

CHAPTER 2013-47

Senate Bill No. 1518

An act relating to Department of Children and Families; amending s. 394.9082, F.S.; providing for the carrying forward, expenditure, and return of unexpended funds paid to entities contracting with the department to manage the delivery of behavioral health services; amending s. 409.16713, F.S.; revising recurring core services funding for community-based care lead agencies; providing an effective date.

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

Section 1. Present subsections (9) and (10) of section 394.9082, Florida Statutes, are renumbered as subsections (10) and (11), respectively, and new subsection (9) is added to that section, to read:

394.9082 Behavioral health managing entities.—

(9) FUNDING FOR MANAGING ENTITIES.—

(a) A contract established between the department and a managing entity under this section shall be funded by general revenue, other applicable state funds, or applicable federal funding sources. A managing entity may carry forward documented unexpended state funds from one fiscal year to the next; however, the cumulative amount carried forward may not exceed 8 percent of the total contract. Any unexpended state funds in excess of that percentage must be returned to the department. The funds carried forward may not be used in a way that would create increased recurring future obligations or for any program or service that is not currently authorized under the existing contract with the department. Expenditures of funds carried forward must be separately reported to the department. Any unexpended funds that remain at the end of the contract period shall be returned to the department. Funds carried forward may be retained through contract renewals and new procurements as long as the same managing entity is retained by the department.

(b) The method of payment for a fixed-price contract with a managing entity must provide for a 2-month advance payment at the beginning of each fiscal year and equal monthly payments thereafter.

Section 2. Subsections (3) and (4) of section 409.16713, Florida Statutes, are amended to read:

409.16713 Allocation of funds for community-based care lead agencies.

(3) Beginning in the ~~2013-2014~~ ~~2011-2012~~ state fiscal year, ~~90~~ ~~75~~ percent of the recurring core services funding for each community-based care lead agency shall be based on the prior year recurring base of core services funds and ~~10~~ ~~25~~ percent shall be based on the equity allocation model.

(4) Unless otherwise specified in the General Appropriations Act For the 2011-2012 state fiscal year, any new core services funds shall be allocated based on the equity allocation model. Such allocations must ~~shall~~ be proportional to the proportion of funding based on the equity model and allocated only to the community-based care lead agency contracts if ~~where~~ the current funding proportion is less than the proportion of funding based on the equity model.

Section 3. This act shall take effect July 1, 2013.

Approved by the Governor May 20, 2013.

Filed in Office Secretary of State May 20, 2013.