



**Conference Committee on
Health & Human Services Appropriations/
Health Care Appropriations**

**Conforming and Implementing Bills
Senate Offer #2**

**Friday, April 23, 2010
12:00 p. m.
212 Knott Building (Webster Hall)**

**Health Care Appropriations/Health and Human Services Appropriations
Fiscal Year 2010-2011
Child Welfare**

HB 5305 House Offer #2	Comments	CS/CS/SB 1466 Senate Offer #1
Section 1. (s. 402.7306, F.S.) Requires DCF, DOH, DJJ, APD and AHCA to implement changes to improve efficiency in health and human services contract administration.	Concur Closed	Section 1. (unnumbered section of law) Requires DCF, DOH, DJJ, APD and AHCA to implement changes to improve efficiency in health and human services contract administration.
Section 2. (s. 402.7305, F.S.) Requires DCF to limit monitoring of child-caring or child-placing services provider to only once per year.	Identical Closed	Section 3. (s. 402.7305, F.S.) Requires DCF to limit monitoring of child-caring or child-placing services provider to only once per year.
Section 3. (s. 409.1451) Makes payments for independent living transition services subject to a specific appropriation and limits the RTI award to \$675 per month; specifies the award shall be issued on the day the eligible student reaches age 18; payment for a partial month shall be prorated on the basis of a 30-day month; and specifies that funds shall be terminated during the interim between an award and the evaluation for a renewal award if the department determines that award recipient is no longer enrolled in an educational institution or is no longer a state resident.	Concur Closed	
	BUMP	Section 2. (s. 39.301, F.S.) Allows <u>Mandates</u> DCF to develop and operate a pilot program related to family needs assistance referrals to be located in circuit where child protection investigation unit and community-based care lead agency agree to participate within existing resources; requires a report to the Legislature by January 31, 2011, which contains the results of the pilot program and recommendations for continuing, expanding or modifying program.
Section 4. (s. 409.1663, F.S.) Repeals adoption benefit for qualifying adopting employees of state agencies.	BUMP	
Section 5. (s. 409.1671, F.S.) Specifies that contracts entered into with community-based care lead agencies must be funded by a grant of general revenue and by applicable other state and federal funding sources; authorizes in increase in lead agency contracts for excess federal funds; community-based care lead agency is authorized to carry	Senate requests to reopen conference agreement and offers the	Section 4. (s. 409.1671, F.S.) Specifies that contracts entered into with community-based care lead agencies must be funded by a grant of general revenue and by applicable other state and federal funding sources; authorizes in increase in lead agency contracts for excess federal funds; community-based care lead agency is authorized to carry

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forward documented unexpended funds from one fiscal year to the next, but must return any unexpended funds that remain at the end of the contract period; funds carried forward may be retained through any contract renewals and any new procurement as long as the community-based care lead agency is retained by the department; requires the department to enter into a fixed-price contract that provides for a 2-month advance payment at the beginning of each fiscal year and equal monthly payments thereafter; allows the department to outsource programmatic, administrative or fiscal monitoring oversight of the lead agencies; and authorizes the lead agencies to continue to use funding for certain expenditures.	Senate position amended by the House provision on contract renewals	forward documented unexpended funds from one fiscal year to the next, but the cumulative amount carried forward may not exceed 8 percent of the contract total; funds carried forward may not be used that would create increased recurring future obligations; any unexpended funds that remain at the end of the contract period must be returned; requires the department to enter into a fixed-price contract that provides for a 2-month advance payment at the beginning of each fiscal year and equal monthly payments thereafter; allows the department to outsource programmatic, administrative or fiscal monitoring oversight of the lead agencies; and authorizes the lead agencies to continue to use funding for certain expenditures.
Section 6. (s. 409.166, F.S.) Conforming change to s. 409.1663, F.S., repeal.	BUMP	
	BUMP	Section 5. (s. 394.655, F.S.) Repeals the Substance Abuse and Mental Health Corporation.
Section 7. Effective date July 1, 2010.	Identical Closed	Section 6. Effective date July 1, 2010.

Amended or New Provisions

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Add new subsection 4 to s. 402.302, F.S. <u>(4) "Child welfare provider" means a licensed child caring or child placing agency.</u>	Senate Concurs Closed	
Amend subsection (10) of s. 402.7306, F.S. (1) Limit administrative monitoring to once every 3 years if the child welfare provider is accredited by the Joint Commission on the Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, or the Council on Accreditation of Children and Family Services. <u>If the accrediting body does not require documentation that the state agency requires,</u>	Senate Concurs Closed	

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<p><u>that document will be requested by the state agency and may be posted by the provider on the data warehouse for the agency's review.</u> Notwithstanding the survey or inspection of an accrediting organization specified in this subsection, an agency specified in and subject to this section may continue to monitor the provider as necessary with respect to:</p>		
<p>Adds paragraph (d) to subsection (1), s. 402.7306, F.S. <u>(d) Medicaid certification and pre-certification reviews are exempt from this section in order to ensure Medicaid compliance.</u></p>	<p>Senate Concurs Closed</p>	
<p>Amend subsection (2), s. 402.7306, F.S. (2) Allow private-sector development and implementation of an Internet-based, secure, and consolidated data warehouse and archive for maintaining corporate, fiscal, and administrative records of child welfare providers. A provider shall ensure that the data is up to date and accessible to the applicable agency under this section and the appropriate agency subcontractor. A provider shall submit any revised, updated information to the data warehouse within 10 business days after receiving the request. An agency that conducts administrative monitoring of child welfare providers under this section must use the data warehouse for document requests. If the information provided to the agency by the provider's data warehouse is not current or is unavailable from the data warehouse and archive, the agency may contact the provider directly. <u>A provider that fails to comply with an agency's requested documents may be subject to a site visit to ensure compliance. Access to the data warehouse must be provided without charge to an applicable agency under this section.</u> At a minimum, the records must include the provider's:</p> <ul style="list-style-type: none"> (a) Articles of incorporation. (b) Bylaws. (c) Governing board and committee minutes. 	<p>Senate Concurs Closed</p>	

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<p style="text-align: center;">HB 5305 House Offer #2</p>	<p style="text-align: center;">Comments</p>	<p style="text-align: center;">CS/CS/SB 1466 Senate Offer #1</p>
<p>(d) Financial audits. (e) Expenditure reports. (f) Compliance audits. (g) Organizational charts. (h) Governing board membership information. (i) Human resource policies and procedures. <u>(j) Staff credentials.</u> <u>(k) Monitoring procedures including tools and schedules.</u> <u>(l) Procurement and contracting policies and procedures.</u> <u>(m) Monitoring reports.</u></p>		
<p>Amend subsection (10) of 409.1451, F.S. (10) RULEMAKING.—The department shall adopt rule procedures to administer this section, including balancing goals of normalcy and safety for the youth and providing the caregivers with as much flexibility as possible to enable youth to participate in normal life experiences. The department shall not adopt rules relating to reductions in awards.—The department shall engage in appropriate planning to prevent, to the extent possible, a reduction in awards after issuance. <u>The department shall adopt rules to govern the payments and conditions related to payments for services to youth or young adults provided under this section.</u></p>	<p style="text-align: center;">Senate Concurs Closed</p>	

*Senate Committee to
House offer to amend HB5311*

PROPOSAL TO REVIEW THE DEPARTMENT OF HEALTH

The Department of Health shall partner with county health departments to augment manpower and staffing. In addition, county health departments shall maximize coordination with health care education programs to consolidate the goals of medical education and health manpower needs in rural and medically underserved areas.

In order to improve the cost efficiency and effectiveness of the delivery of health care services in rural and medically underserved areas, there is a need to evaluate the administrative costs associated with the Department of Health and the county health departments. We should move up the scheduled sunset review of the DOH from 2016 to 2012 so the review can begin immediately. OPPAGA will participate in the sunset review process of the DOH, and a blue ribbon panel should be appointed by the Governor, Speaker and President to review the Department of Health.

Every county health department should be required to have a business plan to increase local participation. This should be done based on rules and policies which are coming based on federal health care reform and the impact that will have on rural and underserved areas.

LEGISLATIVE ACTION

Senate House

Senator Peaden moved the following:

Senate Amendment

Between lines 370 and 371

insert:

Section 13. Beginning in the 2010-2011 fiscal year and thereafter, \$50 million of the revenue deposited into the Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7) shall be reserved for research of tobacco-related or cancer-related illnesses. Subject to annual appropriations in the General Appropriations Act, \$20 million shall be appropriated to the James and Esther King Biomedical Research Program, \$20 million shall be appropriated to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, and \$10 million shall

14 be appropriated to the H. Lee Moffitt Cancer Center. From funds
15 appropriated to accomplish the goals of the James and Esther
16 King Biomedical Research Program and the William G. "Bill"
17 Bankhead, Jr., and David Coley Cancer Research Program up to
18 \$500,000 shall be available for the operating costs of the
19 Florida Center for Universal Research to Eradicate Disease. The
20 James and Esther King Biomedical Research Program and the
21 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research
22 Program are reenacted by the Legislature.