By the Committee on Appropriations; and Senator Simpson

A bill to be entitled

576-04302-20

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2 An act relating to the Department of Children and 3 Families; amending s. 20.19, F.S.; revising duties and 4 membership of community alliances; requiring the 5 department to establish an Office of Quality; 6 providing duties of the office; requiring the office 7 to develop and submit a report to the Governor and the 8 Legislature annually by a specified date; authorizing 9 the department to adopt rules; amending s. 402.402, 10 F.S.; deleting obsolete language; requiring the 11 department to implement certain policies and programs; 12 expanding requirements for an annual report required 13 to be submitted by the department to the Governor and the Legislature; requiring that attorneys contracted 14 15 with the department receive certain training; amending s. 409.988, F.S.; requiring community-based care lead 16 17 agencies to identify an employee to serve as a liaison 18 with the community alliance and community-based and 19 faith-based organizations; requiring community-based 20 care lead agencies to ensure that appropriate lead 21 agency staff and subcontractors are informed of 22 specified services and assistance; amending s. 23 409.991, F.S.; defining the term "core services 24 funds"; requiring the department to develop a 25 methodology to identify and report the optimal level of funding for community-based care lead agencies; 2.6 27 providing requirements for the allocation of core 28 services funds; requiring the Secretary of Children 29 and Families to submit a report to the Governor and

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30Legislature annually by a specified date; providing31requirements for such report; authorizing the32department to adopt rules; requiring certain funding33to be allocated based on the department's methodology,34unless otherwise specified in the General35Appropriations Act; amending s. 409.996, F.S.;36deleting a provision requiring the department to37contract with the state attorney for certain services;38authorizing the department to contract for the39provision of children's legal services; providing40requirements for contracted attorneys to collaborate to41department and contracted attorneys to collaborate to42monitor program performance; requiring the department43to conduct annual program performance evaluations;44providing requirements for such evaluations; requiring45the department to annually publish a report; providing46requirements for such report; requiring the department47to annually submit such report to the Governor and48Legislature by a specified date; requiring the49department to develop a statewide accountability50system; requiring that such system be implemented by a51specified date; providing requirements for such52accountability system; requiring the department and53lead agencies to promote enhanced quality service54delivery; requiring the department to submit a report55to the Governor and the Legislature a		576-04302-20 20201326c1
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	55	to the Governor and the Legislature annually by a
57 rules; requiring the department to implement pilot	56	specified date; authorizing the department to adopt
	57	rules; requiring the department to implement pilot
58 projects to improve child welfare outcomes in	58	projects to improve child welfare outcomes in

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59	specified judicial circuits; requiring the department
60	to establish performance metrics and standards to
61	implement the pilot projects; requiring lead agencies
62	in specified judicial circuits to provide certain data
63	to the department each quarter; requiring the
64	department to review such data; authorizing the
65	department to advance incentive funding to certain
66	lead agencies that meet specified requirements;
67	requiring the department to include certain results in
68	a specified report; providing for future expiration;
69	amending s. 1004.615, F.S.; requiring the Florida
70	Institute for Child Welfare and the Florida State
71	University College of Social Work to design and
72	implement a child welfare practice curriculum;
73	requiring the institute to disseminate the curriculum
74	to certain state universities and colleges; requiring
75	the institute to contract with a person or entity by a
76	specified date to evaluate the curriculum and make
77	recommendations for improvement; requiring the college
78	to implement the curriculum during a specified school
79	year; requiring the institute, in collaboration with
80	specified entities and individuals, to design and
81	implement professional development curriculum for
82	child welfare professionals; providing requirements
83	for such curriculum; requiring that such curriculum be
84	available by a specified date; requiring the
85	department to approve the curriculum before
86	implementation; requiring the institute to establish a
87	consulting program; providing that specified

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88	provisions are subject to an appropriation; requiring
89	the department, in collaboration with the institute,
90	to develop a proposal for a career ladder for child
91	protective investigations staff; providing
92	requirements for such career ladder; requiring the
93	department to submit a proposal for such career ladder
94	to the Governor and the Legislature by a specified
95	date; providing appropriations; providing a short
96	title; providing an effective date.
97	
98	Be It Enacted by the Legislature of the State of Florida:
99	
100	Section 1. Paragraphs (b) and (d) of subsection (5) of
101	section 20.19, Florida Statutes, are amended, and subsection (7)
102	is added to that section, to read:
103	20.19 Department of Children and FamiliesThere is created
104	a Department of Children and Families.
105	(5) COMMUNITY ALLIANCES.—
106	(b) The duties of the community alliance include, but are
107	not limited to:
108	1. Joint planning for resource utilization in the
109	community, including resources appropriated to the department
110	and any funds that local funding sources choose to provide.
111	2. Needs assessment and establishment of community
112	priorities for service delivery.
113	3. Determining community outcome goals to supplement state-
114	required outcomes.
115	4. Serving as a catalyst for community resource
116	development, including, but not limited to, identifying existing

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117	programs and services delivered by and assistance available from
118	community-based organizations and faith-based organizations, and
119	encouraging the development and availability of such programs,
120	services, and assistance by such organizations. The community
121	alliance shall ensure that the community-based care lead agency
122	is aware of such programs, services, and assistance and work to
123	facilitate the lead agency's appropriate use of these resources.
124	5. Providing for community education and advocacy on issues
125	related to delivery of services.
126	6. Promoting prevention and early intervention services.
127	(d) The initial membership of the community alliance in a
128	county, at a minimum, must shall be composed of the following:
129	1. A representative from the department.
130	2. A representative from county government.
131	3. A representative from the school district.
132	4. A representative from the county United Way.
133	5. A representative from the county sheriff's office.
134	6. A representative from the circuit court corresponding to
135	the county.
136	7. A representative from the county children's board, if
137	one exists.
138	8. A representative of a faith-based organization involved
139	in efforts to prevent child maltreatment, strengthen families,
140	or promote adoption.
141	(7) OFFICE OF QUALITY.—The department shall establish an
142	enterprise-wide Office of Quality to ensure that the department
143	and contracted service providers meet the highest levels of
144	performance standards.
145	(a) Duties of the office include, but are not limited to,

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146	all of the following:
147	1. Identifying performance standards and metrics for
148	department programs and all other service providers, including,
149	but not limited to, behavioral health managing entities,
150	community-based care lead agencies, and attorney services.
151	2. Conducting ongoing quality assurance reviews of
152	department programs and contracted service providers on at least
153	a quarterly basis using cases randomly selected by the
154	department.
155	3. Strengthening the department's data and analytic
156	capabilities to identify systemic strengths and deficiencies.
157	4. In consultation with the department's program offices,
158	recommending unique and varied initiatives to correct
159	programmatic and systemic deficiencies.
160	5. Collaborating and engaging partners of the department to
161	improve service quality, efficiency, and effectiveness.
162	6. Reporting any persistent failure by the department or
163	contracted providers to meet performance standards and
164	recommending corrective actions to the secretary.
165	7. By each December 1, developing and submitting an annual
166	report to the Governor, the President of the Senate, and the
167	Speaker of the House of Representatives for the preceding fiscal
168	year which encompasses all legislatively mandated statewide
169	reports required to be issued by the department.
170	(b) The department may adopt rules to administer this
171	subsection.
172	Section 2. Section 402.402, Florida Statutes, is amended to
173	read:
174	402.402 Child protection and child welfare personnel;

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175 attorneys employed by the department.-

176 (1) CHILD PROTECTIVE INVESTIGATION PROFESSIONAL STAFF 177 REQUIREMENTS.-The department is responsible for recruitment of 178 qualified professional staff to serve as child protective 179 investigators and child protective investigation supervisors. 180 The department shall make every effort to recruit and hire 181 persons qualified by their education and experience to perform 182 social work functions. The department's efforts shall be guided by the goal that by July 1, 2019, at least half of all child 183 184 protective investigators and supervisors will have a bachelor's 185 degree or a master's degree in social work from a college or 186 university social work program accredited by the Council on 187 Social Work Education. The department, in collaboration with the 188 lead agencies, subcontracted provider organizations, the Florida 189 Institute for Child Welfare created pursuant to s. 1004.615, and 190 other partners in the child welfare system, shall develop a 191 protocol for screening candidates for child protective positions 192 which reflects the preferences specified in paragraphs (a) - (f). 193 The following persons shall be given preference in the 194 recruitment of qualified professional staff, but the preferences 195 serve only as guidance and do not limit the department's 196 discretion to select the best available candidates:

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

(b) Individuals with baccalaureate or master's degrees in
 psychology, sociology, counseling, special education, education,
 human development, child development, family development,

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204 marriage and family therapy, and nursing.

205 (c) Individuals with baccalaureate degrees who have a 206 combination of directly relevant work and volunteer experience, 207 preferably in a public service field related to children's 208 services, demonstrating critical thinking skills, formal 209 assessment processes, communication skills, problem solving, and 210 empathy; a commitment to helping children and families; a 211 capacity to work as part of a team; an interest in continuous development of skills and knowledge; and personal strength and 212 213 resilience to manage competing demands and handle workplace 214 stresses.

215 (2) SPECIALIZED TRAINING.-All child protective 216 investigators and child protective investigation supervisors 217 employed by the department or a sheriff's office must complete 218 specialized training either focused on serving a specific 219 population, including, but not limited to, medically fragile 220 children, sexually exploited children, children under 3 years of 221 age, or families with a history of domestic violence, mental 222 illness, or substance abuse, or focused on performing certain 223 aspects of child protection practice, including, but not limited 224 to, investigation techniques and analysis of family dynamics. 225 The specialized training may be used to fulfill continuing education requirements under s. 402.40(3)(e). Individuals hired 226 before July 1, 2014, shall complete the specialized training by 227 228 June 30, 2016, and individuals hired on or after July 1, 2014, 229 shall complete the specialized training within 2 years after 230 hire. An individual may receive specialized training in multiple 231 areas.

232

(3) STAFF SUPPORT.-The department shall implement policies

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233	and programs that mitigate and prevent the impact of secondary
234	traumatic stress and burnout among child protective
235	investigations staff, including, but not limited to:
236	(a) Initiatives to encourage and inspire child protective
237	investigations staff, including recognizing their achievements
238	on a recognition wall within their unit.
239	(b) Formal procedures for providing support to child
240	protective investigations staff after a critical incident such
241	as a child fatality.
242	(c) Initial training upon appointment to a supervisory
243	position and annual continuing education for all supervisors on
244	how to prevent secondary traumatic stress and burnout among the
245	employees they supervise.
246	(d) Monitoring levels of secondary traumatic stress and
247	burnout among individual employees and intervening as needed.
248	The department shall closely monitor and respond to levels of
249	secondary traumatic stress and burnout among employees during
250	the first 2 years after hire.
251	(e) Ongoing training in self-care for all child protective
252	investigations staff.
253	
254	Such programs may also include, but are not limited, to formal
255	peer counseling and support programs.
256	(4) (3) REPORTBy each October 1, the department shall
257	submit a report on the educational qualifications, turnover,
258	professional advancement, and working conditions of the child
259	protective investigators and supervisors to the Governor, the
260	President of the Senate, and the Speaker of the House of
261	Representatives.

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262	(5) (4) ATTORNEYS EMPLOYED BY OR CONTRACTING WITH THE
263	DEPARTMENT TO HANDLE CHILD WELFARE CASES.—Attorneys hired <u>or</u>
264	contracted with on or after July 1, 2014, whose primary
265	responsibility is representing the department in child welfare
266	cases shall, within the first 6 months of employment, receive
267	training in:
268	(a) The dependency court process, including the attorney's
269	role in preparing and reviewing documents prepared for
270	dependency court for accuracy and completeness.+
271	(b) Preparing and presenting child welfare cases, including
272	at least 1 week shadowing an experienced children's legal
273	services attorney preparing and presenting cases.+
274	(c) Safety assessment, safety decisionmaking tools, and
275	safety plans <u>.</u> +
276	(d) Developing information presented by investigators and
277	case managers to support decisionmaking in the best interest of
278	children <u>.; and</u>
279	(e) The experiences and techniques of case managers and
280	investigators, including shadowing an experienced child
281	protective investigator and an experienced case manager for at
282	least 8 hours.
283	Section 3. Paragraph (1) is added to subsection (1) of
284	section 409.988, Florida Statutes, to read:
285	409.988 Lead agency duties; general provisions
286	(1) DUTIES.—A lead agency:
287	(1) Shall identify an employee to serve as a liaison with
288	the community alliance and community-based and faith-based
289	organizations interested in collaborating with the lead agency
290	or offering services or other assistance on a volunteer basis to

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291	the children and families served by the lead agency. The lead
292	agency shall ensure that appropriate lead agency staff and
293	subcontractors, including, but not limited to, case managers,
294	are informed of the specific services or assistance available
295	from community-based and faith-based organizations.
296	Section 4. Section 409.991, Florida Statutes, is amended to
297	read:
298	(Substantial rewording of section. See s. 409.991,
299	F.S., for present text.)
300	409.991 Allocation of funds for community-based care lead
301	agencies
302	(1) As used in this section, the term "core services funds"
303	means all funds allocated to lead agencies operating under
304	contract with the department pursuant to s. 409.987, with the
305	following exceptions:
306	(a) Funds appropriated for independent living services;
307	(b) Funds appropriated for maintenance adoption subsidies;
308	(c) Funds allocated by the department for child protective
309	investigative service training;
310	(d) Nonrecurring funds;
311	(e) Designated mental health wrap-around service funds;
312	(f) Funds for special projects for a designated lead
313	agency; and
314	(g) Funds appropriated for the Guardianship Assistance
315	Program established under s. 39.6225.
316	(2) The department shall use an objective, workload-based
317	methodology to identify and report the optimal level of funding
318	for each lead agency considering demand for each of the
319	following:
1	

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576-04302-20 20201326c1 320 (a) Prevention services; 321 (b) Client services; 322 (c) Licensed out-of-home care costs; and 323 (d) Staffing, using the ratio for case managers compared to 324 the caseload requirements specified in s. 20.19(4)(c)2. 325 (3) The allocation of core services funds must be based on 326 the following: 327 (a) The total optimal funding amount as determined by 328 adding together the funding for prevention services, client 329 services, licensed out-of-home care, and staffing. 330 (b) A comparison of the total optimal funding amount to the 331 actual allocated funding for the most recent fiscal year to 332 determine the percentage of optimal funding the lead agency is 333 currently receiving. 334 (4) By November 1 of each year, the secretary must submit a 335 report to the Governor, the President of the Senate, and the 336 Speaker of the House of Representatives which includes the 337 current funding level of each lead agency based on the optimal 338 funding level as determined by using each lead agency workload 339 using the department's methodology. The report must identify any 340 lead agency that is persistently funded at less than the optimal funding level and recommend strategies to address the shortfall 341 342 including, but not limited to, business process redesign, the adoption of best practices, and requesting additional funding. 343 344 (5) The department may adopt rules to establish the optimal 345 funding levels for lead agencies. 346 (6) Unless otherwise specified in the General 347 Appropriations Act, the department shall allocate any new funding for core services, based on the department's 348

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576-04302-20 20201326c1 349 methodology, to achieve optimal funding for all lead agencies 350 inversely proportional to each lead agency optimal funding 351 percentage. 352 (7) Unless otherwise specified in the General 353 Appropriations Act, the department shall consider a lead 354 agency's funding level compared to its optimal funding level 355 when allocating funding from the risk pool, as provided in s. 356 409.990. 357 Section 5. Subsections (18) through (23) of section 358 409.996, Florida Statutes, are renumbered (19) through (24), 359 respectively, a new subsection (18) and subsections (25) and 360 (26) are added to that section, and paragraph (a) of subsection 361 (1) and subsection (17) of that section are amended, to read: 362 409.996 Duties of the Department of Children and Families.-363 The department shall contract for the delivery, administration, 364 or management of care for children in the child protection and 365 child welfare system. In doing so, the department retains 366 responsibility for the quality of contracted services and 367 programs and shall ensure that services are delivered in 368 accordance with applicable federal and state statutes and 369 regulations. 370 (1) The department shall enter into contracts with lead 371 agencies for the performance of the duties by the lead agencies 372 pursuant to s. 409.988. At a minimum, the contracts must:

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

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378	pursuant to s. 409.997.
379	(17) The department shall directly or through contract
380	provide attorneys to prepare and present cases in dependency
381	court and shall ensure that the court is provided with adequate
382	information for informed decisionmaking in dependency cases,
383	including <u>, at a minimum,</u> a face sheet for each case which lists
384	the names and contact information for any child protective
385	investigator, child protective investigation supervisor, case
386	manager, and case manager supervisor, and the regional
387	department official responsible for the lead agency contract.
388	The department shall provide to the court the case information
389	and recommendations provided by the lead agency or
390	subcontractor. For the Sixth Judicial Circuit, the department
391	shall contract with the state attorney for the provision of
392	these services.
393	(18)(a) The department may contract for the provision of
394	children's legal services to prepare and present cases in
395	dependency court. The contracted attorneys shall ensure that the
396	court is provided with adequate information for informed
397	decisionmaking in dependency cases, including, at a minimum, a
398	face sheet for each case which lists the names and contact
399	information for any child protective investigator, child
400	protective investigator supervisor, and the regional department
401	official responsible for the lead agency contract. The
402	contracted attorneys shall provide to the court the case
403	information and recommendations provided by the lead agency or

404 subcontractor. For the Sixth Judicial Circuit, the department

405 shall contract with the state attorney for the provision of

406 these services.

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576-04302-20 20201326c1 436 annual report to the Governor, the President of the Senate, and 437 the Speaker of the House of Representatives no later than 438 November 1 of each year that the contracted attorneys are 439 receiving appropriations to provide children's legal services 440 for the department. 441 (25) In collaboration with lead agencies, service 442 providers, and other community stakeholders, the department 443 shall develop a statewide accountability system based on 444 measurable quality standards. The accountability system must be 445 implemented by July 1, 2021. 446 (a) The accountability system must: 447 1. Assess the overall health of the child welfare system, by circuit, using grading criteria established by the 448 449 department. 450 2. Include a quality measurement system with domains and 451 clearly defined levels of quality. The system must measure the 452 performance standards for child protective investigators, lead 453 agencies, and children's legal services throughout the system of 454 care, using criteria established by the department, and, at a 455 minimum, address applicable federal- and state-mandated metrics. 456 3. Align with the principles of the results-oriented 457 accountability program established under s. 409.997. 458 (b) After the development and implementation of the 459 accountability system under this subsection, the department and 460 each lead agency shall use the information from the 461 accountability system to promote enhanced quality service 462 delivery within their respective areas of responsibility. 463 (c) By December 1 of each year, the department shall submit 464 a report on the overall health of the child welfare system to

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576-04302-20 20201326c1 465 the Governor, the President of the Senate, and the Speaker of 466 the House of Representatives. 467 (d) The department may adopt rules to implement this 468 subsection. 469 (26) Subject to an appropriation, for the 2020-2021 and 470 2021-2022 fiscal years, the department shall implement a pilot 471 project in the Sixth and Thirteenth Judicial Circuits, 472 respectively, aimed at improving child welfare outcomes. 473 (a) In implementing the pilot projects, the department 474 shall establish performance metrics and performance standards to 475 assess improvements in safety, permanency, and the well-being of 476 children in the local system of care for the lead agencies in 477 those judicial circuits. Such metrics and standards must be aligned with indicators used in the most recent federal Child 478 479 and Family Services Reviews. 480 (b) The lead agencies in the Sixth and Thirteenth Judicial 481 Circuits shall provide performance data to the department each quarter. The department shall review the data for accuracy and 482 483 completeness and then shall compare the actual performance of 484 the lead agencies to the established performance metrics and 485 standards. Each lead agency that exceeds performance metrics and 486 standards is eligible for incentive funding. 487 (c) For the first quarter of each fiscal year, the 488 department may advance incentive funding to the lead agencies in 489 an amount equal to one quarter of the total allocated to the 490 pilot project. After each quarter, the department shall assess 491 the performance of the lead agencies for that quarter and adjust 492 the subsequent quarter's incentive funding based on its actual prior quarter performance. 493

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576-04302-20 20201326c1 494 (d) The department shall include the results of the pilot 495 projects in the report required under s. 20.19(7). The report must include the department's findings and recommendations 496 497 relating to the pilot projects. 498 (e) This subsection expires July 1, 2022. 499 Section 6. Present subsections (6) and (7) of section 500 1004.615, Florida Statutes, are renumbered as subsections (9) and (10), respectively, and new subsections (6) and (7) and 501 502 subsection (8) are added to that section, to read: 503 1004.615 Florida Institute for Child Welfare.-504 (6) The institute and the Florida State University College 505 of Social Work shall design and implement a curriculum that 506 enhances knowledge and skills for the child welfare practice. 507 The institute and the college shall create the curriculum using 508 interactive and interdisciplinary approaches and include 509 opportunities for students to gain an understanding of realworld child welfare cases. The institute shall disseminate the 510 511 curriculum to other interested state universities and colleges 512 and provide implementation support. The institute shall contract 513 with a person or entity of its choosing, by November 1, 2020, to 514 evaluate the curriculum and make recommendations for 515 improvement. The college shall implement the curriculum during 516 the 2021-2022 school year. This subsection is subject to an 517 appropriation. 518 (7) The institute, in collaboration with the department, 519 community-based care lead agencies, providers of case management 520 services, and other child welfare stakeholders, shall design and implement a career-long professional development curriculum for 521 522 child welfare professionals at all levels and from all

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523	
	disciplines. The professional development curriculum must
524	enhance the performance of the current child welfare workforce,
525	address issues related to retention, complement the social work
526	curriculum, and be developed using social work principles. The
527	professional development curriculum shall provide career-long
528	coaching, training, certification, and mentorship. The institute
529	must provide the professional support on a continuous basis
530	through online and in-person services. The professional
531	development curriculum must be available by July 1, 2021. The
532	Department of Children and Families must approve the curriculum
533	prior to implementation. This subsection is subject to an
534	appropriation.
535	(8) The institute shall establish a consulting program for
536	child welfare organizations to enhance workforce culture,
537	supervision, and related management processes to improve
538	retention, effectiveness, and overall well-being of staff to
539	support improved child welfare outcomes. The institute shall
540	select child welfare organizations through a competitive
541	application process and provide ongoing analysis,
542	recommendations, and support from a team of experts on a long-
543	term basis to address systemic and operational workforce
544	challenges. This subsection is subject to an appropriation.
545	Section 7. The Department of Children and Families, in
546	collaboration with the Florida Institute of Child Welfare, shall
547	develop an expanded career ladder for child protective
548	investigations staff. The career ladder shall include multiple
549	levels of child protective investigator classifications,
550	corresponding milestones and professional development
551	opportunities necessary for advancement, and compensation

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576-04302-20 20201326c1 552 ranges. The department must submit a proposal for the expanded career ladder to the Governor, the President of the Senate, and 553 554 the Speaker of the House of Representatives no later than 555 November 1, 2020. 556 Section 8. (1) For the 2020-2021 fiscal year, the sum of 557 \$8,235,052 in recurring funds is appropriated from the General 558 Revenue fund to the Department of Children and Families for 559 incentive funding for the pilot projects required in s. 560 409.996(25), Florida Statutes, as created by this act. 561 (2) For the 2020-2021 fiscal year the sum of \$5,350,000 in 562 recurring funds from the General Revenue Fund is appropriated to 563 the Department of Children and Families, and 2,907,885 in rate 564 is authorized for the establishment of the Office of Quality, as required in s. 20.19(7), Florida Statutes. The department is 565 authorized to reassign up to 125 currently authorized positions 566 567 and submit budget amendments pursuant to chapter 216, Florida Statutes, for the Office of Quality to administer and implement 568 569 the provisions of this act. Section 9. Sections 1., 2., and 3. of this act may be cited 570 571 as the "State of Hope Act." 572 Section 10. This act shall take effect upon becoming a law.

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