.*

¹⁹ Florida Department of Children and Families, Office of Child Welfare, *CPI Scorecard*, available at: <https://www.myflfamilies.com/programs/childwelfare/dashboard/cpi-scorecard.shtml> (last visited January 24, 2020).

²⁰ These measures include alleged victims seen within 24 hours, child protective investigations and supervisors with social work degrees, child protective investigators with more than 20 open investigations, investigations commenced within 24 hours, investigations that had an initial supervisory consultation within 5 days, and retention of child protective investigators.

²¹ *Supra* note 19.

²² *Id.*

²³ The National Child Traumatic Stress Network, *Secondary Traumatic Stress: A Fact Sheet for Child-Serving Professionals*, https://www.nctsn.org/sites/default/files/resources/fact-sheet/secondary_traumatic_stress_child_serving_professionals.pdf (last visited January 24, 2020).

²⁴ *Id.*

Children's Legal Services

DCF directly or through contract provides attorneys to prepare and present cases in dependency court and ensures attorneys provide the court with adequate information for informed decision-making in dependency cases.²⁵ Children's Legal Services (CLS) represents the state during dependency cases governed by ch. 39, F.S. CLS attorneys advocate for the safety, well-being, and permanency of Florida's abused, abandoned, and neglected children. CLS attorneys often become involved in the case when a CPI seeks to remove a child from an unsafe home. The attorneys work with case management services to ensure families receive necessary services to alleviate unsafe conditions in the home so a child can be reunited with his or her parents. CLS attorneys carry multiple cases and must ensure state and federal legal requirements are met.²⁶

Section 409.996(17), F.S., directs the DCF to contract with the state attorney in the Sixth Judicial Circuit for the provision of children's legal services.²⁷ The Attorney General provides children's legal services in Hillsborough and Broward Counties.²⁸ Currently, the DCF provides minimal qualitative oversight of contracted attorneys that deliver children's legal services.²⁹

Child Welfare Accountability

Section 409.996 (18), F.S., requires the department, in consultation with the CBCs, to establish a quality assurance program for contracted services to dependent children. The quality assurance program must be based on standards established by federal and state law and national accrediting organizations.

Section 409.997(2), F.S., established the Child Welfare Results-Oriented Accountability Program. The department, the CBCs, and the CBC subcontractors share the responsibility for achieving the outcome goals specified in s. 409.986(2), F.S. The purpose of the results-oriented accountability program is to monitor and measure the use of resources, the quality and amount of services provided, and child and family outcomes. The program includes data analysis, research review, and evaluation. The program is to produce an assessment of individual entities' performance, as well as the performance of groups of entities working together on a local, regional, and statewide basis to provide an integrated system of care. Data analyzed and communicated through the accountability program is to inform the department's development and maintenance of an inclusive, interactive, and evidence-supported program of quality improvement that promotes individual skill building as well as organizational learning.

²⁵ Section 409.996, F.S.

²⁶ Florida Department of Children and Families, *Children's Legal Services*, available at: <https://www.myflfamilies.com/service-programs/childrens-legal-services/about-us.shtml> (last visited January 25, 2020).

²⁷ *Id.*

²⁸ Florida Department of Children and Families, *A Comprehensive, Multi-Year Review of the Revenues, Expenditures, and Financial Position of All Community-Based Care Lead Agencies with System of Care Analysis*, available at: http://www.centerforchildwelfare.org/kb/LegislativeMandatedRpts/Comprehensive_Review_of_Revenues_Expenditures_...pdf (last visited January 28, 2020).

²⁹ *Supra* note 19.

Community Based Care Funding Formula

Section 409.991, F.S., provides the basis for allocating funds for CBCs and defines the differences between “core services funds” and other specific appropriations that may be provided to CBCs. The core services funds are currently allocated through the equity allocation model.³⁰ The law defines the three components of the model: proportion of children in the population, proportion of Hotline workload, and proportion of children in care. This method supports per child funding inequities by establishing that 100 percent of recurring core funding is based upon the fiscal year 2014-2015 recurring base of core funding.³¹ The equity allocation model is only applied to new funding that is appropriated to the system of care. The statute further establishes that 70 percent of any new funding for the system of care is shared by all CBCs and 30 percent of any new funds will be allocated among CBCs funded below their equitable share.

Because the core services funding for each CBC was established based upon the total expenditures by the DCF when the CBCs were created, significant core funding inequities have been institutionalized into the system of care. Since 2006, the “per child in care funding” varies as much as 2:1, from the highest to lowest funded CBC. The lack of equitable funding has led to the creation of risk pool funding, contract amendments, and specific mid-year appropriations to address current year deficits in multiple CBCs. Over the last five fiscal years, the Legislature has appropriated an additional \$95 million in nonrecurring funds, or about \$19 million annually, to address these operational shortfalls. Additionally, when the DCF has reprocured services in these districts, more than half of the markets were essentially non-competitive. According to the DCF, in eight of the last 19 solicitations, only one provider bid on services for a district service area. These districts represent 52 percent of the population of Florida. The perceived underfunding of the CBCs has constrained the DCF’s efforts to hold the CBCs accountable for performance and improvement, and to competitively procure for the best providers available.³²

Florida Institute for Child Welfare

In 2014, the Legislature established the Florida Institute for Child Welfare (FICW) at the Florida State University College of Social Work. The Legislature created the FICW to provide research and evaluation that contributes to a more sustainable, accountable, and effective child welfare system. The purpose of the FICW is to advance the well-being of children and families by improving the performance of child protection and child welfare services through research, policy analysis, evaluation, and leadership development.³³ The FICW is required to:

- Maintain a program of research contributing to the scientific knowledge related to child safety, permanency, and child and family well-being.
- Advise the DCF and other organizations about scientific evidence regarding child welfare practice, as well as management practices and administrative processes.
- Assess performance of child welfare services based on specified outcome measures.
- Evaluate training requirements for the child welfare workforce and the effectiveness of training.

³⁰ Section 409.991(b), F.S.

³¹ Department of Children and Families, SB 1326 Bill Analysis, January 14, 2020. On file with the Senate Committee on Children, Families and Elder Affairs.

³² *Id.*

³³ Section 1004.615, F.S.

- Develop a program of training and consulting to assist organizations with employee retention.
- Identify and communicate effective policies and promising practices.
- Recommend improvements in the state's child welfare system.
- Submit annual reports to the Governor and Legislature.

The FICW sponsors and supports interdisciplinary research projects and program evaluation initiatives that contribute to a knowledge relevant to enhancing Florida's child welfare outcomes. Additionally, the FICW is tasked with establishing new partnerships and strengthening existing relationships with research and policymakers around the state through an affiliate network, CBCs, service providers, and other entities. The affiliate network is made up of 14 public and private universities with accredited degrees in social work.³⁴ In 2017, the FICW expanded its affiliate network to include research affiliates,³⁵ and there are now over 50 research faculty affiliates.³⁶

III. Effect of Proposed Changes:

Section 1 amends s. 20.19, F.S., relating to local community alliances, to require community alliances to include a representative of a faith-based organization and encourage the development and availability of community-based and faith-based organizations in the community system of care. The bill also establishes the Office of Quality within the DCF. The purpose of the Office of Quality is to ensure the DCF and contract service providers meet the highest levels of performance standards. The Office will:

- Conduct ongoing quality assurance reviews of department programs and contract service providers, at least quarterly, using randomly selected cases.
- Strengthen the departments' data and its analytic capabilities to identify systemic strengths and deficiencies.
- Recommend initiatives to correct program and system deficiencies;
- Collaborate with the department's partners to improve quality, efficiency and effectiveness;
- Report any persistent failures by the department to meet performance standards and recommend corrective actions provided under the bill; and
- By December 1, report to the Governor and Legislature, for the preceding fiscal year which encompasses all legislatively mandated statewide reports required to be issued by the department.

Section 2 amends s. 402.402, F.S. relating to child protection and child welfare staff, including attorneys who handle child welfare cases, and requires the DCF to implement policies and programs that mitigate and prevent the effects of secondary traumatic stress and burnout among CPI staff, including:

³⁴ Florida Institute for Child Welfare at Florida State University, *FY 2018-2019 Annual Report*, October 1, 2019, available at: https://issuu.com/fsuchildwelfare/docs/annual_report_2018-2019_final (last visited March 2, 2020).

³⁵ *Id.*

³⁶ Florida Institute for Child Welfare, *Affiliate Directory*, September 2019, available at: <https://ficw.fsu.edu/affiliates> (last visited March 2, 2020).

- Initiatives to encourage and inspire CPI staff, including recognizing their achievements on a recognition wall within their unit.
- Formal procedures for providing support to CPI staff after a critical incident has occurred such as a child fatality.
- Initial training upon appointment to a supervisory position and annual continuing education for supervisors on how to prevent secondary traumatic stress and burnout among their employees.
- Monitoring levels of secondary traumatic stress and burnout among individual employees.
- Ongoing training in self-care for all CPI staff.
- Report on CPI professional advancement in the department's annual required report on *Child Protective Investigators and Supervisors*.

The DCF is authorized to provide support programs such as formal peer counseling and other programs to reduce the effects of secondary traumatic stress and burnout among CPI staff.

The bill also requires the attorneys in the Sixth Judicial Circuit and the Attorney General's Office that provide children's legal services (CLS) in Hillsborough and Broward Counties to receive the same training within the first six months of employment as required of DCF-employed CLS attorneys.

Section 3 amends s. 409.988, relating to lead agency duties, requiring a CBC to identify an employee to serve as a liaison with the community alliance and community-based and faith based organizations interested in volunteering services or other assistance to the children and families served by the CBC.

Section 4 amends s. 409.991, F.S., relating to the allocation of funds for CBCs, requiring the DCF (unless otherwise specified in the General Appropriations Act), to allocate new funding received for CBC core services using an objective, workload-based methodology. The DCF may develop the methodology in rule. The purpose of developing the new methodology is to determine the optimal funding level for the CBCs by taking into account the following workload components:

- Prevention services;
- Client services;
- Licensed out-of-home care costs; and
- Staffing, by using a ratio for case managers compared to the caseload requirements specified in s. 20.19(4)(c)2., F.S.³⁷

By using the new methodology the DCF will be able to compare the optimal funding level to the actual allocated funding for the most recent fiscal year and determine the percentage of optimal funding each CBC is receiving. The new methodology will allocate new core services funding in a manner inversely proportional to each CBCs optimal funding percentage.

³⁷ Section 20.19(4)(c)2., F.S., provides that case manager caseloads do not exceed the Child Welfare League Standards by more than two cases.

Additionally, the DCF must consider (unless otherwise specified in the General Appropriations Act), a CBC's funding level compared to its optimal funding level when allocating risk pool³⁸ funding.

A report is due from the DCF by November 1 of each year to the Governor and Legislature that:

- Includes the current funding level and the optimal funding level for each CBC.
- Identifies any CBC that is persistently funded at less than the optimal funding level.
- Provides recommended strategies to address the shortfall, including, but not limited to, business process redesign, the adoption of best practices, and requests for additional funding.

Section 5 amends s. 409.996, F.S., relating to the duties of the department in the community based care system for child welfare. The bill provides new accountability measures in the areas of the state where the department contracts for legal services for child welfare. The bill requires the contracted attorneys to use the Florida's Child Welfare Practice Model. Program performance evaluations are to be conducted on an ongoing basis using criteria developed by the department. The evaluation must be conducted by a team of peer reviewers and use a random sample of cases. The department must report each November 1 to the Governor and Legislature on the performance of contracted attorneys providing children's legal services on behalf of the department.

The bill also requires the DCF to develop a statewide accountability system based on measurable quality standards. The DCF must implement the accountability system by July 1, 2021. The system must:

- Assess the overall health of the child welfare system, by circuit, using a grading criteria established by the department.
- Include a quality measurement system with domains and clearly defined levels of quality that measures performance standards for CPIs, CBCs, and CLS services, using criteria established by the department. The criteria must address applicable federal- and state-mandated metrics.
- Align with the principles of the results-oriented accountability program established under s. 409.997, F.S.

The DCF and CBCs will use the information from the accountability system to improve service delivery. The department must report each December 1 to the Governor and Legislature on the overall health of the state's child welfare system. The DCF is provided rulemaking authority to implement the statewide accountability system.

Subject to an appropriation for the 2020-2021 and 2021-2022 fiscal years, the DCF will implement 2-year pilot projects in the Sixth (Pasco and Pinellas) and Thirteenth (Hillsborough) judicial circuits for the purpose of improving child welfare outcomes in these areas. To implement the pilot projects, the DCF must:

- Establish performance metrics and performance standards for the two CBCs.
- Provide incentive funds to the CBCs for these circuits if they exceed performance standards.
- Submit a report each year through June 30, 2022.

³⁸ Section 409.990, F.S.

The bill appropriates recurring funds to the DCF to provide for the incentive funding for these pilot projects.

Section 6 amends s. 1004.615, F.S., relating to the Florida Institute for Child Welfare (FICW), to expand the functions of the institute to inform, train, and engage social work students for a successful career in child welfare. The bill directs the FICW to work with the FSU College of Social Work to redesign the social work curriculum to enable students to learn from real-world child welfare cases. The bill also requires the DCF to work with the FICW to develop an expanded career ladder for CPIs. Additionally, subject to an appropriation, the FICW is required to develop, in collaboration with the DCF, the CBCs, case management service providers, and other child welfare stakeholders, a career long professional development curriculum for child welfare professionals by July 1, 2021.

Section 7 directs the DCF, in collaboration with the FICW, to develop an expanded career ladder for CPIs. The department must submit the career ladder proposal to the Governor and Legislature by November 1, 2020.

Section 8 appropriates recurring funds to the DCF from the General Revenue Fund of \$8,235,052 for incentive funding for the pilot projects in the Sixth and Thirteenth judicial circuits. Additionally, the bill appropriates \$5,350,000 to the department for the establishment of the Office of Quality. The bill authorizes additional salary rate of 2,907,885 to DCF and allows the department to reassign up to 125 currently authorized positions to implement the Office of Quality in accordance with the budget amendment provisions in ch. 216, F.S.

Section 9 names Sections 1, 2, and 3 in the bill the “State of Hope Act.”

Section 10 provides the bill is effective upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The CBCs will need to assign an employee to serve as a liaison to local community alliances and community-based and faith-based organizations to encourage involvement in the community system of care. The requirement is expected to have a minimal fiscal impact on the CBC expenditures.

C. Government Sector Impact:

The bill appropriates \$8,235,052 in recurring funds from the General Revenue Fund to the DCF for the pilot projects for the Sixth and Thirteenth judicial circuits and \$5,350,000 in recurring funds from the General Revenue Fund for the establishment of the Office of Quality. The bill also authorizes additional salary rate of 2,907,885 and allows the department to submit a budget amendment to reassign up to 125 currently authorized positions for the Office of Quality.

The bill expands the functions of the Florida Institute for Child Welfare (FICW) to inform, train, and engage social work students for a successful career in child welfare and directs the FICW to work with the FSU College of Social Work to redesign the social work curriculum to enable students to learn from real-world child welfare cases. The bill directs the FICW to collaborate with the DCF on the development of an expanded career ladder for CPIs.

Additionally, the bill directs the FICW, subject to an appropriation, to design and implement a career long professional development curriculum for child welfare professionals at all levels and from all disciplines by July 1, 2021. The cost for the FICW to develop and implement a social work training curriculum for all child welfare professionals is indeterminate, but potentially significant. The bill does not provide an appropriation to the FICW.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.19, 402.402, 409.988, 409.991, 409.996, and 1004.615.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations on February 27, 2020:

The committee substitute:

- Removes the provision on the Differential Response initiative for child abuse reporting.
- Removes the requirement for sheriff offices to adopt the Child Welfare Practice Model and implement child abuse prevention plans.
- Removes the sections relating to behavioral health managing entities.
- Removes provisions relating to a grading system for the managing entities.
- Requires local community alliances to include a member of a faith-based organization and requires the community-based care lead agencies (CBCs) to assign an employee to serve as a liaison with community-based and faith-based organizations.
- Creates the “Office of Quality” rather than the “Office of Quality Assurance and Improvement” within the DCF and:
 - Removes the requirement for the Office to analyze DCF’s compliance with state and federal laws and regulations, and
 - Requires the Office to report annually to the Governor and Legislature and attach all legislatively mandated statewide reports issued by the DCF for the prior fiscal year.
- Revises the CBC funding methodology for the allocation of new funding for core services. The bill directs the DCF to develop the methodology.
- Requires the DCF to compute the optimal funding levels for the CBCs based on the following workload components.
 - Prevention services,
 - Client services,
 - Licensed out-of-home care costs, and
 - Staffing costs.
- Directs the DCF to take into account whether a CBC is above or below the optimal funding amount when allocating the new funding. The new funding should be inversely proportional to the optimal funding level.
- Requires the DCF to report annually to the Governor and Legislature a comparison of CBC funding to optimal funding levels.
- Requires the DCF to take into account whether a CBC is above or below the optimal funding level when allocating risk pool funding.
- Requires the DCF to develop and implement a statewide accountability system by July 1, 2021.

- Creates child welfare performance incentive pilot projects for the CBCs serving the Sixth (Pinellas and Pasco) and Thirteenth (Hillsborough) Judicial Circuits. To implement the pilot projects which expire June 30, 2022, the DCF must:
 - Establish performance metrics and performance standards for the two CBCs.
 - Provide incentive funds to the CBCs in the pilot areas that exceed performance standards.
 - Report on the pilot projects each year.
- Provides that Sections 1, 2, and 3 of the bill may be cited as the “State of Hope Act.”
- Changes the effective date of the bill to “upon becoming a law.”

B. Amendments:

None.