



- Provides for the sale, subject to certain approvals, of the former W.T. Edwards Hospital complex located in Hillsborough County and the remaining Sunland complex located in Leon County and provides that the proceeds of the sale must be deposited into the Department of Children and Families' Administrative Trust Fund and, subject to legislative appropriation, must be used to construct, renovate, equip, maintain, and improve the department's facilities.

This bill amends ss. 216.181; 394.74; 394.908; 414.035; and 409.16745, Florida Statutes

## **II. Present Situation:**

### **Approved Budgets**

Section 216.181, relates to approved budgets for operations and fixed capital outlay. The General Appropriations Act (GAA) is considered the original approved operating budget. Funds provided in the GAA may be advanced if the Act specifically provides for that. For FY 2001-2002 only, funds appropriated to the Department of Children and Family Services in Specific Appropriations 302-466 and the Department of Health in Specific Appropriations 503-637 of the 2001-2002 General Appropriations Act may be advanced, unless specifically prohibited in the General Appropriations Act, for those contracted services that were approved for advancement by the Comptroller in fiscal year 1993-1994, including those services contracted on a fixed-price or unit-cost basis. This paragraph expires July 1, 2002.

### **Substance Abuse and Mental Health Contracts**

Section 394.74, F.S., authorizes the department to contract for the establishment and operation of local mental health and substance abuse services with hospitals, clinics, laboratories, institutions or other appropriate service providers. The law specifies various provisions that contracts are to include such as availability of services to individuals residing or employed within the service area, a provision for priority of services to persons with symptoms of chronic or acute substance abuse who are unable to pay, a provision to make every reasonable effort to collect appropriate reimbursement from persons able to pay for services, and a program description and line-item operating budget.

### **Substance Abuse and Mental Health Funding**

Section 394.908, F.S., relates to funding equity and distribution of appropriation for substance abuse and mental health funding. Current law requires all new funds received in excess of fiscal year 1998-99 are to be allocated to G. Pierce Wood Memorial Hospital catchment area or other districts or counties identified in the 2001-2002 General Appropriations Act. The Department of Children and Family Services is authorized to develop an alternative allocation methodology based on national prevalence data for persons with severe and persistent mental illness for use in the distribution of new funds to the G. Pierce Wood Memorial Hospital catchment area. No district is to receive an allocation of recurring funds less than its initial approved operating

budget, plus any distributions of lump sum appropriations, for fiscal year 1998-1999, except for adjustments needed to implement the SunCoast Region. This subsection expires July 1, 2002.

### **Temporary Assistance for Needy Families**

In 1996, the United States Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act (act). The act created block grants for Temporary Assistance for Needy Families (TANF) and replaced the former Aid to Families with Dependent Children (AFDC) Program. The TANF block grant may only be expended under a state plan approved by the United States Department of Health and Human Services. In Florida, traditional welfare programs are administered by the Department of Children and Family Services. These programs include the cash assistance program and the federal Food Stamp Program. The Department of Children and Family Services is designated as the state agency responsible for the administration of social service funds <sup>4</sup> and for submitting the state's TANF plan to the Federal Government.

Section 414.035, F.S., authorizes expenditures from the TANF block grant. Expenditures are to be made in accordance with Part A of Title IV of the Social Security Act, as amended. Prior to the expenditure of funds, the secretary of Children and Family Services, or designee, is to certify that controls are in place to ensure that funds are spent in accordance with the federal law. It is the responsibility of any entity who which funds are appropriated to obtain the required certification prior to any expenditure of funds.

### **Community Partnership Matching Grant**

Section 409.16745 authorizes the community partnership matching grant program in the Department of Children and Family Services for the purpose of encouraging local participation in community-based care for child welfare. Any children's services council or other local government entity that makes a financial commitment to a community-based care lead agency is eligible for a grant upon proof that the children's services council or local government entity has provided the selected lead agency at least \$825,000 in start up funds, from any local resources otherwise available to it. The total amount of local contribution may be matched on a two-for-one basis up to a maximum amount of \$2 million per council. Awarded matching grant funds may be used for any prevention or in-home services provided by the children's services council or other local government entity that meets temporary-assistance-for-needy-families' eligibility requirements and can be reasonably expected to reduce the number of children entering the child welfare system. Funding available for the matching grant program is subject to legislative appropriation of nonrecurring temporary-assistance-for-needy-families funds. The matching grant program currently expires July 1, 2002.

## **III. Effect of Proposed Changes:**

**Section 1.** Amends s. 216.181, F.S., to authorize the Department of Children and Family Services and the Department of Health to advance money to contract providers that were approved for advancement by the Comptroller in fiscal year 1993-94. Similar provisions were included in the Appropriations Implementing Bill that became law in the 2001 legislative session (Chapter 2001-254, Laws of Florida). The bill makes permanent this authority to advance funds.

**Section 2.** Amends s. 394.74, F.S., to require substance abuse and mental health services contracts to include a provision that client demographic, services, and outcome information be submitted to the Department of Children and Family Services for inclusion in the department's Mental Health and Substance Abuse Data System. The department is prohibited from paying the provider unless the information has been submitted by the specified date.

**Section 3.** Amends s. 394.908, F.S., to require all new funds received in FY 2002-03 for substance abuse and mental health services in excess of FY 2001-2002 recurring appropriations to be allocated in accordance with the General Appropriations Act. No district is to receive an allocation of recurring funds that is less than FY 2001-02. Similar provisions were addressed and included in the Appropriations Implementing Bill that became law in the 2001 legislative session (Chapter 2001-254, Laws of Florida). This subsection expires July 1, 2003.

**Section 4.** Amends s. 414.035, F.S., to include that state funds determined to meet the maintenance-of-effort requirement for the Temporary Assistance for Needy Families block grant must be spent in accordance with Part A of Title IV of the Social Security Act.

**Section 5.** Amends s. 409.16745, F.S., to remove the July 1, 2002 expiration date related to the community partnership matching grant program operated by the Department of Children and Families.

**Section 6.** Provides that the Division of State Lands of the Department of Environmental Protection, subject to approval of the Board of Trustees of the Internal Improvement Trust Fund, may sell the former W.T. Edwards Hospital complex located in Hillsborough County and the remaining Sunland complex located in Leon County, currently under lease to the Department of Children and Families. This section notwithstanding chapter 253, Florida Statutes, and provides that the proceeds of the sale must be deposited into the DCF Administrative Trust Fund and, subject to legislative appropriation, must be used to construct, renovate, equip, maintain, and improve the department's facilities.

**Section 7.** The bill is effective July 1, 2002.

#### **IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

D. Other Constitutional Issues:

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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