

# CAPITOL CONNECTION

Florida Children's Services Council

News from our State and Nation's Capitols about children and families



Week Six

April 9, 2010

## House Committee Voice of Reason on Harmful CSC Bill

A collective sigh of relief could be heard in Committee Room 212 Thursday afternoon following a nail-biting 7-7 vote on Children's Services bill [HB 1227](#). The tie vote meant the harmful bill was not reported favorably by the House Military and Local Affairs Committee, and therefore dead. On Wednesday, the Senate version, [SB 1216](#) by Sen. Joe Negron, passed through its second committee (Community Affairs) with an 8-2 vote, Sens. Rudy Garcia (R-Miami-Dade) and Jeremy Ring (D-Broward) voting no. With the bill dead in the House, it is presumably finished for this session. However, Sen. Negron vowed he would be back next year. Additionally, in the remaining three weeks of session, CSCs must keep a watchful eye for unfriendly amendments on other legislation.

In Thursday's committee meeting, a number of representatives voiced concerns about the bill, questioning why it was even necessary when current law gives a community the means to address concerns they may have with their local CSC. Speaking to the bill's requirement of automatic referendum every six years, Rep. Mark Pafford (D-Palm Beach) questioned House sponsor Debbie Mayfield asking if she doubted county governments' ability to address potential issues with their CSCs. He also questioned whether she felt comfortable making decisions at the state level for local communities with a CSC.

As time grew short, Committee Vice Chair Chris Dorworth (R-Seminole) requested a procedural maneuver that limited further debate and did not allow CSC supporters to testify. In closing, Rep. Keith Fitzgerald (D-Sarasota) presented outstanding final debate questioning why, when CSCs have had a record of success in serving children, anyone would make them a target among all the other special districts in Florida.

### Special Thanks

Florida CSC would like to recognize and thank the House committee members who stood up for Florida's children by voting "no" on the CSC bill. They are: Reps. Ron Schultz (R-Citrus), John Wood (R-Polk), Mark Pafford (D-Palm Beach), Mack Bernard (D-Palm Beach), Janet Long (D-Pinellas), Keith Fitzgerald (D-Sarasota), and Evan Jenne (D-Broward).

## TAKE NOTE

### [Children's Week](#)

April 11-14  
Tallahassee

### **Kinship Rally in Tally**

April 14  
Tallahassee

### **Rally for Afterschool**

April 20  
Washington, DC

### [One Goal Summer Conference](#)

July 21-23  
Tampa

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**Capitol Connection** is also available online at the FCSC [web site](#).

To the many CSC supporters who, this week, attended hearings to testify, many traveling a long way, thank you. The list includes: Jeff Koons, Palm Beach County Commissioner; Sheriff Robert Crowder, Martin County; Jane Murphy, CEO of Hillsborough Healthy Start Coalition; Rayme Nuckles, CEO of the Hillsborough Homeless Coalition; Brandon Wagner, Hillsborough County Lobbyist; Kathy Adams, Chair, Palm Beach ELC and former board chair of the Palm Beach CSC; Maria Alonso, Chair, The Children's Trust of Miami-Dade; Don Rosen, Deputy Mayor of the City of Sunrise; Ted Granger, President, United Way of Florida; Alisa Ghazvini, Association of Early Learning Coalitions; and Karen Woodall, Coordinator, Coalition for Fair and Comprehensive Tax Reform.

Also, a huge thank you to the many advocates and members of local communities who contacted legislators and state leadership to voice their support for CSCs and Florida's children - proof once again that CSCs are "by the people, for the children."

**CALL TO ACTION:** Contact members of the [House Military & Local Affairs Committee](#) who voted "no" on HB 1227 and thank them for standing up for Florida's children.

### Legislature to Resume Budget Talks Next Week

There was no live action on the budget this week. Nonetheless, high-level talks continued on big picture revenue issues such as allocation of gaming funds and whether to spend pending Federal FMAP dollars. It appears that recent developments posture the legislature toward a budget not much unlike the plan presented by the Governor, despite early criticisms of his approach. Announcement of conference committee members is expected sometime in the middle of next week, to be followed by an organizational meeting. Thus far, FCSC funding priorities have fared better than expected, although the items highlighted below require an intensive effort during conference committee deliberations. Contact information for conferees should be available in the next issue of *Capitol Connection*.

PROPOSED CHANGES (+/-) COMPARED TO 2009-10 BUDGET AS OF 4/2/10			
ISSUE	HOUSE	SENATE	COMMENT
VPK (Non-admin.)	+ \$35.5 M	+ \$2.8 M	Despite increase over last year, the Senate budget still represents a nearly 10% cut in VPK. The House has a 1% cut. <a href="#">Click here for details.</a>
Healthy Start Coalitions	- \$4 M	\$0	House proposes eliminating Healthy

			Start Coalitions and transferring service dollars to County Health Departments. See Call to Action below.
Independent Living	\$0	\$0	Legislative staff say base budget is covered. House conforming bill cuts monthly stipend to \$675, nearly half of what it was.
Maintenance Adoption Subsidies	- \$1.8 M	- \$920 K	
Juvenile Assessment Centers	- \$1 M	\$ 0	<a href="#">Learn more about JACs</a>

## CALLS TO ACTION

Contact main budget chairs, Sen. JD Alexander and Rep. David Rivera on all of these issues.

- VPK-- Contact members of the [Senate Committee on Education Pre-K-12 Appropriations](#) and urge them to take the House position on VPK.
- Healthy Start -- Contact House leadership (Speaker Cretul), the Chair of the Full Appropriations Council on General Government and Health Care (Rep. Rivera), and the Chair of the Health Care Appropriations Committee (Rep. Grimsley) **to restore funding** for Healthy Start Coalitions during conference negotiations.
- **JACs** - Contact House members and urge them to restore \$1 million in JAC funding.

## OTHER STATE NEWS

### Florida CSC participates in Live Web Roundtable on Children's Issues

Amid the hectic pace of this week's legislative session, child advocates and state lawmaker Rep. Alan Williams took time to participate Thursday in a live web video discussion on children's issues hosted by the *Tallahassee Democrat*. The roundtable capped off a week-long series by the *Democrat* to highlight issues affecting Florida's children prior to Children's Week next week. During the hour-long roundtable, participants shared their perspectives on the status of children in Florida related to the state budget, as well as what Florida can do differently to

make better investments in children over the long term.

Participants included: Florida Rep. Allan Williams (D-Leon); Florida CSC Director of Outreach and Operations Kriss Vallese; Ann Davis, Executive Director of Capital Area Health Start; Serena Moyle, site manager of Tallahassee momslikeme.com; Ed Feaver of the Lawton Chiles Foundation and member of the board of directors of the Early Learning Coalition and the steering committee of Whole Child Leon; Chris Duggan, CEO of the Early Learning Coalition of the Big Bend region; Ted Granger, President, United Way of Florida; Jack Levine, founder of 4Generations Institute; Roy Miller, president and founder of the Children's Campaign of Florida; Nick Millar, Governmental Affairs Director for AMIkids; and Deborah Moore, Circuit Director, Second Judicial Guardian Ad Litem Program.

Video of the [complete roundtable discussion](#) is available on the *Tallahassee Democrat* web site. [Photos](#) are also available. See the complete series on children's issues [here](#).

#### **House Medicaid Reform Plan Unveiled**

On Monday, the House released its much-anticipated Medicaid reform expansion proposal. The next evening, the House Select Policy Council on Strategic and Economic Planning passed it. While it has some similarities to the Senate proposal, it is fundamentally different in its overall approach. Unlike the Senate proposal, which would expand the current 5-county reform area to an additional 19 counties, the House plan would divide the state into 6 geographic regions, with the first - Miami-Dade County - being added to the current reform areas in 2011, generating an estimated \$40 million in savings next year. By 2015, all 2.7 million Medicaid patients would be in a managed care setting in one of the 6 regions. The 6 regions are:

- Escambia County (Pensacola) to Madison County, just east of Tallahassee;
- Nassau County in the northeast corner of the state to Citrus County on the Gulf Coast;
- Tampa Bay area south to Lee County;
- Orlando metropolitan area and nearby areas of Central Florida;
- Broward, Palm Beach and rural counties in South Florida; and
- Miami-Dade, Collier and Monroe counties.

Republican leaders have long sought to eliminate the fee-for-services payment method Medicaid has used since it was implemented 40 years ago. They claim it provides incentives for health care providers to perform unnecessary services that will increase their fees. Under a managed care system, a set fee is paid, thus capping the amount of services provided. This approach, embraced by both the House and

Senate proposals, is intended to reduce the cost of the \$19 billion program. Another provision intended to ensure that Medicaid funds are used for services is a requirement in both bills that HMOs and provider networks spend at least 85% of the money on medical services and direct care management. If they don't, they will be fined.

At the House Council meeting, every human service advocate asking to testify was opposed to the bill. In particular, hospitals and doctors contend the legislation will make it harder to find doctors to work in emergency rooms and that they will be forced to work with HMOs without being able to negotiate better care for their patients (because the state contract with the HMOs will set the standards), hospice and elder groups oppose it because of the requirement for long term care to be included, and disabilities groups oppose it because they have seen significant reductions in service in the last few years and this portends yet another, for a population whose needs are significantly underfunded to begin with.

~ Source: United Way of Florida, *Legislative Link* newsletter

### **Children's Week is Next Week**

With dire budget forecasts and harmful legislation under consideration, child advocates have been in full gear since the very first day of the 2010 legislative session, and before. However, in the week ahead, the Capitol City and communities around the state will pause to celebrate what these advocates fight for every day - children and families. With the Children's Week kick-off beginning this Sunday, youngsters and their supporters will gather en masse at the Capitol to advocate, celebrate, learn and network about the most important issues facing Florida: the health and wellbeing of our children. The event, which the Florida CSC is proud to co-sponsor again, has grown in attendance and offerings each year, and 2010 is no exception. If you haven't made plans to attend, it's not too late to join in. Details can be found [here](#).

### **CSCs Receive Overwhelming Support in Media, Letters**

The outpouring of support for Children's Services Councils in response to bills (SB 1216 and HB 1227) that would forever alter the way CSCs operate has been truly remarkable. Newspapers across the state have written in opposition to the bills. Additionally, child service providers, community leaders and local citizens have written numerous letters of support to their newspapers and lawmakers. Here are just a few of the many editorials and letters written.

- [Don't Threaten Florida's Children's Councils](#)
- [Bill Threatens Children's Boards](#)
- [Keep Focus on Children](#)
- [Negron Picks a Street Fight with Poor Kids](#)
- [Letter from Broward Workforce Board Chair](#)
- [If Senate Bill 1216 / House Bill 1227 Wins, Children Lose!](#)

## EARLY LEARNING

### ELC Bills

The Early Learning bill, [SB 2014](#) by Sen. Stephen Wise (R-Duval), which addresses various administrative and governance issues, passed favorably through Children, Families & Elder Affairs and is pending a reference review. It is scheduled next for Transportation & Economic Development Appropriations if received. A similar bill, [HB 1203](#) by Rep. Nelson (R-Orange) and members of the PreK-12 Policy Committee is now on the agenda for Full Appropriations Council on Education & Economic Development.

## STATE & LOCAL REVENUES

### TABOR Bill

#### [SJR 2420](#)

by Sen. Mike Haridopolos (R-Brevard), also known as TABOR, was withdrawn from Government Oversight & Accountability and is now in Finance and Tax. The bill proposes an amendment to the state constitution to limit tax revenues and, if passed by the electorate, would require voter approval of new taxes and fees. The bill no longer includes local governments under the spending cap, so it would only apply to state revenues. The bill needs a three-fifths vote from both the House and Senate to get on this fall's ballot.

### Assessment Limits for Non-Homestead Property, Additional Exemptions for New Homeowners

[SJR 1254](#) by Mike Fasano (R-Pasco) is still in the Finance and Tax Committee. The resolution proposes amendments to the State Constitution to reduce from 10 percent to 5 percent the limitation on annual assessment increases applicable to non-homestead real property, provide an additional homestead exemption for new owners of homestead property and application and limitations with respect thereto. Similar Bill, [HB 655](#) by Carl Domino (R- Palm Beach), is in Rules & Calendar Council.

## CHILD WELFARE

### Transition Services for Youth

[SB 1356](#) by Sen. Stephen Wise (R-Duval) passed unanimously in Judiciary. The bill permits the Department of Juvenile Justice to provide transition to adulthood services to youth in DJJ's custody or supervision. [HB 627](#) by Rep. Ari Porth (D-Broward) remains in Full Appropriations Council on Education & Economic Development, it's third of four committee stops.

### Background Screenings

[HB 7069](#) by the Criminal & Civil Justice Policy Council along with Rep. Snyder (R-Martin) and Rep. Ari Porth (D- Broward) passed unanimously in the House and is in Senate Messages awaiting approval by the full

Senate. The bill prevents individuals from working with children, disabled adults or adults over 65 until they pass a background screening. It also prevents those classified as sexual predators from ever being able to work with vulnerable individuals.

### **Concurrent Custody**

[SB 334](#) by Sen. Ronda Storms (R-Hillsborough) was approved by the Senate Criminal and Civil Justice Appropriations Committee on Tuesday. The bill now goes to the Senate floor. Companion bill, [HB 25](#) by Rep. Rich Glorioso (R-Hillsborough), will likely be voted upon on the floor of the House in the coming week.

**CALL TO ACTION:** Please urge passage of these bills, which provide a legal remedy for extended family caregivers to obtain needed services for children in their care.

## **JUVENILE JUSTICE**

### **Juvenile Justice Blueprint Bill**

[CS/SB 1072](#) by Sen. Stephen Wise (R-Duval) passed the Senate Criminal and Civil Justice Appropriations Committee Tuesday and has been placed on the calendar on second reading. A similar bill in the House, [HB 7181](#) by Rep. Kevin Ambler (R-Hillsborough), is on the agenda in Criminal & Civil Justice Policy Council. The bill makes a number of changes to juvenile justice laws in an effort to enhance services for youth in the Juvenile Justice system. The bill encourages the diversion of youth nine years of age or younger who are found by a court to pose no danger to the community and are unlikely to recidivate back into supervision; expands the definition of "child in need of services" and "family in need to services" to allow those youth to be served by the CINS/FINS network; promotes the use of restorative justice practices to support victims of juvenile delinquency; adds counties, municipalities, and the Department of Juvenile Justice to the specified entities that are encouraged to create pre-arrest or post-arrest diversion programs for youth nine years of age or younger and youth who are first time misdemeanants; prohibits a youth nine years of age or younger from being placed in secure detention unless the youth has been charged with a capital felony, a life felony, or a felony of the first degree; and requires the DJJ to create the Disproportionate Minority Contact Task Force as a way to address minority over-representation in the Juvenile Justice system.

## **OTHER ISSUES**

### **Booster Seat Bill**

[SB 316](#) by Sen. Thad Altman (R-Brevard) passed unanimously in Transportation & Economic Development Appropriations and is on the Senate calendar on second reading. It would require booster seats, in addition to seat belts, for children aged 4 through 7 and less than 4'9" to protect the child by properly using a crash tested, federally approved child restraint device. It also provides certain exceptions, and redefines

the term "motor vehicle" to exclude certain vehicles from such requirements. Sadly, the House bill (HB 387) still has not been heard in its first committee, Roads, Bridges and Ports.

**CALL TO ACTION:** With the Senate bill progressing, the holdup is in the House. Contact Speaker Cretul and Reps. Cannon and Murzin to encourage they move the House bill.

**Bill to Create Collier County CSC Passes House Committee**

[HB 511](#) by Rep. Matt Hudson (R-Collier) passed the House Military & Local Affairs committee by an 11-3 vote this week. The bill provides a charter to create an independent special district to provide children's services in Collier County. The Senate companion, SB 1162, has not been heard in committee.

**Bills Propose Changes in State Employee Retirement Plan**

Legislation ([CS/SB 2022](#)) by Sen. JD Alexander would require public employees to pay one-quarter of one percent of their gross pay into the Florida Retirement System starting Jan. 1, 2011. This would help to offset a potential \$15 billion shortfall in the fund, its first deficit in a dozen years. The bill was read a third time on the Senate floor and passed 26-7.

On the House side, [HB 5701](#) was approved by the full House and sent to the Senate for approval or to be considered during budget conference. The Senate returned the bill and agreed to discuss in conference negotiations. The bill eliminates the retiree health insurance subsidy, which equals \$5 per month for every year of service up to a maximum of \$150 a month. The House and Senate are likely to reach agreement on changes related to the Florida Retirement System as part of the budget conference process.