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1                                   A bill to be entitled  
 2           An act relating to a review of the Department of Children  
 3           and Family Services under the Florida Government  
 4           Accountability Act; reenacting and amending s. 20.19,  
 5           F.S., relating to the establishment of the department;  
 6           changing the name of the Department of Children and Family  
 7           Services to the Department of Children and Families;  
 8           revising provisions relating to the establishment and  
 9           structure of, and services provided by, the department;  
 10          providing for operating units called circuits that conform  
 11          to the geographic boundaries of judicial circuits;  
 12          providing for the establishment of and requirements for  
 13          membership and participation in community alliances and  
 14          community partnerships; amending s. 20.04, F.S.;  
 15          authorizing the department to establish circuits or  
 16          regions headed by circuit administrators or region  
 17          directors and deleting a requirement for statutory  
 18          enactment for additional divisions or offices in the  
 19          department; amending s. 20.43, F.S.; revising provisions  
 20          relating to service area boundaries; amending s.  
 21          394.47865, F.S.; deleting provisions relating to  
 22          distribution of privatization savings to specified service  
 23          districts to conform to changes made by the act; amending  
 24          s. 394.655, F.S.; extending the expiration date of the  
 25          Substance Abuse and Mental Health Corporation; amending s.  
 26          394.78, F.S.; deleting an obsolete provision relating to  
 27          dispute resolution; amending s. 402.313, F.S.; revising  
 28          licensure requirements for family day care homes; amending

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29 s. 402.315, F.S.; requiring the county, rather than the  
 30 department, to bear the costs of licensing family day care  
 31 homes, under certain circumstances; amending s. 420.621,  
 32 F.S.; revising the definition of the term "district" to  
 33 conform to changes made by the act; amending s. 420.622,  
 34 F.S.; deleting a requirement for the Governor to appoint  
 35 the executive director of the State Office of  
 36 Homelessness; conforming a provision; amending ss. 39.01,  
 37 39.0121, 39.301, 39.302, 39.303, 39.806, 39.828, 381.0072,  
 38 394.493, 394.4985, 394.67, 394.73, 394.74, 394.75, 394.76,  
 39 394.82, 394.9084, 397.821, 402.49, 409.152, 409.1671,  
 40 409.1755, 410.0245, 410.603, 410.604, 411.224, 414.24,  
 41 415.1113, 420.623, 420.625, 429.35, and 1002.67, F.S.;  
 42 revising provisions to conform to changes made by the act;  
 43 correcting cross-references; repealing ss. 39.311, 39.312,  
 44 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S.,  
 45 relating to the Family Builders Program; repealing s.  
 46 394.9083, F.S., relating to the Behavioral Health Services  
 47 Integration Workgroup; repealing s. 402.35, F.S., which  
 48 provides for department employees to be governed by  
 49 Department of Management Services rules; directing the  
 50 Division of Statutory Revision to prepare a reviser's  
 51 bill; providing an effective date.

52  
 53 Be It Enacted by the Legislature of the State of Florida:

54  
 55 Section 1. Section 20.19, Florida Statutes, is reenacted  
 56 and amended to read:

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57 (Substantial rewording of section. See  
 58 s. 20.19, F.S., for present text.)  
 59 20.19 Department of Children and Families.—There is  
 60 created a Department of Children and Families.  
 61 (1) SECRETARY OF CHILDREN AND FAMILIES.—  
 62 (a) The head of the department is the Secretary of  
 63 Children and Families. The Governor shall appoint the secretary,  
 64 who is subject to confirmation by the Senate. The secretary  
 65 serves at the pleasure of the Governor.  
 66 (b) The secretary is responsible for planning,  
 67 coordinating, and managing the delivery of all services that are  
 68 the responsibility of the department.  
 69 (c) The secretary shall appoint a deputy secretary who  
 70 shall act in the absence of the secretary. The deputy secretary  
 71 is directly responsible to the secretary, performs such duties  
 72 as are assigned by the secretary, and serves at the pleasure of  
 73 the secretary.  
 74 (d) The secretary shall appoint an Assistant Secretary for  
 75 Substance Abuse and Mental Health and may establish assistant  
 76 secretary positions as necessary to administer the requirements  
 77 of this section. All persons appointed to such positions shall  
 78 serve at the pleasure of the secretary. The department shall  
 79 integrate substance abuse and mental health programs into the  
 80 overall structure and priorities of the department.  
 81 (2) SERVICES PROVIDED.—  
 82 (a) The department shall establish the following program  
 83 offices, each of which shall be headed by a program director who  
 84 shall be appointed by and serve at the pleasure of the

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85 secretary:

86 1. Adult protection.

87 2. Child care licensure.

88 3. Domestic violence.

89 4. Economic self-sufficiency.

90 5. Family safety.

91 6. Mental health.

92 7. Refugee services.

93 8. Substance abuse.

94 9. Homelessness.

95 (b) The secretary may appoint additional directors as  
 96 necessary for the effective management of the program services  
 97 provided by the department.

98 (3) OPERATING UNITS.—

99 (a) The department shall plan and administer its program  
 100 services through operating units called "circuits" that conform  
 101 to the geographic boundaries of the judicial circuits  
 102 established in s. 26.021. The department may also establish one  
 103 or more regions consisting of one or more circuits. A region  
 104 shall provide administrative, management, and infrastructure  
 105 support to the circuits operating within the region. The region  
 106 shall consolidate support functions to provide the most  
 107 efficient use of resources to support the circuits operating  
 108 within the region.

109 (b) The secretary may appoint a circuit administrator for  
 110 each circuit and a region director for each region who shall  
 111 serve at the pleasure of the secretary and shall perform such  
 112 duties as are assigned by the secretary.

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113           (4) COMMUNITY ALLIANCES AND PARTNERSHIPS; ADVISORY  
 114 GROUPS.—The department, in consultation with county governments  
 115 and the applicable local communities, may establish in each  
 116 circuit one or more community alliances or community  
 117 partnerships consisting of stakeholders, community leaders,  
 118 client representatives, and entities that fund human services in  
 119 each judicial circuit to provide a focal point for community  
 120 participation and the governance of community-based services. If  
 121 a community alliance or community partnership does not exist  
 122 within a circuit, the department shall periodically notify the  
 123 county governments within that circuit of the opportunity to  
 124 establish a community alliance or community partnership. The  
 125 membership of a community alliance or community partnership  
 126 shall represent the diversity of the community. The secretary  
 127 may also establish advisory groups at the state level as  
 128 necessary to ensure and enhance communication and provide  
 129 liaison with stakeholders, community leaders, and client  
 130 representatives.

131           (a) The duties of a community alliance or community  
 132 partnership may include, but are not limited to:

133           1. Participating in joint planning for the effective use  
 134 of resources in the community, including resources appropriated  
 135 to the department, and any funds that local funding sources  
 136 choose to provide.

137           2. Performing a needs assessment and establishing  
 138 community priorities for service delivery.

139           3. Determining community outcome goals to supplement  
 140 state-required outcomes.

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4. Serving as a catalyst for community resource development.

5. Providing for community education and advocacy on issues related to service delivery.

6. Promoting prevention and early intervention services.

(b) If one or more community alliances or community partnerships are established in a circuit, the department shall ensure, to the greatest extent possible, that the formation of each alliance or partnership builds on the strengths of the existing community human services infrastructure.

(c) Members of community alliances, community partnerships, and advisory groups shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses in accordance with s. 112.061. The department may also authorize payment for preapproved child care expenses or lost wages for members who are consumers of services provided by the department.

(d) Members of community alliances, community partnerships, and advisory groups are subject to part III of chapter 112, the Code of Ethics for Public Officers and Employees.

(e) Actions taken by community alliances, community partnerships, and advisory groups must be consistent with department policy and state and federal laws, rules, and regulations.

(f) Each member of a community alliance, community partnership, or advisory group must submit annually to the inspector general of the department a disclosure statement of

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169 any interest in services provided by the department. Any member  
 170 who has an interest in a matter under consideration by the  
 171 community alliance, community partnership, or advisory group  
 172 must abstain from voting on that matter.

173 (g) All meetings of community alliances, community  
 174 partnerships, and advisory groups are open to the public  
 175 pursuant to s. 286.011 and are subject to the public records  
 176 provisions of s. 119.07(1).

177 (5) CONSULTATION WITH COUNTIES ON MANDATED PROGRAMS.—It is  
 178 the intent of the Legislature that when county governments are  
 179 required by law to participate in the funding of programs  
 180 serviced by the department, the department shall consult with  
 181 designated representatives of county governments in developing  
 182 policies and service delivery plans for those programs.

183 Section 2. Subsection (4) and paragraph (b) of subsection  
 184 (7) of section 20.04, Florida Statutes, are amended to read:

185 20.04 Structure of executive branch.—The executive branch  
 186 of state government is structured as follows:

187 (4) Within the Department of Children and ~~Families~~ Family  
 188 ~~Services~~ there are organizational units called "program  
 189 offices," headed by program directors, and operating units  
 190 called "circuits," headed by circuit administrators. In  
 191 addition, there may be "regions," headed by region directors.

192 (7)

193 (b) Within the limitations of this subsection, the head of  
 194 the department may recommend the establishment of additional  
 195 divisions, bureaus, sections, and subsections of the department  
 196 to promote efficient and effective operation of the department.

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197 However, additional divisions, or offices in ~~the Department of~~  
 198 ~~Children and Family Services,~~ the Department of Corrections, and  
 199 the Department of Transportation, may be established only by  
 200 specific statutory enactment. New bureaus, sections, and  
 201 subsections of departments may be initiated by a department and  
 202 established as recommended by the Department of Management  
 203 Services and approved by the Executive Office of the Governor,  
 204 or may be established by specific statutory enactment.

205 Section 3. Subsection (5) of section 20.43, Florida  
 206 Statutes, is amended to read:

207 20.43 Department of Health.—There is created a Department  
 208 of Health.

209 (5) The department shall plan and administer its public  
 210 health programs through its county health departments and may,  
 211 for administrative purposes and efficient service delivery,  
 212 establish up to 15 service areas to carry out such duties as may  
 213 be prescribed by the State Surgeon General. ~~The boundaries of~~  
 214 ~~the service areas shall be the same as, or combinations of, the~~  
 215 ~~service districts of the Department of Children and Family~~  
 216 ~~Services established in s. 20.19 and, to the extent practicable,~~  
 217 ~~shall take into consideration the boundaries of the jobs and~~  
 218 ~~education regional boards.~~

219 Section 4. Subsections (18) through (76) of section 39.01,  
 220 Florida Statutes, are renumbered as subsections (19) through  
 221 (75), respectively, subsection (10) is amended, present  
 222 subsection (26) is repealed, and present subsection (27) of that  
 223 section is renumbered as subsection (18) and amended, to read:

224 39.01 Definitions.—When used in this chapter, unless the

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225 context otherwise requires:

226 (10) "Caregiver" means the parent, legal custodian,  
 227 permanent guardian, adult household member, or other person  
 228 responsible for a child's welfare as defined in subsection (46)  
 229 ~~(47)~~.

230 ~~(26) "District" means any one of the 15 service districts~~  
 231 ~~of the department established pursuant to s. 20.19.~~

232 (18) ~~(27)~~ "Circuit District administrator" means the chief  
 233 operating officer of each circuit service district of the  
 234 department as defined in s. 20.19(5) and, where appropriate,  
 235 ~~includes any district administrator whose service district falls~~  
 236 ~~within the boundaries of a judicial circuit.~~

237 Section 5. Subsection (10) of section 39.0121, Florida  
 238 Statutes, is amended to read:

239 39.0121 Specific rulemaking authority.—Pursuant to the  
 240 requirements of s. 120.536, the department is specifically  
 241 authorized to adopt, amend, and repeal administrative rules  
 242 which implement or interpret law or policy, or describe the  
 243 procedure and practice requirements necessary to implement this  
 244 chapter, including, but not limited to, the following:

245 (10) ~~The Family Builders Program, the Intensive Crisis~~  
 246 ~~Counseling Program,~~ and any other early intervention programs  
 247 and kinship care assistance programs.

248 Section 6. Paragraph (a) of subsection (15) of section  
 249 39.301, Florida Statutes, is amended to read:

250 39.301 Initiation of protective investigations.—

251 (15) (a) If the department or its agent determines that a  
 252 child requires immediate or long-term protection through:

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253 1. Medical or other health care; or  
 254 2. Homemaker care, day care, protective supervision, or  
 255 other services to stabilize the home environment, including  
 256 intensive family preservation services through ~~the Family~~  
 257 ~~Builders Program~~ or the Intensive Crisis Counseling Program, ~~or~~  
 258 ~~both,~~

259  
 260 such services shall first be offered for voluntary acceptance  
 261 unless there are high-risk factors that may impact the ability  
 262 of the parents or legal custodians to exercise judgment. Such  
 263 factors may include the parents' or legal custodians' young age  
 264 or history of substance abuse or domestic violence.

265 Section 7. Subsection (1) of section 39.302, Florida  
 266 Statutes, is amended to read:

267 39.302 Protective investigations of institutional child  
 268 abuse, abandonment, or neglect.-

269 (1) The department shall conduct a child protective  
 270 investigation of each report of institutional child abuse,  
 271 abandonment, or neglect. Upon receipt of a report that alleges  
 272 that an employee or agent of the department, or any other entity  
 273 or person covered by s. 39.01 (32) ~~(33)~~ or (46) ~~(47)~~, acting in an  
 274 official capacity, has committed an act of child abuse,  
 275 abandonment, or neglect, the department shall initiate a child  
 276 protective investigation within the timeframe established under  
 277 s. 39.201(5) and orally notify the appropriate state attorney,  
 278 law enforcement agency, and licensing agency, which shall  
 279 immediately conduct a joint investigation, unless independent  
 280 investigations are more feasible. When conducting investigations

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281 onsite or having face-to-face interviews with the child,  
 282 investigation visits shall be unannounced unless it is  
 283 determined by the department or its agent that unannounced  
 284 visits threaten the safety of the child. If a facility is exempt  
 285 from licensing, the department shall inform the owner or  
 286 operator of the facility of the report. Each agency conducting a  
 287 joint investigation is entitled to full access to the  
 288 information gathered by the department in the course of the  
 289 investigation. A protective investigation must include an onsite  
 290 visit of the child's place of residence. The department shall  
 291 make a full written report to the state attorney within 3  
 292 working days after making the oral report. A criminal  
 293 investigation shall be coordinated, whenever possible, with the  
 294 child protective investigation of the department. Any interested  
 295 person who has information regarding the offenses described in  
 296 this subsection may forward a statement to the state attorney as  
 297 to whether prosecution is warranted and appropriate. Within 15  
 298 days after the completion of the investigation, the state  
 299 attorney shall report the findings to the department and shall  
 300 include in the report a determination of whether or not  
 301 prosecution is justified and appropriate in view of the  
 302 circumstances of the specific case.

303 Section 8. Section 39.303, Florida Statutes, is amended to  
 304 read:

305 39.303 Child protection teams; services; eligible cases.—  
 306 The Children's Medical Services Program in the Department of  
 307 Health shall develop, maintain, and coordinate the services of  
 308 one or more multidisciplinary child protection teams in each of

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309 | the circuits ~~service districts~~ of the Department of Children and  
 310 | Families ~~Family Services~~. Such teams may be composed of  
 311 | appropriate representatives of school districts and appropriate  
 312 | health, mental health, social service, legal service, and law  
 313 | enforcement agencies. The Legislature finds that optimal  
 314 | coordination of child protection teams and sexual abuse  
 315 | treatment programs requires collaboration between the Department  
 316 | of Health and the Department of Children and Families ~~Family~~  
 317 | ~~Services~~. The two departments shall maintain an interagency  
 318 | agreement that establishes protocols for oversight and  
 319 | operations of child protection teams and sexual abuse treatment  
 320 | programs. The State Surgeon General and the Deputy Secretary for  
 321 | Children's Medical Services, in consultation with the Secretary  
 322 | of Children and Families ~~Family Services~~, shall maintain the  
 323 | responsibility for the screening, employment, and, if necessary,  
 324 | the termination of child protection team medical directors, at  
 325 | headquarters and in the circuits ~~15 districts~~. Child protection  
 326 | team medical directors shall be responsible for oversight of the  
 327 | teams in the circuits ~~districts~~.

328 |         (1) The Department of Health shall utilize and convene the  
 329 | teams to supplement the assessment and protective supervision  
 330 | activities of the family safety and preservation program of the  
 331 | Department of Children and Families ~~Family Services~~. Nothing in  
 332 | this section shall be construed to remove or reduce the duty and  
 333 | responsibility of any person to report pursuant to this chapter  
 334 | all suspected or actual cases of child abuse, abandonment, or  
 335 | neglect or sexual abuse of a child. The role of the teams shall  
 336 | be to support activities of the program and to provide services

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337 | deemed by the teams to be necessary and appropriate to abused,  
 338 | abandoned, and neglected children upon referral. The specialized  
 339 | diagnostic assessment, evaluation, coordination, consultation,  
 340 | and other supportive services that a child protection team shall  
 341 | be capable of providing include, but are not limited to, the  
 342 | following:

343 |         (a) Medical diagnosis and evaluation services, including  
 344 | provision or interpretation of X rays and laboratory tests, and  
 345 | related services, as needed, and documentation of findings  
 346 | relative thereto.

347 |         (b) Telephone consultation services in emergencies and in  
 348 | other situations.

349 |         (c) Medical evaluation related to abuse, abandonment, or  
 350 | neglect, as defined by policy or rule of the Department of  
 351 | Health.

352 |         (d) Such psychological and psychiatric diagnosis and  
 353 | evaluation services for the child or the child's parent or  
 354 | parents, legal custodian or custodians, or other caregivers, or  
 355 | any other individual involved in a child abuse, abandonment, or  
 356 | neglect case, as the team may determine to be needed.

357 |         (e) Expert medical, psychological, and related  
 358 | professional testimony in court cases.

359 |         (f) Case staffings to develop treatment plans for children  
 360 | whose cases have been referred to the team. A child protection  
 361 | team may provide consultation with respect to a child who is  
 362 | alleged or is shown to be abused, abandoned, or neglected, which  
 363 | consultation shall be provided at the request of a  
 364 | representative of the family safety and preservation program or

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365 at the request of any other professional involved with a child  
 366 or the child's parent or parents, legal custodian or custodians,  
 367 or other caregivers. In every such child protection team case  
 368 staffing, consultation, or staff activity involving a child, a  
 369 family safety and preservation program representative shall  
 370 attend and participate.

371 (g) Case service coordination and assistance, including  
 372 the location of services available from other public and private  
 373 agencies in the community.

374 (h) Such training services for program and other employees  
 375 of the Department of Children and Families ~~Family Services~~,  
 376 employees of the Department of Health, and other medical  
 377 professionals as is deemed appropriate to enable them to develop  
 378 and maintain their professional skills and abilities in handling  
 379 child abuse, abandonment, and neglect cases.

380 (i) Educational and community awareness campaigns on child  
 381 abuse, abandonment, and neglect in an effort to enable citizens  
 382 more successfully to prevent, identify, and treat child abuse,  
 383 abandonment, and neglect in the community.

384 (j) Child protection team assessments that include, as  
 385 appropriate, medical evaluations, medical consultations, family  
 386 psychosocial interviews, specialized clinical interviews, or  
 387 forensic interviews.

388  
 389 All medical personnel participating on a child protection team  
 390 must successfully complete the required child protection team  
 391 training curriculum as set forth in protocols determined by the  
 392 Deputy Secretary for Children's Medical Services and the

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393 Statewide Medical Director for Child Protection.  
 394 (2) The child abuse, abandonment, and neglect reports that  
 395 must be referred by the department to child protection teams of  
 396 the Department of Health for an assessment and other appropriate  
 397 available support services as set forth in subsection (1) must  
 398 include cases involving:  
 399 (a) Injuries to the head, bruises to the neck or head,  
 400 burns, or fractures in a child of any age.  
 401 (b) Bruises anywhere on a child 5 years of age or under.  
 402 (c) Any report alleging sexual abuse of a child.  
 403 (d) Any sexually transmitted disease in a prepubescent  
 404 child.  
 405 (e) Reported malnutrition of a child and failure of a  
 406 child to thrive.  
 407 (f) Reported medical neglect of a child.  
 408 (g) Any family in which one or more children have been  
 409 pronounced dead on arrival at a hospital or other health care  
 410 facility, or have been injured and later died, as a result of  
 411 suspected abuse, abandonment, or neglect, when any sibling or  
 412 other child remains in the home.  
 413 (h) Symptoms of serious emotional problems in a child when  
 414 emotional or other abuse, abandonment, or neglect is suspected.  
 415 (3) All abuse and neglect cases transmitted for  
 416 investigation to a circuit ~~district~~ by the hotline must be  
 417 simultaneously transmitted to the Department of Health child  
 418 protection team for review. For the purpose of determining  
 419 whether face-to-face medical evaluation by a child protection  
 420 team is necessary, all cases transmitted to the child protection

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421 team which meet the criteria in subsection (2) must be timely  
 422 reviewed by:

423 (a) A physician licensed under chapter 458 or chapter 459  
 424 who holds board certification in pediatrics and is a member of a  
 425 child protection team;

426 (b) A physician licensed under chapter 458 or chapter 459  
 427 who holds board certification in a specialty other than  
 428 pediatrics, who may complete the review only when working under  
 429 the direction of a physician licensed under chapter 458 or  
 430 chapter 459 who holds board certification in pediatrics and is a  
 431 member of a child protection team;

432 (c) An advanced registered nurse practitioner licensed  
 433 under chapter 464 who has a specialty ~~speciality~~ in pediatrics  
 434 or family medicine and is a member of a child protection team;

435 (d) A physician assistant licensed under chapter 458 or  
 436 chapter 459, who may complete the review only when working under  
 437 the supervision of a physician licensed under chapter 458 or  
 438 chapter 459 who holds board certification in pediatrics and is a  
 439 member of a child protection team; or

440 (e) A registered nurse licensed under chapter 464, who may  
 441 complete the review only when working under the direct  
 442 supervision of a physician licensed under chapter 458 or chapter  
 443 459 who holds certification in pediatrics and is a member of a  
 444 child protection team.

445 (4) A face-to-face medical evaluation by a child  
 446 protection team is not necessary when:

447 (a) The child was examined for the alleged abuse or  
 448 neglect by a physician who is not a member of the child

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449 protection team, and a consultation between the child protection  
 450 team board-certified pediatrician, advanced registered nurse  
 451 practitioner, physician assistant working under the supervision  
 452 of a child protection team board-certified pediatrician, or  
 453 registered nurse working under the direct supervision of a child  
 454 protection team board-certified pediatrician, and the examining  
 455 physician concludes that a further medical evaluation is  
 456 unnecessary;

457 (b) The child protective investigator, with supervisory  
 458 approval, has determined, after conducting a child safety  
 459 assessment, that there are no indications of injuries as  
 460 described in paragraphs (2) (a)-(h) as reported; or

461 (c) The child protection team board-certified  
 462 pediatrician, as authorized in subsection (3), determines that a  
 463 medical evaluation is not required.

464  
 465 Notwithstanding paragraphs (a), (b), and (c), a child protection  
 466 team pediatrician, as authorized in subsection (3), may  
 467 determine that a face-to-face medical evaluation is necessary.

468 (5) In all instances in which a child protection team is  
 469 providing certain services to abused, abandoned, or neglected  
 470 children, other offices and units of the Department of Health,  
 471 and offices and units of the Department of Children and Families  
 472 ~~Family Services~~, shall avoid duplicating the provision of those  
 473 services.

474 (6) The Department of Health child protection team quality  
 475 assurance program and the Department of Children and Families'  
 476 ~~Family Services'~~ Family Safety Program Office quality assurance

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477 program shall collaborate to ensure referrals and responses to  
 478 child abuse, abandonment, and neglect reports are appropriate.  
 479 Each quality assurance program shall include a review of records  
 480 in which there are no findings of abuse, abandonment, or  
 481 neglect, and the findings of these reviews shall be included in  
 482 each department's quality assurance reports.

483 Section 9. Paragraph (k) of subsection (1) of section  
 484 39.806, Florida Statutes, is amended to read:

485 39.806 Grounds for termination of parental rights.—

486 (1) Grounds for the termination of parental rights may be  
 487 established under any of the following circumstances:

488 (k) A test administered at birth that indicated that the  
 489 child's blood, urine, or meconium contained any amount of  
 490 alcohol or a controlled substance or metabolites of such  
 491 substances, the presence of which was not the result of medical  
 492 treatment administered to the mother or the newborn infant, and  
 493 the biological mother of the child is the biological mother of  
 494 at least one other child who was adjudicated dependent after a  
 495 finding of harm to the child's health or welfare due to exposure  
 496 to a controlled substance or alcohol as defined in s.

497 39.01 (31) ~~(32)~~ (g), after which the biological mother had the  
 498 opportunity to participate in substance abuse treatment.

499 Section 10. Paragraph (a) of subsection (1) of section  
 500 39.828, Florida Statutes, is amended to read:

501 39.828 Grounds for appointment of a guardian advocate.—

502 (1) The court shall appoint the person named in the  
 503 petition as a guardian advocate with all the powers and duties  
 504 specified in s. 39.829 for an initial term of 1 year upon a

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505 finding that:

506 (a) The child named in the petition is or was a drug  
 507 dependent newborn as described in s. 39.01 (31) ~~(32)~~ (g);

508 Section 11. Paragraph (a) of subsection (3) of section  
 509 381.0072, Florida Statutes, is amended to read:

510 381.0072 Food service protection.—It shall be the duty of  
 511 the Department of Health to adopt and enforce sanitation rules  
 512 consistent with law to ensure the protection of the public from  
 513 food-borne illness. These rules shall provide the standards and  
 514 requirements for the storage, preparation, serving, or display  
 515 of food in food service establishments as defined in this  
 516 section and which are not permitted or licensed under chapter  
 517 500 or chapter 509.

518 (3) LICENSES REQUIRED.—

519 (a) Licenses; annual renewals.—Each food service  
 520 establishment regulated under this section shall obtain a  
 521 license from the department annually. Food service establishment  
 522 licenses shall expire annually and are not transferable from one  
 523 place or individual to another. However, those facilities  
 524 licensed by the department's Office of Licensure and  
 525 Certification, the Child Care Licensure ~~Services~~ Program Office,  
 526 or the Agency for Persons with Disabilities are exempt from this  
 527 subsection. It shall be a misdemeanor of the second degree,  
 528 punishable as provided in s. 381.0061, s. 775.082, or s.  
 529 775.083, for such an establishment to operate without this  
 530 license. The department may refuse a license, or a renewal  
 531 thereof, to any establishment that is not constructed or  
 532 maintained in accordance with law and with the rules of the

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533 department. Annual application for renewal is not required.

534 Section 12. Subsection (3) of section 394.47865, Florida  
 535 Statutes, is amended to read:

536 394.47865 South Florida State Hospital; privatization.—

537 (3)(a) Current South Florida State Hospital employees who  
 538 are affected by the privatization shall be given first  
 539 preference for continued employment by the contractor. The  
 540 department shall make reasonable efforts to find suitable job  
 541 placements for employees who wish to remain within the state  
 542 Career Service System.

543 ~~(b) Any savings that result from the privatization of~~  
 544 ~~South Florida State Hospital shall be directed to the~~  
 545 ~~department's service districts 9, 10, and 11 for the delivery of~~  
 546 ~~community mental health services.~~

547 Section 13. Subsection (2) of section 394.493, Florida  
 548 Statutes, is amended to read:

549 394.493 Target populations for child and adolescent mental  
 550 health services funded through the department.—

551 (2) Each mental health provider under contract with the  
 552 department to provide mental health services to the target  
 553 population shall collect fees from the parent or legal guardian  
 554 of the child or adolescent receiving services. The fees shall be  
 555 based on a sliding fee scale for families whose net family  
 556 income is at or above 150 percent of the Federal Poverty Income  
 557 Guidelines. The department shall adopt, by rule, a sliding fee  
 558 scale for statewide implementation. Fees collected from families  
 559 shall be retained in the circuit ~~service district~~ and used for  
 560 expanding child and adolescent mental health treatment services.

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561 Section 14. Section 394.4985, Florida Statutes, is amended  
 562 to read:

563 394.4985 Circuitwide ~~Districtwide~~ information and referral  
 564 network; implementation.—

565 (1) Each circuit ~~service district~~ of the Department of  
 566 Children and Families ~~Family Services~~ shall develop a detailed  
 567 implementation plan for a circuitwide ~~districtwide~~ comprehensive  
 568 child and adolescent mental health information and referral  
 569 network to be operational by July 1, 1999. The plan must include  
 570 an operating budget that demonstrates cost efficiencies and  
 571 identifies funding sources for the circuit ~~district~~ information  
 572 and referral network. The plan must be submitted by the  
 573 department to the Legislature by October 1, 1998. The circuit  
 574 ~~district~~ shall use existing circuit ~~district~~ information and  
 575 referral providers if, in the development of the plan, it is  
 576 concluded that these providers would deliver information and  
 577 referral services in a more efficient and effective manner when  
 578 compared to other alternatives. The circuit ~~district~~ information  
 579 and referral network must include:

580 (a) A resource file that contains information about the  
 581 child and adolescent mental health services as described in s.  
 582 394.495, including, but not limited to:

- 583 1. Type of program;
- 584 2. Hours of service;
- 585 3. Ages of persons served;
- 586 4. Program description;
- 587 5. Eligibility requirements; and
- 588 6. Fees.

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589 (b) Information about private providers and professionals  
 590 in the community which serve children and adolescents with an  
 591 emotional disturbance.

592 (c) A system to document requests for services that are  
 593 received through the network referral process, including, but  
 594 not limited to:

- 595 1. Number of calls by type of service requested;
- 596 2. Ages of the children and adolescents for whom services  
 597 are requested; and
- 598 3. Type of referral made by the network.

599 (d) The ability to share client information with the  
 600 appropriate community agencies.

601 (e) The submission of an annual report to the department,  
 602 the Agency for Health Care Administration, and appropriate local  
 603 government entities, which contains information about the  
 604 sources and frequency of requests for information, types and  
 605 frequency of services requested, and types and frequency of  
 606 referrals made.

607 (2) In planning the information and referral network, the  
 608 circuit ~~district~~ shall consider the establishment of a 24-hour  
 609 toll-free telephone number, staffed at all times, for parents  
 610 and other persons to call for information that concerns child  
 611 and adolescent mental health services and a community public  
 612 service campaign to inform the public about information and  
 613 referral services.

614 Section 15. Subsection (12) of section 394.655, Florida  
 615 Statutes, is amended to read:

616 394.655 The Substance Abuse and Mental Health Corporation;

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617 powers and duties; composition; evaluation and reporting  
 618 requirements.—

619 (12) This section expires on October 1, 2015 ~~2011~~, unless  
 620 reviewed and reenacted by the Legislature before that date.

621 Section 16. Subsections (2) through (6) of section 394.67,  
 622 Florida Statutes, are renumbered as subsections (4) and (8),  
 623 respectively, and present subsections (7) and (8) are renumbered  
 624 as subsections (2) and (3), respectively, and amended to read:

625 394.67 Definitions.—As used in this part, the term:

626 ~~(2)(7)~~ "Circuit ~~District~~ administrator" means the person  
 627 appointed by the Secretary of Children and Families ~~Family~~  
 628 ~~Services~~ for the purpose of administering a department circuit  
 629 ~~service-district~~ as set forth in s. 20.19.

630 ~~(3)(8)~~ "Circuit ~~District~~ plan" or "plan" means the  
 631 combined circuit ~~district~~ substance abuse and mental health plan  
 632 approved by the circuit ~~district~~ administrator and governing  
 633 bodies in accordance with this part.

634 Section 17. Section 394.73, Florida Statutes, is amended  
 635 to read:

636 394.73 Joint alcohol, drug abuse, and mental health  
 637 service programs in two or more counties.—

638 (1) Subject to rules established by the department, any  
 639 county within a circuit ~~service-district~~ shall have the same  
 640 power to contract for alcohol, drug abuse, and mental health  
 641 services as the department has under existing statutes.

642 (2) In order to carry out the intent of this part and to  
 643 provide alcohol, drug abuse, and mental health services in  
 644 accordance with the circuit ~~district~~ plan, the counties within a

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645 circuit ~~service district~~ may enter into agreements with each  
 646 other for the establishment of joint service programs. The  
 647 agreements may provide for the joint provision or operation of  
 648 services and facilities or for the provision or operation of  
 649 services and facilities by one participating county under  
 650 contract with other participating counties.

651 (3) When a circuit ~~service district~~ comprises two or more  
 652 counties or portions thereof, it is the obligation of the  
 653 planning council to submit to the governing bodies, prior to the  
 654 budget submission date of each governing body, an estimate of  
 655 the proportionate share of costs of alcohol, drug abuse, and  
 656 mental health services proposed to be borne by each such  
 657 governing body.

658 (4) Any county desiring to withdraw from a joint program  
 659 may submit to the circuit ~~district~~ administrator a resolution  
 660 requesting withdrawal therefrom together with a plan for the  
 661 equitable adjustment and division of the assets, property,  
 662 debts, and obligations, if any, of the joint program.

663 Section 18. Paragraph (a) of subsection (3) of section  
 664 394.74, Florida Statutes, is amended to read:

665 394.74 Contracts for provision of local substance abuse  
 666 and mental health programs.—

667 (3) Contracts shall include, but are not limited to:

668 (a) A provision that, within the limits of available  
 669 resources, substance abuse and mental health crisis services, as  
 670 defined in s. 394.67 (5) ~~(3)~~, shall be available to any individual  
 671 residing or employed within the service area, regardless of  
 672 ability to pay for such services, current or past health

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673 condition, or any other factor;

674 Section 19. Subsection (10) of section 394.75, Florida  
675 Statutes, is amended to read:

676 394.75 State and circuit ~~district~~ substance abuse and  
677 mental health plans.—

678 (10) The circuit ~~district~~ administrator shall ensure that  
679 the circuit ~~district~~ plan:

680 (a) Conforms to the priorities in the state plan, the  
681 requirements of this part, and the standards adopted under this  
682 part;

683 (b) Ensures that the most effective and economical use  
684 will be made of available public and private substance abuse and  
685 mental health resources in the circuit ~~service-district~~; and

686 (c) Has adequate provisions made for review and evaluation  
687 of the services provided in the circuit ~~service-district~~.

688 Section 20. Subsection (2) of section 394.76, Florida  
689 Statutes, is amended to read:

690 394.76 Financing of circuit ~~district~~ programs and  
691 services.—If the local match funding level is not provided in  
692 the General Appropriations Act or the substantive bill  
693 implementing the General Appropriations Act, such funding level  
694 shall be provided as follows:

695 (2) If in any fiscal year the approved state appropriation  
696 is insufficient to finance the programs and services specified  
697 by this part, the department shall have the authority to  
698 determine the amount of state funds available to each circuit  
699 ~~service-district~~ for such purposes in accordance with the  
700 priorities in both the state and circuit ~~district~~ plans. The

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701 circuit ~~district~~ administrator shall consult with the planning  
 702 council to ensure that the summary operating budget conforms to  
 703 the approved plan.

704 Section 21. Subsection (5) of section 394.78, Florida  
 705 Statutes, is amended to read:

706 394.78 Operation and administration; personnel standards;  
 707 procedures for audit and monitoring of service providers;  
 708 ~~resolution of disputes.-~~

709 ~~(5) In unresolved disputes regarding this part or rules~~  
 710 ~~established pursuant to this part, providers and district health~~  
 711 ~~and human services boards shall adhere to formal procedures~~  
 712 ~~specified under s. 20.19(8)(n).-~~

713 Section 22. Subsections (3) and (4) of section 394.82,  
 714 Florida Statutes, are amended to read:

715 394.82 Funding of expanded services.-

716 (3) Each fiscal year, any funding increases for crisis  
 717 services or community mental health services that are included  
 718 in the General Appropriations Act shall be appropriated in a  
 719 lump-sum category as defined in s. 216.011(1)(aa). In accordance  
 720 with s. 216.181(6)(a), the Executive Office of the Governor  
 721 shall require the Department of Children and Families ~~Family~~  
 722 ~~Services~~ to submit a spending plan for the use of funds  
 723 appropriated for this purpose. The spending plan must include a  
 724 schedule for phasing in the new community mental health services  
 725 in each circuit ~~service-district~~ of the department and must  
 726 describe how the new services will be integrated and coordinated  
 727 with all current community-based health and human services.

728 (4) By January 1, 2004, the crisis services defined in s.

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729 394.67 (5) ~~(3)~~ shall be implemented, as appropriate, in the  
 730 state's public community mental health system to serve children  
 731 and adults who are experiencing an acute mental or emotional  
 732 crisis, as defined in s. 394.67(17). By January 1, 2006, the  
 733 mental health services defined in s. 394.67(15) shall be  
 734 implemented, as appropriate, in the state's public community  
 735 mental health system to serve adults and older adults who have a  
 736 severe and persistent mental illness and to serve children who  
 737 have a serious emotional disturbance or mental illness, as  
 738 defined in s. 394.492(6).

739 Section 23. Subsection (1) of section 394.9084, Florida  
 740 Statutes, is amended to read:

741 394.9084 Florida Self-Directed Care program.—

742 (1) The Department of Children and Families ~~Family~~  
 743 ~~Services~~, in cooperation with the Agency for Health Care  
 744 Administration, may provide a client-directed and choice-based  
 745 Florida Self-Directed Care program in all department circuits  
 746 ~~service districts~~, in addition to the pilot projects established  
 747 in district 4 and district 8, to provide mental health treatment  
 748 and support services to adults who have a serious mental  
 749 illness. The department may also develop and implement a client-  
 750 directed and choice-based pilot project in one circuit ~~district~~  
 751 to provide mental health treatment and support services for  
 752 children with a serious emotional disturbance who live at home.  
 753 If established, any staff who work with children must be  
 754 screened under s. 435.04. The department shall implement a  
 755 payment mechanism in which each client controls the money that  
 756 is available for that client's mental health treatment and

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757 support services. The department shall establish interagency  
 758 cooperative agreements and work with the agency, the Division of  
 759 Vocational Rehabilitation, and the Social Security  
 760 Administration to implement and administer the Florida Self-  
 761 Directed Care program.

762 Section 24. Subsection (1) of section 397.821, Florida  
 763 Statutes, is amended to read:

764 397.821 Juvenile substance abuse impairment prevention and  
 765 early intervention councils.—

766 (1) Each judicial circuit as set forth in s. 26.021 may  
 767 establish a juvenile substance abuse impairment prevention and  
 768 early intervention council composed of at least 12 members,  
 769 including representatives from law enforcement, the department,  
 770 school districts, state attorney and public defender offices,  
 771 the circuit court, the religious community, substance abuse  
 772 impairment professionals, child advocates from the community,  
 773 business leaders, parents, and high school students. However,  
 774 those circuits which already have in operation a council of  
 775 similar composition may designate the existing body as the  
 776 juvenile substance abuse impairment prevention and early  
 777 intervention council for the purposes of this section. Each  
 778 council shall establish bylaws providing for the length of term  
 779 of its members, but the term may not exceed 4 years. The circuit  
 780 ~~substate entity~~ administrator, as defined in s. 20.19, and the  
 781 chief judge of the circuit court shall each appoint six members  
 782 of the council. The circuit ~~substate entity~~ administrator shall  
 783 appoint a representative from the department, a school district  
 784 representative, a substance abuse impairment treatment

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785 professional, a child advocate, a parent, and a high school  
 786 student. The chief judge of the circuit court shall appoint a  
 787 business leader and representatives from the state attorney's  
 788 office, the public defender's office, the religious community,  
 789 the circuit court, and law enforcement agencies.

790 Section 25. Subsection (1) of section 402.313, Florida  
 791 Statutes, is amended to read:

792 402.313 Family day care homes.—

793 (1) Family day care homes shall be licensed under this act  
 794 if they are presently being licensed under an existing county  
 795 licensing ordinance, if they are participating in the subsidized  
 796 child care program, or if the board of county commissioners  
 797 passes a resolution that family day care homes be licensed. If  
 798 no county authority exists for the licensing of a family day  
 799 care home and the county passes a resolution requiring  
 800 licensure, the department shall have the authority to license  
 801 family day care homes under contract with the county for the  
 802 ~~purchase of service system in the subsidized child care program.~~

803 (a) If not subject to license, family day care homes shall  
 804 register annually with the department, providing the following  
 805 information:

- 806 1. The name and address of the home.
- 807 2. The name of the operator.
- 808 3. The number of children served.
- 809 4. Proof of a written plan to provide at least one other  
 810 competent adult to be available to substitute for the operator  
 811 in an emergency. This plan shall include the name, address, and  
 812 telephone number of the designated substitute.

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- 813 5. Proof of screening and background checks.
- 814 6. Proof of successful completion of the 30-hour training
- 815 course, as evidenced by passage of a competency examination,
- 816 which shall include:
- 817 a. State and local rules and regulations that govern child
- 818 care.
- 819 b. Health, safety, and nutrition.
- 820 c. Identifying and reporting child abuse and neglect.
- 821 d. Child development, including typical and atypical
- 822 language development; and cognitive, motor, social, and self-
- 823 help skills development.
- 824 e. Observation of developmental behaviors, including using
- 825 a checklist or other similar observation tools and techniques to
- 826 determine a child's developmental level.
- 827 f. Specialized areas, including early literacy and
- 828 language development of children from birth to 5 years of age,
- 829 as determined by the department, for owner-operators of family
- 830 day care homes.
- 831 7. Proof that immunization records are kept current.
- 832 8. Proof of completion of the required continuing
- 833 education units or clock hours.
- 834 (b) A family day care home not participating in the
- 835 subsidized child care program may volunteer to be licensed under
- 836 the provisions of this act.
- 837 (c) The department may provide technical assistance to
- 838 counties and family day care home providers to enable counties
- 839 and family day care providers to achieve compliance with family
- 840 day care homes standards.

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841 Section 26. Subsection (2) of section 402.315, Florida  
 842 Statutes, is amended to read:

843 402.315 Funding; license fees.—

844 (2) The county ~~department~~ shall bear the costs of the  
 845 licensing of family day care homes when contracting with the  
 846 department pursuant to s. 402.313(1) ~~child care facilities when~~  
 847 ~~contracted to do so by a county or when directly responsible for~~  
 848 ~~licensing in a county which fails to meet or exceed state~~  
 849 ~~minimum standards.~~

850 Section 27. Subsection (2) of section 402.49, Florida  
 851 Statutes, is amended to read:

852 402.49 Mediation process established.—

853 (2) (a) The department shall appoint at least one mediation  
 854 panel in each of the department's circuits ~~service districts~~.  
 855 Each panel shall have at least three and not more than five  
 856 members and shall include a representative from the department,  
 857 a representative of an agency that provides similar services to  
 858 those provided by the agency that is a party to the dispute, and  
 859 additional members who are mutually acceptable to the department  
 860 and the agency that is a party to the dispute. Such additional  
 861 members may include laypersons who are involved in advocacy  
 862 organizations, members of boards of directors of agencies  
 863 similar to the agency that is a party to the dispute, members of  
 864 families of department clients, members of department planning  
 865 councils in the area of services that are the subject of the  
 866 dispute, and interested and informed members of the local  
 867 community.

868 (b) If the parties to the conflict agree, a mediation

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869 panel may hear a complaint that is filed outside of the panel's  
 870 circuit ~~service district~~.

871 Section 28. Subsection (3) of section 409.152, Florida  
 872 Statutes, is amended to read:

873 409.152 Service integration and family preservation.—

874 (3) Each circuit ~~service district~~ of the department shall  
 875 develop a family preservation service integration plan that  
 876 identifies various programs that can be organized at the point  
 877 of service delivery into a logical and cohesive family-centered  
 878 services constellation. The plan shall include:

879 (a) Goals and objectives for integrating services for  
 880 families and avoiding barriers to service integration,  
 881 procedures for centralized intake and assessment, a  
 882 comprehensive service plan for each family, and an evaluation  
 883 method of program outcome.

884 (b) Recommendations for proposed changes to fiscal and  
 885 substantive policies, regulations, and laws at local, circuit  
 886 ~~district~~, and state delivery levels, including budget and  
 887 personnel policies; purchasing flexibility and workforce  
 888 incentives; discretionary resources; and incentives to reduce  
 889 dependency on government programs and services.

890 (c) Strategies for creating partnerships with the  
 891 community, clients, and consumers of services which establish,  
 892 maintain, and preserve family units.

893 Section 29. Subsection (8) of section 409.1671, Florida  
 894 Statutes, is amended to read:

895 409.1671 Foster care and related services; outsourcing.—

896 (8) Notwithstanding the provisions of s. 215.425, all

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897 | documented federal funds earned for the current fiscal year by  
 898 | the department and community-based agencies which exceed the  
 899 | amount appropriated by the Legislature shall be distributed to  
 900 | all entities that contributed to the excess earnings based on a  
 901 | schedule and methodology developed by the department and  
 902 | approved by the Executive Office of the Governor. Distribution  
 903 | shall be pro rata based on total earnings and shall be made only  
 904 | to those entities that contributed to excess earnings. Excess  
 905 | earnings of community-based agencies shall be used only in the  
 906 | circuit ~~service district~~ in which they were earned. Additional  
 907 | state funds appropriated by the Legislature for community-based  
 908 | agencies or made available pursuant to the budgetary amendment  
 909 | process described in s. 216.177 shall be transferred to the  
 910 | community-based agencies. The department shall amend a  
 911 | community-based agency's contract to permit expenditure of the  
 912 | funds.

913 |       Section 30. Paragraph (a) of subsection (4) of section  
 914 | 409.1755, Florida Statutes, is amended to read:

915 |       409.1755 One Church, One Child of Florida Corporation Act;  
 916 | creation; duties.—

917 |       (4) BOARD OF DIRECTORS.—

918 |       (a) The One Church, One Child of Florida Corporation shall  
 919 | operate subject to the supervision and approval of a board of  
 920 | directors consisting of 23 members, with two directors  
 921 | representing each circuit ~~service district~~ of the Department of  
 922 | Children and Families ~~Family Services~~ and one director who shall  
 923 | be an at-large member.

924 |       Section 31. Paragraph (a) of subsection (1) and subsection

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925 (2) of section 410.0245, Florida Statutes, are amended to read:  
 926 410.0245 Study of service needs; report; multiyear plan.—  
 927 (1) (a) The Adult Protection Services Program Office of the  
 928 Department of Children and Families ~~Family Services~~ shall  
 929 contract for a study of the service needs of the 18-to-59-year-  
 930 old disabled adult population served or waiting to be served by  
 931 the community care for disabled adults program. The Division of  
 932 Vocational Rehabilitation of the Department of Education and  
 933 other appropriate state agencies shall provide information to  
 934 the Department of Children and Families ~~Family Services~~ when  
 935 requested for the purposes of this study.  
 936 (2) Based on the findings of the study, the Adult  
 937 Protection Services Program of the Department of Children and  
 938 Families ~~Family Services~~ shall develop a multiyear plan which  
 939 shall provide for the needs of disabled adults in this state and  
 940 shall provide strategies for statewide coordination of all  
 941 services for disabled adults. The multiyear plan shall include  
 942 an inventory of existing services and an analysis of costs  
 943 associated with existing and projected services. The multiyear  
 944 plan shall be presented to the Governor, the President of the  
 945 Senate, and the Speaker of the House of Representatives every 3  
 946 years on or before March 1, beginning in 1992. On or before  
 947 March 1 of each intervening year, the department shall submit an  
 948 analysis of the status of the implementation of each element of  
 949 the multiyear plan, any continued unmet need, and the  
 950 relationship between that need and the department's budget  
 951 request for that year.  
 952 Section 32. Subsections (1) and (2) of section 410.603,

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953 Florida Statutes, are renumbered as subsections (2) and (3),  
 954 respectively, and present subsection (3) is renumbered as  
 955 subsection (1) and amended to read:

956 410.603 Definitions relating to Community Care for  
 957 Disabled Adults Act.—As used in ss. 410.601-410.606:

958 (1)-(3) "Circuit District" means a specified geographic  
 959 service area that conforms to the judicial circuits established  
 960 in s. 26.021, as defined in s. 20.19, in which the programs of  
 961 the department are administered and services are delivered.

962 Section 33. Subsection (2) of section 410.604, Florida  
 963 Statutes, is amended to read:

964 410.604 Community care for disabled adults program; powers  
 965 and duties of the department.—

966 (2) Any person who meets the definition of a disabled  
 967 adult pursuant to s. 410.603(3)-(2) is eligible to receive the  
 968 services of the community care for disabled adults program.  
 969 However, the community care for disabled adults program shall  
 970 operate within the funds appropriated by the Legislature.  
 971 Priority shall be given to disabled adults who are not eligible  
 972 for comparable services in programs of or funded by the  
 973 department or the Division of Vocational Rehabilitation of the  
 974 Department of Education; who are determined to be at risk of  
 975 institutionalization; and whose income is at or below the  
 976 existing institutional care program eligibility standard.

977 Section 34. Section 411.224, Florida Statutes, is amended  
 978 to read:

979 411.224 Family support planning process.—The Legislature  
 980 establishes a family support planning process to be used by the

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981 Department of Children and Families ~~Family Services~~ as the  
 982 service planning process for targeted individuals, children, and  
 983 families under its purview.

984 (1) The Department of Education shall take all appropriate  
 985 and necessary steps to encourage and facilitate the  
 986 implementation of the family support planning process for  
 987 individuals, children, and families within its purview.

988 (2) To the extent possible within existing resources, the  
 989 following populations must be included in the family support  
 990 planning process:

991 (a) Children from birth to age 5 who are served by the  
 992 clinic and programs of the Division of Children's Medical  
 993 Services of the Department of Health.

994 (b) Children participating in the developmental evaluation  
 995 and intervention program of the Division of Children's Medical  
 996 Services of the Department of Health.

997 (c) Children from age 3 through age 5 who are served by  
 998 the Agency for Persons with Disabilities.

999 (d) Children from birth through age 5 who are served by  
 1000 the Mental Health Program Office of the Department of Children  
 1001 and Families ~~Family Services~~.

1002 (e) Participants who are served by the Children's Early  
 1003 Investment Program established in s. 411.232.

1004 (f) Healthy Start participants in need of ongoing service  
 1005 coordination.

1006 (g) Children from birth through age 5 who are served by  
 1007 the voluntary family services, protective supervision, foster  
 1008 care, or adoption and related services programs of the Child

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1009 Care Licensure ~~Services~~ Program Office of the Department of  
 1010 Children and Families ~~Family Services~~, and who are eligible for  
 1011 ongoing services from one or more other programs or agencies  
 1012 that participate in family support planning; however, children  
 1013 served by the voluntary family services program, where the  
 1014 planned length of intervention is 30 days or less, are excluded  
 1015 from this population.

1016 (3) When individuals included in the target population are  
 1017 served by Head Start, local education agencies, or other  
 1018 prevention and early intervention programs, providers must be  
 1019 notified and efforts made to facilitate the concerned agency's  
 1020 participation in family support planning.

1021 (4) Local education agencies are encouraged to use a  
 1022 family support planning process for children from birth through  
 1023 5 years of age who are served by the prekindergarten program for  
 1024 children with disabilities, in lieu of the Individual Education  
 1025 Plan.

1026 (5) There must be only a single-family support plan to  
 1027 address the problems of the various family members unless the  
 1028 family requests that an individual family support plan be  
 1029 developed for different members of that family. The family  
 1030 support plan must replace individual habilitation plans for  
 1031 children from 3 through 5 years old who are served by the Agency  
 1032 for Persons with Disabilities.

1033 (6) The family support plan at a minimum must include the  
 1034 following information:

1035 (a) The family's statement of family concerns, priorities,  
 1036 and resources.

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1037 (b) Information related to the health, educational,  
 1038 economic and social needs, and overall development of the  
 1039 individual and the family.

1040 (c) The outcomes that the plan is intended to achieve.

1041 (d) Identification of the resources and services to  
 1042 achieve each outcome projected in the plan. These resources and  
 1043 services are to be provided based on availability and funding.

1044 (7) A family support plan meeting must be held with the  
 1045 family to initially develop the family support plan and annually  
 1046 thereafter to update the plan as necessary. The family includes  
 1047 anyone who has an integral role in the life of the individual or  
 1048 child as identified by the individual or family. The family  
 1049 support plan must be reviewed periodically during the year, at  
 1050 least at 6-month intervals, to modify and update the plan as  
 1051 needed. Such periodic reviews do not require a family support  
 1052 plan team meeting but may be accomplished through other means  
 1053 such as a case file review and telephone conference with the  
 1054 family.

1055 (8) The initial family support plan must be developed  
 1056 within a 90-day period. If exceptional circumstances make it  
 1057 impossible to complete the evaluation activities and to hold the  
 1058 initial family support plan team meeting within a reasonable  
 1059 time period, these circumstances must be documented, and the  
 1060 individual or family must be notified of the reason for the  
 1061 delay. With the agreement of the family and the provider,  
 1062 services for which either the individual or the family is  
 1063 eligible may be initiated before the completion of the  
 1064 evaluation activities and the family support plan.

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1065 (9) The Department of Children and Families ~~Family~~  
 1066 ~~Services~~, the Department of Health, and the Department of  
 1067 Education, to the extent that funds are available, must offer  
 1068 technical assistance to communities to facilitate the  
 1069 implementation of the family support plan.

1070 (10) The Department of Children and Families ~~Family~~  
 1071 ~~Services~~, the Department of Health, and the Department of  
 1072 Education shall adopt rules necessary to implement this act.

1073 Section 35. Section 414.24, Florida Statutes, is amended  
 1074 to read:

1075 414.24 Integrated welfare reform and child welfare  
 1076 services.—The department shall develop integrated service  
 1077 delivery strategies to better meet the needs of families subject  
 1078 to work activity requirements who are involved in the child  
 1079 welfare system or are at high risk of involvement in the child  
 1080 welfare system. To the extent that resources are available, the  
 1081 department and the Department of Labor and Employment Security  
 1082 shall provide funds to one or more circuits ~~service districts~~ to  
 1083 promote development of integrated, nonduplicative case  
 1084 management within the department, the Department of Labor and  
 1085 Employment Security, other participating government agencies,  
 1086 and community partners. Alternative delivery systems shall be  
 1087 encouraged which include well-defined, pertinent outcome  
 1088 measures. Other factors to be considered shall include  
 1089 innovation regarding training, enhancement of existing  
 1090 resources, and increased private sector and business sector  
 1091 participation.

1092 Section 36. Subsection (8) of section 415.1113, Florida

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1093 Statutes, is amended to read:  
 1094 415.1113 Administrative fines for false report of abuse,  
 1095 neglect, or exploitation of a vulnerable adult.-  
 1096 (8) All amounts collected under this section must be  
 1097 deposited into the Operations and Maintenance Trust Fund within  
 1098 the Adult Protection Services ~~Services~~ Program of the department.  
 1099 Section 37. Subsections (1) through (3) of section  
 1100 420.621, Florida Statutes, are renumbered as subsections (2)  
 1101 through (4), respectively, and present subsection (4) of that  
 1102 section is renumbered as subsection (1) and amended to read:  
 1103 420.621 Definitions.-As used in ss. 420.621-420.628, the  
 1104 term:  
 1105 (1)-(4) "Circuit District" means a specified geographic  
 1106 service area that conforms to the judicial circuits established  
 1107 in s. 26.021 ~~service district of the department, as set forth in~~  
 1108 ~~s. 20.19.~~  
 1109 Section 38. Subsection (1) of section 420.622, Florida  
 1110 Statutes, is amended to read:  
 1111 420.622 State Office on Homelessness; Council on  
 1112 Homelessness.-  
 1113 (1) The State Office on Homelessness is created within the  
 1114 Department of Children and Families ~~Family Services~~ to provide  
 1115 interagency, council, and other related coordination on issues  
 1116 relating to homelessness. ~~An executive director of the office~~  
 1117 ~~shall be appointed by the Governor.~~  
 1118 Section 39. Subsection (4) of section 420.623, Florida  
 1119 Statutes, is amended to read:  
 1120 420.623 Local coalitions for the homeless.-

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1121 (4) ANNUAL REPORTS.—The department shall submit to the  
 1122 Governor, the Speaker of the House of Representatives, and the  
 1123 President of the Senate, by June 30, an annual report consisting  
 1124 of a compilation of data collected by local coalitions, progress  
 1125 made in the development and implementation of local homeless  
 1126 assistance continuums of care plans in each circuit ~~district~~,  
 1127 local spending plans, programs and resources available at the  
 1128 local level, and recommendations for programs and funding.

1129 Section 40. Subsections (4) through (8) of section  
 1130 420.625, Florida Statutes, are amended to read:

1131 420.625 Grant-in-aid program.—

1132 (4) APPLICATION PROCEDURE.—Local agencies shall submit an  
 1133 application for grant-in-aid funds to the circuit ~~district~~  
 1134 administrator for review. During the first year of  
 1135 implementation, circuit ~~district~~ administrators shall begin to  
 1136 accept applications for circuit ~~district~~ funds no later than  
 1137 October 1, 1988, and by August 1 of each year thereafter for  
 1138 which funding for this section is provided. Circuit ~~District~~  
 1139 funds shall be made available to local agencies no more than 30  
 1140 days after the deadline date for applications for each funding  
 1141 cycle.

1142 (5) SPENDING PLANS.—The department shall develop  
 1143 guidelines for the development of spending plans and for the  
 1144 evaluation and approval by circuit ~~district~~ administrators of  
 1145 spending plans, based upon such factors as:

1146 (a) The demonstrated level of need for the program.

1147 (b) The demonstrated ability of the local agency or  
 1148 agencies seeking assistance to deliver the services and to

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1149 assure that identified needs will be met.

1150 (c) The ability of the local agency or agencies seeking  
 1151 assistance to deliver a wide range of services as enumerated in  
 1152 subsection (3).

1153 (d) The adequacy and reasonableness of proposed budgets  
 1154 and planned expenditures, and the demonstrated capacity of the  
 1155 local agency or agencies to administer the funds sought.

1156 (e) A statement from the local coalition for the homeless  
 1157 as to the steps to be taken to assure coordination and  
 1158 integration of services in the circuit ~~district~~ to avoid  
 1159 unnecessary duplication and costs.

1160 (f) Assurances by the local coalition for the homeless  
 1161 that alternative funding strategies for meeting needs through  
 1162 the reallocation of existing resources, utilization of  
 1163 volunteers, and local government or private agency funding have  
 1164 been explored.

1165 (g) The existence of an evaluation component designed to  
 1166 measure program outcomes and determine the overall effectiveness  
 1167 of the local programs for the homeless for which funding is  
 1168 sought.

1169 (6) ALLOCATION OF GRANT FUNDS TO CIRCUITS ~~DISTRICTS~~.—State  
 1170 grant-in-aid funds for local initiatives for the homeless shall  
 1171 be allocated by the department to, and administered by,  
 1172 department circuits ~~districts~~. Allocations shall be based upon  
 1173 sufficient documentation of:

1174 (a) The magnitude of the problem of homelessness in the  
 1175 circuit ~~district~~, and the demonstrated level of unmet need for  
 1176 services in the circuit ~~district~~ for those who are homeless or

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1177 are about to become homeless.

1178 (b) A strong local commitment to seriously address the  
 1179 problem of homelessness as evidenced by coordinated programs  
 1180 involving preventive, emergency, and transitional services and  
 1181 by the existence of active local organizations committed to  
 1182 serving those who have become, or are about to become, homeless.

1183 (c) Agreement by local government and private agencies  
 1184 currently serving the homeless not to reduce current  
 1185 expenditures for services presently provided to those who are  
 1186 homeless or are about to become homeless if grant assistance is  
 1187 provided pursuant to this section.

1188 (d) Geographic distribution of circuit ~~district~~ programs  
 1189 to ensure that such programs serve both rural and urban areas,  
 1190 as needed.

1191 (7) DISTRIBUTION TO LOCAL AGENCIES.—Circuit ~~District~~ funds  
 1192 so allocated shall be available for distribution by the circuit  
 1193 ~~district~~ administrator to local agencies to fund programs such  
 1194 as those set forth in subsection (3), based upon the  
 1195 recommendations of the local coalitions in accordance with  
 1196 spending plans developed by the coalitions and approved by the  
 1197 circuit ~~district~~ administrator. Not more than 10 percent of the  
 1198 total state funds awarded under a spending plan may be used by  
 1199 the local coalition for staffing and administration.

1200 (8) LOCAL MATCHING FUNDS.—Entities contracting to provide  
 1201 services through financial assistance obtained under this  
 1202 section shall provide a minimum of 25 percent of the funding  
 1203 necessary for the support of project operations. In-kind  
 1204 contributions, whether materials, commodities, transportation,

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1205 office space, other types of facilities, or personal services,  
 1206 and contributions of money or services from homeless persons may  
 1207 be evaluated and counted as part or all of this required local  
 1208 funding, in the discretion of the circuit ~~district~~  
 1209 administrator.

1210 Section 41. Subsection (2) of section 429.35, Florida  
 1211 Statutes, is amended to read:

1212 429.35 Maintenance of records; reports.—

1213 (2) Within 60 days after the date of the biennial  
 1214 inspection visit required under s. 408.811 or within 30 days  
 1215 after the date of any interim visit, the agency shall forward  
 1216 the results of the inspection to the local ombudsman council in  
 1217 whose planning and service area, as defined in part II of  
 1218 chapter 400, the facility is located; to at least one public  
 1219 library or, in the absence of a public library, the county seat  
 1220 in the county in which the inspected assisted living facility is  
 1221 located; and, when appropriate, to the circuit ~~district~~ Adult  
 1222 Protection Services and Mental Health Program Offices.

1223 Section 42. Paragraph (d) of subsection (3) of section  
 1224 1002.67, Florida Statutes, is amended to read:

1225 1002.67 Performance standards; curricula and  
 1226 accountability.—

1227 (3)

1228 (d) Each early learning coalition, the Agency for  
 1229 Workforce Innovation, and the department shall coordinate with  
 1230 the Child Care Licensure ~~Services~~ Program Office of the  
 1231 Department of Children and Families ~~Family Services~~ to minimize  
 1232 interagency duplication of activities for monitoring private

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1233 prekindergarten providers for compliance with requirements of  
 1234 the Voluntary Prekindergarten Education Program under this part,  
 1235 the school readiness programs under s. 411.01, and the licensing  
 1236 of providers under ss. 402.301-402.319.

1237 Section 43. Sections 39.311, 39.312, 39.313, 39.314,  
 1238 39.315, 39.316, 39.317, 39.318, 394.9083, and 402.35, Florida  
 1239 Statutes, are repealed.

1240 Section 44. The Division of Statutory Revision of the  
 1241 Joint Legislative Management Committee is directed to prepare a  
 1242 reviser's bill for introduction at a subsequent session of the  
 1243 Legislature to change the term "Department of Children and  
 1244 Family Services" to "Department of Children and Families," the  
 1245 term "Secretary of Children and Family Services" to "Secretary  
 1246 of Children and Families," and the term "district administrator"  
 1247 to "circuit administrator," as that term relates to the  
 1248 responsibilities of the Department of Children and Families,  
 1249 wherever that term appears in the Florida Statutes.

1250 Section 45. This act shall take effect July 1, 2010.