

CHAPTER 2015-226

Senate Bill No. 2510-A

An act relating to the Department of Children and Families; amending s. 409.991, F.S.; revising the equity allocation model for funding community-based care lead agencies; defining the term “proportion of child population”; revising the term “proportion of children in care”; creating s. 414.455, F.S.; requiring the department to receive legislative authorization before seeking, applying for, accepting, or renewing any waiver of work requirements under the federal Supplemental Nutrition Assistance Program; providing for construction of the act in pari materia with laws enacted during the 2015 Regular Session of the Legislature; providing for contingent retroactive operation; providing effective dates.

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

Section 1. Section 409.991, Florida Statutes, is amended to read:

409.991 Allocation of funds for community-based care lead agencies.—

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

(a) “Core services ~~funds funding~~” means all funds allocated to community-based care lead agencies operating under contract with the department pursuant to s. 409.987, with the following exceptions:

1. Funds appropriated for independent living;
2. Funds appropriated for maintenance adoption subsidies;
3. Funds allocated by the department for protective investigations training;
4. Nonrecurring funds;
5. Designated mental health wrap-around services funds; and
6. Funds for special projects for a designated community-based care lead agency.

(b) “Equity allocation model” means an allocation model that uses the following factors:

1. Proportion of the child population ~~children in poverty~~;
2. Proportion of child abuse hotline workload; and
3. Proportion of children in care; ~~and~~
4. ~~Proportion of contribution in the reduction of out-of-home care.~~

~~(c) “Proportion of child population” means the proportion of children up to 18 years of age during the previous calendar year in the geographic area served by the community-based care lead agency “Proportion of children in poverty” means the average of the proportion of children in the geographic area served by the community-based care lead agency based on the following subcomponents:~~

~~1. Children up to 18 years of age who are below the poverty level as determined by the latest available Small Area Income and Poverty Estimates (SAIPE) from the United States Census Bureau;~~

~~2. Children eligible for free or reduced-price meals as determined by the latest available survey published by the Department of Education; and~~

~~3. The number of children in families receiving benefits from the federal Supplemental Nutrition Assistance Program (SNAP) in the most recent month as determined by the department.~~

~~(d) “Proportion of child abuse hotline workload” means the weighted average of the following subcomponents:~~

~~1. The average number of initial and additional child abuse reports received during the month for the most recent 12 months based on child protective investigations trend reports as determined by the department. This subcomponent shall be weighted as 20 percent of the factor.~~

~~2. The average count of children in investigations in the most recent 12 months based on child protective investigations trend reports as determined by the department. This subcomponent shall be weighted as 40 percent of the factor.~~

~~3. The average count of children in investigations with a most serious finding of verified abuse in the most recent 12 months based on child protective investigations trend reports as determined by the department. This subcomponent shall be weighted as 40 percent of the factor.~~

~~(e) “Proportion of children in care” means the proportion of the sum of the number of children in care receiving in-home services and the number of children in out-of-home care with a case management overlay during the most recent 12-month period. This subcomponent shall be weighted as follows:~~

~~1. Sixty percent shall be based on children in out-of-home care.~~

~~2. Forty percent shall be based on children in in-home care at the end of the most recent month as reported in the child welfare services trend reports as determined by the department.~~

~~(f) “Proportion of contribution in the reduction of out-of-home care” means the proportion of the number of children in out-of-home care on December 31, 2006, minus the number of children in out-of-home care as of~~

~~the end of the most recent month as reported in the child welfare services trend reports as determined by the department.~~

(2) The equity allocation of core services funds shall be calculated based on the following weights:

(a) ~~Proportion of the child population children in poverty shall be weighted as 5 30 percent of the total;~~

(b) ~~Proportion of child abuse hotline workload shall be weighted as 15 30 percent of the total; and~~

(c) ~~Proportion of children in care shall be weighted as 80 30 percent of the total; and~~

~~(d) Proportion of contribution to the reduction in out-of-home care shall be weighted as 10 percent of the total.~~

(3) ~~Beginning in the 2015-2016 2013-2014 state fiscal year, 100 90 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 percent shall be based on the equity allocation model.~~

(4) Unless otherwise specified in the General Appropriations Act, any new core services funds shall be allocated based on the equity allocation model as follows:

(a) Twenty percent of new funding shall be allocated among all community-based care lead agencies.

(b) Eighty percent of new funding shall be allocated among community-based care lead agencies that are funded below their equitable share. Funds allocated pursuant to this paragraph shall be weighted based on each community-based care lead agency's relative proportion of the total amount of funding below the equitable share. Such allocations must be proportional to the proportion of funding based on the equity model and allocated only to the community-based care lead agency contracts if the current funding proportion is less than the proportion of funding based on the equity model.

Section 2. Effective January 1, 2016, section 414.455, Florida Statutes, is created to read:

414.455 Supplemental Nutrition Assistance Program; legislative authorization.—Notwithstanding s. 414.45, and unless expressly required by federal law, the department shall obtain specific authorization from the Legislature before seeking, applying for, accepting, or renewing any waiver of work requirements established by the Supplemental Nutrition Assistance Program under 7 U.S.C. s. 2015(o).

Section 3. If any law amended by this act was also amended by a law enacted during the 2015 Regular Session of the Legislature, such laws shall

be construed as if enacted during the same session of the Legislature, and full effect shall be given to each if possible.

Section 4. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2015, or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and operate retroactively to July 1, 2015.

Approved by the Governor June 23, 2015.

Filed in Office Secretary of State June 23, 2015.