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 Appropriations Subcommittee on Agriculture, Environment, and General Government

BILL:	CS/SB 800
INTRODUCER:	Governmental Oversight and Accountability Committee and Senator Harrell and others
SUBJECT:	Division of State Technology
DATE:	February 24, 2020 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	McVaney	GO	**Fav/CS**
2.	Smith	Betta	AEG	**Pre-meeting**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 800 establishes the Data Innovation Program within the Division of State Technology (DST). The DST is to identify the data coming into and out of the DST, unify data definitions among agencies, and publish a data catalog. The DST is further required to inventory, by June 30, 2021, all existing interagency data-sharing agreements, identify areas of data-sharing needs, and, thereafter, execute a new interagency agreement. The intent of the Data Innovation Program is to promote interoperability across agencies' systems, improve the security, quality and management of data assets, and remove redundancies where possible.

The bill further directs DST to develop three proof-of-concept programs in conjunction with the Agency for Health Care Administration (AHCA), the Department of Health (DOH), and the Department of Children and Families (DCF) by December 31, 2021. The programs are required to demonstrate interoperability across data types in order to promote analysis of such data. Further parameters are provided for the programs to be conducted.

The bill has a potentially significant impact on the Department of Management Services (DMS), the AHCA, the DOH, and the DCF. See Section V.

The bill takes effect upon becoming a law.

II. Present Situation:

Information Technology in the State of Florida

DMS contains several divisions, including the DST. The DST is charged with information technology (IT)[1] governance and security for the executive branch of state government.[2]

The DST develops IT policy for state resources, information technology architecture standards, and project management and oversight standards. The DST also performs oversight on IT projects, manages the state data center, and makes recommendations for IT services. Among its duties related to IT security, specifically, are designating a state chief information security officer, developing a statewide IT security strategic plan, developing an IT security framework, and providing training for information security managers.[3]

Data Interoperability

Interoperability is a phrase from the IT industry used to describe how electronic devices communicate with each other. For example, a mouse plugged into a computer is interoperable because the USB connection provides barrier-free information exchange between the two devices.

Data interoperability is the same concept applied to data. If a list of names (the data) can be opened by a program such as Microsoft Word, the data and program are interoperable. If agency A has a list of names in a format that agency B cannot view or use, the system lacks interoperability. Converting the data from one format to another in many cases takes time and money, or makes the data unusable entirely. Promoting data interoperability means investing in systems that would allow the state's various agencies to share data freely and simply, and ensuring that such data is useable.[4]

Data Dictionary

A data dictionary is a tool that provides detailed information about business data. The data dictionary will standardize what data elements are allowable, what they mean, and what values can apply to each type of data. The most common elements of a data dictionary are the data's

[1] The term "information technology" means equipment, hardware, software, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch, or disseminate information of any kind or form. S. 282.0041(14), F.S.
[2] Section 282.0051, F.S.
[3] Section 282.318(3), F.S.
[4] NCOIC, What is interoperability? Available at https://www.ncoic.org/what-is-interoperability/ (last visited February 12 2020); Office of the National Coordinator for Health Information Technology (ONC), U.S. Core Data for Interoperability (USCDI), available at https://www.healthit.gov/isa/us-core-data-interoperability-uscdi (last visited February 12, 2020); Cai, Hongming and Athanasis Vasilaskos, Data Interoperability, ScienceDirect, 2017, available at https://www.sciencedirect.com/topics/computer-science/data-interoperability (last visited February 12, 2020).

attribute name (or unique identifier), and attribute type (deciding what is allowed, between text, numbers, dates, etc.).[5]

Interagency Data-Sharing Agreements

Two state agencies may enter into an Interagency Data-Sharing Agreement in pursuit of their statutory duties. These agreements will contain the purpose for the data sharing, the legal authority as required, and the scope of work to be accomplished as a result of the data sharing. The agreement will, in detail, specify the location and types of information each agency will provide the other with unfettered access. The agreement will also cover the procedure for access, confidentiality issues, and costs.[6]

III. Effect of Proposed Changes:

Section 1 amends s. 282.0041, F.S., to add a definition for "information technology portfolio rationalization" to mean "the streamlining of an existing application portfolio to improve efficiency, reduce complexity, and lower the total cost of ownership through processes including, but not limited to:
(a) Software license optimization;
(b) Application retirement;
(c) Server optimization;
(d) Project rationalization;
(e) Data storage optimization;
(f) Retirement of aged and low-value applications;
(g) Elimination of redundancies; and
(h) Standardization of common technology platforms."

Section 2 amends section 282.0051, F.S., to provide that the DMS is to administer the Data Innovation Program established under s. 282.319, F.S., through the DST.

Section 3 creates s. 282.319, F.S., to establish the Data Innovation Program within the DST. The section provides legislative intent behind the program, which includes to:

- Ensure that all state agencies collaborate and synthesize data securely through interoperability;
- Create software and information technology portfolio rationalization and procurement to achieve interoperability and reduce the number of stand-alone applications that do not communicate with each other;
- Minimize costs associated with data management areas;
- Ensure accurate procedures for regulation and compliance activities;
- Increase transparency within data-related activities;
- Institute better training and educational practices for the management of data assets;

[5] Brandenburg, Laura, *What is a Data Dictionary?* Bridging the Gap, https://www.bridging-the-gap.com/data-dictionary/ (last visited February 12, 2020).
[6] See, e.g., Interagency Data Sharing Agreement between the Department of Juvenile Justice and the Department of Children and Families, available at http://www.djj.state.fl.us/docs/agreements/data-sharing-dcr-djj-for-fsfn-with-osca-data-sharing-final.pdf?sfvrsn=2 (last visited February 12, 2020).

- Increase the value of the state's data while providing standardized data systems, data policies, and data procedures;
- Aid in the resolution of past and current data issues;
- Facilitate improved monitoring and tracking mechanisms for data quality and other data-related activities;
- Increase overall state data standards, thereby translating data into actionable information and workable knowledge of the state's information technology system;
- Enable state agencies to transform their use of technology to offer services in an effective, efficient, and secure manner; and
- Improve the health of all persons in the state.

The section further provides that the DST must identify all data elements within state agencies and develop common data definitions across state agencies and inform state agencies of the data types they collect and report publicly or to the Federal government, to identify where interagency data-sharing can create staff and technology efficiencies. The DST must also publish a comprehensive data catalog and a data dictionary. The DST must inventory, by June 30, 2021, all existing interagency data-sharing agreements, identify areas of data-sharing needs, and, thereafter, execute a new interagency agreement.

The section further directs the DST to develop three proof-of-concept programs in conjunction with the AHCA, the DOH, and the DCF by December 31, 2021. The programs are required to demonstrate interoperability across data types, enabling the use of the data in its native form as opposed to being transferred in a document and must respect policy difference across state agencies while allowing both interagency and intraagency analytics. Finally, the programs are to be scalable and vendor-agnostic in nature.

Section 4 provides that the bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of a state tax shares with counties and municipalities.

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:

To the extent the DMS contracts out any facet of the programs it is required to produce, those information technology companies involved will benefit.

C. Government Sector Impact:

The bill may have a significant workload impact on the DMS. The bill requires the DMS to develop three separate pilot programs with three separate agencies to be conducted by the end of next calendar year. Such programs will require both manpower and capital, and may have a significant workload impact on the AHCA, the DOH, and the DCF as well. The bill does not provide additional manpower or fiscal resources to these state agencies to complete these projects.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends the following sections of the Florida Statutes: 282.0041 and 282.0051.

The bill creates section 282.319 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Governmental Oversight and Accountability on February 17, 2020:
The CS changes the dates for the DST's inventory of data agreements and interoperability pilot programs from 2020 to 2021.

B. Amendments:

None.