

By Senator Gruters

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1 A bill to be entitled
2 An act relating to community-based care lead agency
3 funding; amending s. 409.991, F.S.; providing and
4 revising definitions; revising provisions relating to
5 the allocation of funding for community-based care
6 lead agencies; requiring that certain factors be
7 considered in allocating core services funds to
8 community-based care lead agencies; providing for the
9 calculation of such allocation of core services funds;
10 requiring the Department of Children and Families to
11 adopt rules; providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 409.991, Florida Statutes, is amended to
16 read:

17 409.991 Allocation of funds for community-based care lead
18 agencies.—

19 (1) As used in this section, the term:

20 (a) "Annual licensed care caseload" means a community-based
21 care lead agency's average number of children in licensed care
22 during the most recent 12 months.

23 (b) "Average board rate" means the most recent statewide
24 total amount of full month payments for all items charged for
25 room and board, divided by the number of children for which
26 those payments are made, divided by the number of days in that
27 month.

28 (c) "Caseload" means the average caseload size of a
29 community-based care lead agency which is determined by summing

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30 the most recent month-end average of children in in-home and
31 out-of-home care during the most recent 24 months and the
32 average annual number of finalized adoptions based on the most
33 recent 24 months.

34 (d) ~~(a)~~ "Core services funds" means all funds allocated to
35 community-based care lead agencies operating under contract with
36 the department pursuant to s. 409.987, with the following
37 exceptions:

- 38 1. Funds appropriated for independent living;
- 39 2. Funds appropriated for maintenance adoption subsidies;
- 40 3. Funds allocated by the department for protective
- 41 investigations training;
- 42 4. Nonrecurring funds;
- 43 5. Designated mental health wrap-around services funds;
- 44 6. Funds for special projects for a designated community-
- 45 based care lead agency; and
- 46 7. Funds appropriated for the Guardianship Assistance
- 47 Program under s. 39.6225.

48 (2) The factors to be considered in allocating core
49 services funds to each community-based care lead agency must
50 include all of the following:

51 (a) The amount spent on prevention services by the
52 community-based care lead agency to prevent children from
53 entering or reentering foster care, based on the most recent
54 fiscal year of such spending by the community-based care lead
55 agency. Such amount may be increased based on a community-based
56 care lead agency's performance in reducing the number of
57 children in out-of-home care.

58 (b) The statewide average cost per child for client

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59 services as determined by the department, multiplied by the
60 number of children in a caseload. Such product must be adjusted
61 based on the average district cost differential provided in s.
62 1011.62 for the counties served, weighted by child population.

63 (c) The projected cost of board costs, determined by
64 summing the totals of:

65 1. The annual licensed care caseload, multiplied by the
66 average board rate; and

67 2. The number of annual removals, multiplied by the initial
68 clothing allowance as determined by the department.

69 (d) The projected cost of staffing needs for the community-
70 based care lead agency, determined by summing the totals of:

71 1. The statewide average cost per position, as determined
72 by the department, for all case managers and direct support
73 positions; foster home recruitment, licensing, and out-of-home
74 care placement positions; and adoption support positions for the
75 community-based care lead agency based on the lead agency's
76 caseload, including staffing necessary to obtain one case
77 manager per 14 children by the 2023-2024 fiscal year; and

78 2. The average district cost differential for the counties
79 served by the community-based care lead agency as provided in s.
80 1011.62, weighted by the child population of each county served.

81 (e) Program support and operations costs, determined by
82 multiplying 0.1 by the projected cost of staffing needs as
83 determined in paragraph (d).

84 (3) The allocation of core services funds shall be
85 calculated based on all of the following:

86 (a) The projected core services funding is determined by
87 summing the amounts determined in paragraphs (2) (a)-(e).

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88 (b) The actual allocated funding for the most recent fiscal
89 year for a community-based care lead agency shall be divided by
90 the projected core services funding to determine the percent of
91 projected core services funding for that community-based care
92 lead agency.

93 (c)1. Unless otherwise specified in the General
94 Appropriations Act, any new core service funds shall be
95 allocated proportionally to community-based care lead agencies
96 below 90 percent of projected core services funding based on the
97 degree to which their projected core services funding is below
98 90 percent, until 90 percent or greater projected core services
99 funding is achieved for each community-based care lead agency.

100 2. Once 90 percent of projected core services funding is
101 achieved for each community-based care lead agency, any new core
102 services funds shall be allocated proportionally to community-
103 based care lead agencies below 100 percent of projected core
104 services funding based on the degree to which their percent of
105 projected core services funding is below 100 percent, until 100
106 percent of projected core services funding is achieved for each
107 community-based care lead agency.

108 (4) The department shall adopt rules necessary to implement
109 this section, which must include, but need not be limited to,
110 rules that specify qualifying prevention expenditures and
111 staffing ratios for case managers and direct support positions;
112 foster home recruitment, licensing, and out-of-home care
113 placement positions; and adoption support staff positions.

114 ~~(b) "Equity allocation model" means an allocation model~~
115 ~~that uses the following factors:~~

116 ~~1. Proportion of the child population;~~

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117 ~~2. Proportion of child abuse hotline workload; and~~

118 ~~3. Proportion of children in care.~~

119 ~~(c) "Proportion of child population" means the proportion~~
120 ~~of children up to 18 years of age during the previous calendar~~
121 ~~year in the geographic area served by the community-based care~~
122 ~~lead agency.~~

123 ~~(d) "Proportion of child abuse hotline workload" means the~~
124 ~~weighted average of the following subcomponents:~~

125 ~~1. The average number of initial and additional child abuse~~
126 ~~reports received during the month for the most recent 12 months~~
127 ~~based on child protective investigations trend reports as~~
128 ~~determined by the department. This subcomponent shall be~~
129 ~~weighted as 20 percent of the factor.~~

130 ~~2. The average count of children in investigations in the~~
131 ~~most recent 12 months based on child protective investigations~~
132 ~~trend reports as determined by the department. This subcomponent~~
133 ~~shall be weighted as 40 percent of the factor.~~

134 ~~3. The average count of children in investigations with a~~
135 ~~most serious finding of verified abuse in the most recent 12~~
136 ~~months based on child protective investigations trend reports as~~
137 ~~determined by the department. This subcomponent shall be~~
138 ~~weighted as 40 percent of the factor.~~

139 ~~(e) "Proportion of children in care" means the proportion~~
140 ~~of the number of children in care receiving in-home services~~
141 ~~over the most recent 12-month period, the number of children~~
142 ~~whose families are receiving family support services over the~~
143 ~~most recent 12-month period, and the number of children who have~~
144 ~~entered into out-of-home care with a case management overlay~~
145 ~~during the most recent 24-month period. This subcomponent shall~~

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146 ~~be weighted as follows:~~

147 ~~1. Fifteen percent shall be based on children whose~~
148 ~~families are receiving family support services.~~

149 ~~2. Fifty-five percent shall be based on children in out-of-~~
150 ~~home care.~~

151 ~~3. Thirty percent shall be based on children in in-home~~
152 ~~care.~~

153 ~~(2) The equity allocation of core services funds shall be~~
154 ~~calculated based on the following weights:~~

155 ~~(a) Proportion of the child population shall be weighted as~~
156 ~~5 percent of the total.~~

157 ~~(b) Proportion of child abuse hotline workload shall be~~
158 ~~weighted as 35 percent of the total.~~

159 ~~(c) Proportion of children in care shall be weighted as 60~~
160 ~~percent of the total.~~

161 ~~(3) Beginning in the 2015-2016 state fiscal year, 100~~
162 ~~percent of the recurring core services funding for each~~
163 ~~community-based care lead agency shall be based on the prior~~
164 ~~year recurring base of core services funds.~~

165 ~~(4) Unless otherwise specified in the General~~
166 ~~Appropriations Act, any new core services funds shall be~~
167 ~~allocated based on the equity allocation model as follows:~~

168 ~~(a) Seventy percent of new funding shall be allocated among~~
169 ~~all community-based care lead agencies.~~

170 ~~(b) Thirty percent of new funding shall be allocated among~~
171 ~~community-based care lead agencies that are funded below their~~
172 ~~equitable share. Funds allocated pursuant to this paragraph~~
173 ~~shall be weighted based on each community-based care lead~~
174 ~~agency's relative proportion of the total amount of funding~~

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175 ~~below the equitable share.~~

176 Section 2. This act shall take effect July 1, 2022.