

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee

3 Representative McFarland offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
 7 Section 1. Subsections (3) and (4) of section 409.016,
 8 Florida Statutes, are renumbered as subsections (4) and (5),
 9 respectively, and new subsection (3) is added to that section,
 10 to read:

11 409.016 Definitions.—As used in this chapter:

12 (3) "Management functions" means:

13 (a) Planning, directing, organizing, coordinating, and
 14 carrying out oversight duties of the lead agency;

15 (b) Contracting for officer or director level staffing in
 16 performance of the planning, directing, organizing,

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17 coordinating, and carrying out oversight duties of the lead
18 agency.

19 ~~(4)-(3)~~ "Secretary" means the secretary of the Department
20 of Children and Families.

21 ~~(5)-(4)~~ "Social and economic services," within the meaning
22 of this chapter, means the providing of financial assistance as
23 well as preventive and rehabilitative social services for
24 children, adults, and families.

25 Section 2. Subsections (3) and (4) and paragraphs (a) and
26 (b) of subsection (7) of section 409.987, Florida Statutes, are
27 amended to read, and paragraph (g) is added to subsection (7) of
28 that section, to read:

29 409.987 Lead agency procurement; boards; conflicts of
30 interest.—

31 (3) Notwithstanding s. 287.057, the department shall use
32 5-year contracts with lead agencies. The department may only
33 extend for a period of one to five years, in accordance with s.
34 287.057, if the lead agency has met performance expectations
35 within the monitoring evaluation.

36 (4) In order to serve as a lead agency, an entity must:

37 (a) Be organized as a Florida corporation or a
38 governmental entity.

39 (b) Be governed by a board of directors or a board
40 committee composed of board members. Board members shall provide
41 oversight and ensure accountability and transparency for the

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42 system of care. The board of directors shall provide fiduciary
43 oversight to prevent conflicts of interest, promote
44 accountability and transparency, and protect state and federal
45 funding from misuse. The board of directors shall act in
46 accordance with s. 617.0830. The membership of the board of
47 directors or board committee must be described in the bylaws or
48 articles of incorporation of each lead agency, which must
49 provide that at least 75 percent of the membership of the board
50 of directors or board committee must be composed ~~consist~~ of
51 persons residing in this state, and at least 51 percent of the
52 state residents on the board of directors must reside within the
53 service area of the lead agency. The lead agency shall ensure
54 that board members participate in annual training related to
55 their responsibilities. The department shall set forth minimum
56 training criteria in the contracts with the lead agencies.

57 However, for procurements of lead agency contracts initiated on
58 or after July 1, 2014:

59 1. At least 75 percent of the membership of the board of
60 directors must be composed ~~consist~~ of persons residing in this
61 state, and at least 51 percent of the membership of the board of
62 directors must be composed ~~consist~~ of persons residing within
63 the service area of the lead agency. If a board committee
64 governs the lead agency, 100 percent of its membership must be
65 composed ~~consist~~ of persons residing within the service area of
66 the lead agency.

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67 2. The powers of the board of directors or board committee
68 include, but are not limited to, approving the lead agency's
69 budget and setting the lead agency's operational policy and
70 procedures. A board of directors must additionally have the
71 power to hire the lead agency's executive director, unless a
72 board committee governs the lead agency, in which case the board
73 committee must have the power to confirm the selection of the
74 lead agency's executive director.

75 (c) Demonstrate financial responsibility through an
76 organized plan for regular fiscal audits and the posting of a
77 performance bond.

78 (7)(a) As used in this subsection, the term:

79 1. "Activity" includes, but is not limited to, a contract
80 for goods and services, a contract for the purchase of any real
81 or tangible property, or an agreement to engage with a lead
82 agency for the benefit of a third party in exchange for an
83 interest in real or tangible property, a monetary benefit, or an
84 in-kind contribution.

85 2. "Conflict of interest" means when a board member,
86 director, or ~~an~~ officer, or a relative of a board member,
87 director, or ~~an~~ officer, of a lead agency does any of the
88 following:

89 a. Enters into a contract or other transaction for goods
90 or services with the lead agency.

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91 b. Holds a direct or indirect interest in a corporation,
92 limited liability corporation, partnership, limited liability
93 partnership, or other business entity that conducts business
94 with the lead agency or proposes to enter into a contract or
95 other transaction with the lead agency. For purposes of this
96 paragraph, the term "indirect interest" has the same meaning as
97 in s. 112.312.

98 c. Knowingly obtains a direct or indirect personal,
99 financial, professional, or other benefit as a result of the
100 relationship of such board member, director, or officer, or
101 relative of the board member, director, or officer, with the
102 lead agency. For purposes of this paragraph, the term "benefit"
103 does not include per diem and travel expenses paid or reimbursed
104 to board members or officers of the lead agency in connection
105 with their service on the board.

106 3. "Related party" means any entity of which a director
107 or an officer of the entity is also directly or indirectly
108 related to, or has a direct or indirect financial or other
109 material interest in, the lead agency. The term also includes
110 any subsidiary firm or joint venture.

111 4.3. "Relative" means a relative within the third degree
112 of consanguinity by blood or marriage.

113 (b)1. For any activity that is presented to the board of a
114 lead agency for its initial consideration and approval ~~after~~
115 ~~July 1, 2021~~, or any activity that involves a contract that is

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116 being considered for renewal ~~on or after July 1, 2021, but~~
117 ~~before January 1, 2022,~~ a board member, a director, or an
118 officer of a lead agency shall disclose to the board any
119 activity that may reasonably be construed to be a conflict of
120 interest before such activity is initially considered and
121 approved or a contract is renewed by the board. A rebuttable
122 presumption of a conflict of interest exists if the activity was
123 acted on by the board without prior notice as required under
124 paragraph (c). The board shall disclose any known actual or
125 potential conflicts to the department.

126 2. A lead agency may not enter into a contract or be a
127 party to any transaction with related parties if a conflict of
128 interest is not properly disclosed. A lead agency may not enter
129 into a contract with a related party for officer or director
130 level staffing to perform management functions. The contract
131 with the department and lead agency must specify the
132 administrative functions and services that the lead agency will
133 subcontract ~~For contracts with a lead agency which are in~~
134 ~~existence on July 1, 2021, and are not subject to renewal before~~
135 ~~January 1, 2022, a board member or an officer of the lead agency~~
136 ~~shall disclose to the board any activity that may reasonably be~~
137 ~~construed to be a conflict of interest under this section by~~
138 ~~December 31, 2021.~~

139 3. Subject to the requirements of subparagraph 2. of this
140 subsection, a lead agency may enter into a contract or be a

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141 party to any transaction with related parties as long as the
142 fee, rate, or price paid by the lead agency for the commodities
143 or services being procured does not exceed the fair market value
144 for such commodities or services. The lead agency shall disclose
145 any known actual or potential conflicts to the department.

146 (g) All department contracts with lead agencies shall
147 contain the following contractual penalty provisions:

148 1. Penalties in the amount of \$5,000 per occurrence shall
149 be imposed for each known and potential conflict of interest, as
150 described in paragraph (b), which is not disclosed to the
151 department.

152 2. If a contract is executed for which a conflict of
153 interest was not disclosed to the department before execution of
154 the contract, the following penalties apply:

155 i. A penalty in the amount of \$10,000 for a first
156 offense.

157 ii. A penalty in the amount of \$15,000 for a second or
158 subsequent offense.

159 3. The penalties for failure to disclose a conflict of
160 interest under subparagraph (1) and (2) apply to any contract
161 entered into, regardless of the method of procurement,
162 including, but not limited to, formal procurement, single-source
163 contracts, and contracts that do not meet the minimum threshold
164 for formal procurement.

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165 4. A contract procured for which a conflict of interest
166 was not disclosed to the department before execution of the
167 contract shall be reprocured. The department shall recoup from
168 the lead agency expenses related to a contract that was executed
169 without disclosure of a conflict of interest.

170 Section 3. Paragraphs (c), (j), and (k) of subsection (1)
171 of section 409.988, Florida Statutes, are amended to read:

172 409.988 Community-based care lead agency duties; general
173 provisions.—

174 (1) DUTIES.—A lead agency:

175 (c) Shall follow the financial guidelines developed by the
176 department and shall comply with regular, independent auditing
177 of its financial activities, including any requests for records
178 associated with such financial audits within the timeframe
179 established by the department or its contracted vendors provide
180 ~~for a regular independent auditing of its financial activities.~~
181 The results of the financial audit must ~~Such financial~~
182 ~~information shall~~ be provided to the community alliance
183 established under s. 20.19(5).

184 (j) May subcontract for the provision of services, l
185 excluding with a related party for officer or director level
186 staffing to perform management functions, required by the
187 contract with the lead agency and the department; however, the
188 subcontracts must specify how the provider will contribute to
189 the lead agency meeting the performance standards established

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190 pursuant to the child welfare results-oriented accountability
191 system required by s. 409.997. The lead agency shall directly
192 provide no more than 35 percent of all child welfare services
193 provided unless it can demonstrate a need, within the lead
194 agency's geographic service area, where there is a lack of
195 qualified providers available to perform the necessary services.
196 The approval period to exceed the threshold shall be limited to
197 2 years and must be renewed following the process outlined in
198 this section to exceed this threshold. The local community
199 alliance in the geographic service area in which the lead agency
200 is seeking to exceed the threshold shall review the lead
201 agency's justification for need and recommend to the department
202 whether the department should approve or deny the lead agency's
203 request for an exemption from the services threshold. If there
204 is not a community alliance operating in the geographic service
205 area in which the lead agency is seeking to exceed the
206 threshold, such review and recommendation shall be made by
207 representatives of local stakeholders, including at least one
208 representative from each of the following:

- 209 1. The department.
- 210 2. The county government.
- 211 3. The school district.
- 212 4. The county United Way.
- 213 5. The county sheriff's office.
- 214 6. The circuit court corresponding to the county.

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215 7. The county children's board, if one exists.
216 (k) Shall publish on its website by the 15th day of each
217 month at a minimum the data specified in subparagraphs 1.-~~10.5~~,
218 calculated using a standard methodology determined by the
219 department, for the preceding calendar month regarding its case
220 management services. The following information shall be reported
221 by each individual subcontracted case management provider, by
222 the lead agency, if the lead agency provides case management
223 services, and in total for all case management services
224 subcontracted or directly provided by the lead agency:
225 1. The average caseload of case managers, including only
226 filled positions;
227 2. The total number and percentage of case managers who
228 have 25 or more cases on their caseloads;
229 3. The turnover rate for case managers and case management
230 supervisors for the previous 12 months;
231 4. The percentage of required home visits completed; and
232 5. Performance on outcome measures required pursuant to s.
233 409.997 for the previous 12 months.
234 6. The number of unlicensed placements for the previous
235 month;
236 7. The percentages and trends for foster parent and group
237 home recruitment and licensure for the previous month;

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238 8. The percentage of families being served through family
239 support, in-home, and out-of-home services for the previous
240 month; and

241 9. The percentage of cases that converted from nonjudicial
242 to judicial for the previous month.

243 10. Children's legal service staffing rates.

244 Section 4. Section 409.991, Florida Statutes, is repealed.

245 Section 5. Section 409.9913, Florida Statutes, is created
246 to read:

247 409.9913 Funding methodology to allocate funding to lead
248 agencies.-

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

250 (a) "Core services funding" means all funds allocated to
251 lead agencies. The term does not include any of the following:

252 1. Funds appropriated for independent living services.

253 2. Funds appropriated for maintenance adoption subsidies.

254 3. Funds allocated by the department for child protective
255 investigation service training.

256 4. Nonrecurring funds.

257 5. Designated mental health wrap-around service funds.

258 6. Funds for special projects for a designated lead
259 agency.

260 7. Funds appropriated for the Guardianship Assistance
261 Program established under s. 39.6225.

262 (b) "Operational and fixed costs" means:

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- 263 1. Administrative expenditures, including, but not limited
264 to, information technology and human resources functions.
- 265 2. Lease payments.
- 266 3. Asset depreciation.
- 267 4. Utilities.
- 268 5. Administrative components of case management.
- 269 6. Mandated activities such as training, quality
270 improvement, or contract management.
- 271 (2) The department shall develop, in collaboration with
272 lead agencies and providers of child welfare services, a funding
273 methodology for allocating core services funding to lead
274 agencies which, at a minimum:
- 275 (a) Is actuarially sound.
- 276 (b) Is reimbursement based.
- 277 (c) Is designed to incentivize efficient and effective
278 lead agency operation, prevention, family preservation, and
279 permanency.
- 280 (d) Considers variable costs, including, but not limited
281 to, direct costs for in-home and out-of-home care for children
282 served by the lead agencies, prevention services, and
283 operational and fixed costs.
- 284 (e) Is scaled regionally for cost-of-living factors.
- 285 (3) The lead agencies and providers shall submit any
286 detailed cost and expenditure data that the department requests
287 for the development of the funding methodology.

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288 (4) The department shall submit a report to the Governor,
289 the President of the Senate, and the Speaker of the House of
290 Representatives by December 1, 2024, which, at a minimum:

291 (a) Describes a proposed funding methodology and formula
292 that will provide for the annual budget of each lead agency,
293 including, but not limited to, how the proposed methodology will
294 meet the criteria in subsection (2).

295 (b) Describes the data used to develop the methodology,
296 and the data that will be used to annually calculate the
297 proposed lead agency budget.

298 (c) Specifies proposed rates and total allocations for
299 each lead agency. The allocations must ensure that the total of
300 all amounts allocated to lead agencies under the funding
301 methodology does not exceed the total amount appropriated to
302 lead agencies in the General Appropriations Act in the 2024-2025
303 fiscal year.

304 (d) Provides risk mitigation recommendations that ensure
305 that lead agencies do not experience a reduction in funding that
306 would be detrimental to operations or result in a reduction in
307 services to children.

308 (5) By October 31 of each year, beginning in 2025, the
309 department shall submit a report to the Governor, the President
310 of the Senate, and the Speaker of the House of Representatives
311 which includes recommendations for adjustments to the funding
312 methodology for the next fiscal year, using the criteria in

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313 subsection (2) and basing the recommendations on, at a minimum,
314 updated expenditure data, cost-of-living adjustments, market
315 dynamics, or other catchment area variations. The total of all
316 amounts proposed for allocation to lead agencies under the
317 funding methodology for the next fiscal year may not exceed the
318 total amount appropriated for core services funding in the
319 current fiscal year's General Appropriations Act. The funding
320 methodology must include risk mitigation strategies that ensure
321 that lead agencies do not experience a reduction in funding that
322 would be detrimental to operations or result in a reduction in
323 services to children.

324 (6)(a) The requirements of this section do not replace,
325 and must be in addition to, any requirements of chapter 216,
326 including, but not limited to, submission of final legislative
327 budget requests by the department under s. 216.023.

328 (b) The data and reports required under subsections (4)
329 and (5) may also include proposed rates and total allocations
330 for each lead agency which reflect any additional core services
331 funding for lead agencies which is requested by the department
332 under s. 216.023.

333 (7)(a) Beginning with the 2025-2026 fiscal year, the
334 Legislature shall allocate funding to lead agencies through the
335 General Appropriations Act with due consideration of the funding
336 methodology developed under this section.

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337 (b) The department may not change the allocation of funds
338 to a lead agency as provided in the General Appropriations Act
339 without legislative approval. The department may approve
340 additional risk pool funding for a lead agency as provided under
341 s. 409.990.

342 (8) The department shall provide to the Governor, the
343 President of the Senate, and the Speaker of the House of
344 Representatives monthly reports from July through October 2024
345 which provide updates on activities and progress in developing
346 the funding methodology.

347 Section 6. Subsections (1) and (3) of section 409.992,
348 Florida Statutes, are amended to read:

349 409.992 Lead agency expenditures.—

350 (1) The procurement of commodities or contractual services
351 by lead agencies is shall be governed by the financial
352 guidelines developed by the department and must comply with
353 applicable state and federal law and follow good business
354 practices. Pursuant to s. 11.45, the Auditor General may provide
355 technical advice in the development of the financial guidelines.

356 (a)1. Lead agencies shall competitively procure all
357 contracts, consistent with the federal simplified acquisition
358 threshold.

359 2. Lead agencies shall competitively procure all contracts
360 in excess of \$35,000 with related parties.

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361 3. Financial penalties or sanctions, as established by the
362 department and incorporated into the contract, shall be imposed
363 by the department for noncompliance with applicable local,
364 state, or federal law for the procurement of commodities or
365 contractual services.

366 (b) The contract between the department and the lead
367 agency for the provision of child protection and child welfare
368 services shall delineate the rights and obligations of the
369 parties concerning the acquisition, transfer, or other
370 disposition of real property held by the lead agency during the
371 term of the contract. This subsection applies prospectively to
372 new contracts entered into between the department and a lead
373 agency for the provision of child protection and child welfare
374 services on or after July 1, 2024.

375 (3) Notwithstanding any other provision of law, a
376 community-based care lead agency administrative employee may not
377 receive a salary, whether base pay or base pay combined with any
378 bonus or incentive payments, in excess of 150 percent of the
379 annual salary paid to the secretary of the Department of
380 Children and Families from state-appropriated funds, including
381 state-appropriated federal funds. This limitation applies
382 regardless of the number of community-based care contracts a
383 community-based care lead agency may execute with the
384 department. This subsection does not prohibit any party from

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385 providing cash that is not from appropriated state funds to a
386 community-based care lead agency administrative employee.

387 Section 7. Paragraph (d) of subsection (1) of section
388 409.994, Florida Statutes, is amended to read:

389 409.994 Community-based care lead agencies; receivership.—

390 (1) The Department of Children and Families may petition a
391 court of competent jurisdiction for the appointment of a
392 receiver for a community-based care lead agency established
393 pursuant to s. 409.987 if any of the following conditions exist:

394 (d) The lead agency cannot meet, or is unlikely to meet,
395 its current financial obligations to its employees, contractors,
396 or foster parents. Issuance of bad checks or the existence of
397 delinquent obligations for payment of salaries, utilities, or
398 invoices for essential services or commodities constitutes ~~shall~~
399 ~~constitute~~ prima facie evidence that the lead agency lacks the
400 financial ability to meet its financial obligations.

401 Section 8. Paragraph (d) of subsection (1) of section
402 409.996, Florida Statutes, is amended to read:

403 409.996 Duties of the Department of Children and
404 Families.—The department shall contract for the delivery,
405 administration, or management of care for children in the child
406 protection and child welfare system. In doing so, the department
407 retains responsibility for the quality of contracted services
408 and programs and shall ensure that, at a minimum, services are
409 delivered in accordance with applicable federal and state

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410 statutes and regulations and the performance standards and
411 metrics specified in the strategic plan created under s.
412 20.19(1).

413 (1) The department shall enter into contracts with lead
414 agencies for the performance of the duties by the lead agencies
415 established in s. 409.988. At a minimum, the contracts must do
416 all of the following:

417 (d) Provide for contractual actions ~~tiered interventions~~
418 ~~and graduated penalties~~ for failure to comply with contract
419 terms or in the event of performance deficiencies, as determined
420 appropriate by the department.

421 1. Such contractual actions must ~~interventions and~~
422 ~~penalties shall~~ include, but are not limited to:

423 ~~a.1.~~ Enhanced monitoring and reporting.

424 ~~b.2.~~ Corrective action plans.

425 ~~c.3.~~ Requirements to accept technical assistance and
426 consultation from the department under subsection (6).

427 ~~d.4.~~ Financial penalties, as a matter of contract. The
428 financial penalties assessed by the department on the lead
429 agency revert to the state ~~which shall require a lead agency to~~
430 ~~reallocate funds from administrative costs to direct care for~~
431 ~~children.~~

432 ~~e.5.~~ Early termination of contracts, as provided in s.
433 402.7305(3)(f) ~~s. 402.1705(3)(f).~~

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434 2. No later than January 1, 2025, the department shall
435 ensure that each lead agency contract executed includes a list
436 of financial penalties for failure to comply with contractual
437 requirements.

438 Section 9. The Department of Children and Families shall
439 submit a report to the Governor, the President of the Senate,
440 and the Speaker of the House of Representatives on rules and
441 policies adopted and other actions taken to implement the
442 requirements of this act. The first such report must be due
443 September 30, 2024, and the second such report must be due
444 February 1, 2025.

445 Section 10. There is established the Future of Child
446 Protection Contracting and Funding Working Group. The Department
447 of Children and Families shall convene the working group and
448 shall be responsible for producing and submitting a report to
449 the Governor, the President of the Senate, and the Speaker of
450 the House of Representatives by October 15, 2025.

451 (1) The report must, at a minimum:

452 (a) Examine the current contracting methods for the
453 provision of all foster care and related services.

454 (b) Identify any barriers or deficiencies in creating
455 local ownership and governance of such services.

456 (c) Assess the implications of a 10% cap on administrative
457 costs.

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458 (d) Evaluate barriers to entry in the procurement of
459 managed care networks.

460 (e) Consider the unique regional needs of children and
461 families at-risk of abuse and neglect.

462 (f) Recommend changes to existing laws, rules, and
463 policies necessary to implement the task force's
464 recommendations.

465 (2) The Secretary of the Department of Children and
466 Families, or his or her designee, shall chair the working group
467 and shall invite the following persons to participate as a
468 member of the working group.

469 (a) The Secretary of the Agency for Health Care
470 Administration, or his or her designee.

471 (b) The Secretary of the Department of Management
472 Services, or his or her designee.

473 (c) A member of the Florida Coalition for Children, or his
474 or her designee.

475 (d) A current contractor for lead agency child protection
476 services.

477 (e) Two representatives of a direct provider of child
478 protection or child welfare services.

479 (f) A member of the Family Law Section of the Florida Bar
480 or a member of the court exercising jurisdiction over family law
481 matters.

482 (g) A representative of a for-profit managed care entity.

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483 (h) A representative from a State University System school
484 of business.

485 (i) A representative from the Florida Institute for Child
486 Welfare.

487 (j) Any additional members as the department deems
488 appropriate.

489 (3) The working group shall terminate immediately after
490 the Secretary of the Department of Children and Families submits
491 the report to the Governor, the President of the Senate, and the
492 Speaker of the House of Representatives.

493 Section 10. This act shall take effect July 1, 2024.

494

495 -----

496

T I T L E A M E N D M E N T

497

Remove everything before the enacting clause and insert:

498

An act relating to community-based child welfare agencies;

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amending s. 409.016, F.S.; defining the term "management

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functions"; amending s. 409.987, F.S.; revising requirements for

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contracts the Department of Children and Families has with

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community-based care lead agencies; revising requirements for an

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entity to serve as a lead agency; providing duties for board

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members of lead agencies; requiring that lead agencies ensure

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that board members participate in certain annual training;

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revising the definition of the term "conflict of interest";

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defining the term "related party"; requiring the lead agency's

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508 board of directors to disclose any known or potential conflicts
509 of interest; prohibiting a lead agency from entering into a
510 contract or being a party to any transaction with related
511 parties if a conflict of interest is not properly disclosed;
512 prohibiting a lead agency from entering into a contract or being
513 a party to any transaction with related parties for officer or
514 director level staffing to perform management functions;
515 authorizing a lead agency to enter into certain contracts or be
516 a party to certain transactions so long as any conflict of
517 interest is properly disclosed; imposing civil penalties on lead
518 agencies for undisclosed conflicts of interest; providing
519 applicability; requiring certain contracts to be reprocured;
520 authorizing the department to recoup lead agency expenses for
521 the execution of certain contracts; amending s. 409.988, F.S.;
522 revising lead agency duties; repealing s. 409.991, F.S.,
523 relating to allocation of funds for community-based care lead
524 agencies; creating s. 409.9913, F.S.; providing definitions;
525 requiring the department, in collaboration with the lead
526 agencies and providers of child welfare services, to develop a
527 specific funding methodology for the allocation of core services
528 that meets certain criteria; requiring the lead agencies and
529 providers of child welfare services to submit to the department
530 certain financial information; requiring the department to
531 submit to the Governor and the Legislature certain reports by
532 the established deadlines; subjecting the allocation of core

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1061 (2024)

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533 services to the requirements of ch. 216, F.S.; authorizing the
534 department to include certain rates and total allocations in
535 certain reports; requiring the Legislature to allocate funding
536 to the lead agencies with due consideration of the funding
537 methodology, beginning with the 2025-2026 fiscal year;
538 prohibiting the department from changing a lead agency's
539 allocation of funds provided in the General Appropriations Act
540 without legislative approval; authorizing the department to
541 approve certain risk pool funding for a lead agency; requiring
542 the department to submit to the Governor and the Legislature
543 certain reports by the established deadlines; amending s.
544 409.992, F.S.; revising requirements for lead agency practices
545 in the procurement of commodities and contractual services;
546 requiring the department to impose certain penalties for a lead
547 agency's noncompliance with applicable procurement law;
548 requiring the contract between the department and the lead
549 agency to specify the rights and obligations to real property
550 held by the lead agency during the term of the contract;
551 applying a prospective date for the inclusion of the real
552 property contractual condition to new contracts; providing
553 applicability of certain limitations on the salaries of
554 community-based care lead agency administrative employees;
555 amending s. 409.994, F.S.; revising the conditions under which
556 the department may petition a court for the appointment of a
557 receiver for a community-based care lead agency; amending s.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1061 (2024)

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558 | 409.996, F.S.; revising requirements for contracts between the
559 | department and lead agencies; revising the actions the
560 | department may take under certain circumstances; making a
561 | technical change; providing duties of the department; providing
562 | reporting requirements; requiring the department to convene a
563 | working group to submit a certain report to the Governor and the
564 | Legislature by a certain date; providing an effective date.