

1989

Session Law 89-001

Florida Senate & House of Representatives

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House of Representatives, Florida Senate &, "Session Law 89-001" (1989). *Staff Analysis*. 862.
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**S 104 GENERAL BILL by Health and Rehabilitative Services
(Compare H 1420, H 1712)**

Advisory Councils/H.R.S. Dept.: (SUNDOWN) prescribes additional duties of Deputy Secretary for Operations; prescribes duties of district administrators re use of district advisory councils; prescribes duties of district advisory councils re advocacy on behalf of services for departmental clients; increases number of consecutive terms of office for district advisory council members; provides for future repeal & review, etc. Amends 20.19; amends/revives/readopts 20.19(8). Effective Date: 10/01/89.

01/13/89 SENATE Prefiled
02/13/89 SENATE Referred to Health and Rehabilitative Services
02/20/89 SENATE On Committee agenda—Health and Rehabilitative Services, 03/08/89, 3:15 pm, Room-A
03/08/89 SENATE Comm. Report: Favorable by Health and Rehabilitative Services, placed on Calendar
04/04/89 SENATE Introduced, referred to Health and Rehabilitative Services -SJ 16; Comm. Report: Favorable by Health and Rehabilitative Services, placed on Calendar -SJ 60
04/11/89 SENATE Placed on Special Order Calendar -SJ 116; Passed; YEAS 36 NAYS 0 -SJ 122; Immediately certified -SJ 123
04/11/89 HOUSE In Messages
04/13/89 HOUSE Received, placed on Calendar -HJ 214; Substituted for HB 1420 -HJ 220; Read second time -HJ 220
04/19/89 HOUSE Read third time; Passed; YEAS 116 NAYS 0 -HJ 240
04/25/89 Ordered enrolled -SJ 203
04/28/89 Signed by Officers and presented to Governor -SJ 255
05/03/89 Approved by Governor; Chapter No. 89-1 -SJ 278

NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

REVISED: _____

BILL NO. SB 104

DATE: February 21, 1989

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

	<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1.	<u>Goltry</u> <i>KG</i>	<u>Whiddon</u> <i>BW</i>	1. <u>HRS</u>	<u>Favorable</u>
2.	_____	_____	2. _____	_____
3.	_____	_____	3. _____	_____
4.	_____	_____	4. _____	_____

SUBJECT:

SUNDOWN REVIEW - District Advisory Councils and the District Advisory Council Statewide Coordinating Committee

BILL NO. AND SPONSOR:

SB 104 by Senate Committee on HRS

I. SUMMARY:

A. Present Situation:

The District Advisory Councils (DACs) were established in 1975 (Chapter 75-48, Laws of Florida) in conjunction with a major reorganization of the Department of Health and Rehabilitative Services (HRS). The reorganization of HRS resulted in the creation of eleven service districts throughout the state and a DAC was established in each one. The DACs were established for the purpose of assisting HRS with the coordination and integration of its programs by providing citizen input into departmental policy development.

From 1976 until 1985, each DAC was required to send from one to three members to an annual statewide meeting. The annual meeting was held to provide the Secretary of HRS the opportunity to discuss the budget request and recommendations to the Legislature with DAC members. The council members were required to provide the Secretary with an analysis of client needs in the districts.

In 1985, the District Advisory Council Statewide Coordinating Committee (SDAC) was established (Chapter 85-270, Laws of Florida) to expand the responsibilities undertaken at the annual statewide meeting. In addition, the SDAC is required to meet quarterly for the purpose of identifying and proposing responsive program policies to HRS based on client needs statewide. The quarterly meetings also provide an opportunity for the eleven districts to integrate and express their views on interdistrict service delivery matters.

The DACs presently operate on an appropriation from General Revenue to cover per diem and travel expenses for council members. The appropriation for FY 1987-88 was \$12,380 and was distributed among the districts based upon the previous year's expenditures.

The DACs were subject to a Sundown review in 1981 and were continued in statute with some minor amendments. The DACs and SDAC are again subject to a Sundown review prior to October 1, 1989 and are scheduled to expire on such date. The Sundown review recognized a number of accomplishments by the DACs and concluded that they and the SDAC should be continued in statute. In addition, changes are recommended which will enhance the role of the DACs and SDAC when working with HRS.

B. Effect of Proposed Changes:

Senate Bill 104 reenacts the statutory language authorizing the DACs and the SDAC in s. 20.19(8), F.S., 1988 Supplement, with the following changes:

- Requires the SDAC, rather than the DACs, to advise the Deputy Secretary for Programs, the Deputy Secretary for Health, and the assistant secretaries for the program offices with respect to client needs with the districts;
- Requires DAC meetings to be held bimonthly rather than quarterly;
- Allows DAC members to be reappointed to no more than two consecutive two year terms;
- Requires the district administrator or his designee to attend all of the DAC meetings;
- Includes language requiring the DACs and allowing the SDAC to advocate on behalf of the services needed for clients of HRS;
- Requires the Secretary of HRS or one, or more, of the Deputy Secretaries to attend all of the meetings of the SDAC;
- Changes the title of the SDAC from committee to council; and
- Requires HRS to present the proposed budget request and recommendations to the SDAC prior to submission of the budget to the Governor's office.

The bill amends s. 20.19(3), Florida Statutes, 1988 Supplement, to place responsibility with the Deputy Secretary for Operations to oversee the effective utilization of the DACs by the district administrators. The bill also amends s. 20.19(7), Florida Statutes, 1988 Supplement, to help ensure that the district administrators effectively use the DACs for the purpose of obtaining an analysis of client needs in the community.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

None.

III. COMMENTS:

None.

IV. AMENDMENTS:

None.

STORAGE NAME: h1420-f.rr
DATE: June 23, 1989

HOUSE OF REPRESENTATIVES
COMMITTEE ON REGULATORY REFORM
FINAL ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 1420 (similar provisions passed as SB 104)

RELATING TO: District Advisory Councils, HRS

SPONSOR(S): Committee on Regulatory Reform and Representative Morse

EFFECTIVE DATE: October 1, 1989

COMPANION BILL(S): SB 104

OTHER COMMITTEES OF REFERENCE: (1) none
(2)

I. SUMMARY:

The bill would reestablish District Advisory Councils and the Statewide District Advisory Council.

A. PRESENT SITUATION:

District Advisory Councils (DACs) were created in 1975 to advise the administrators of the 11 service districts of the Department of Health and Rehabilitative Services (HRS) on policy development and on integration of services into the community. Each district council consists of 11 members representing local governments, service agencies, the medical community and HRS clients. [s.20.19(8), Florida Statutes, 1988 Supplement]

Each of the district advisory councils designate one of their members to serve on a District Advisory Council Statewide Coordinating Committee. [s.20.19(8)(i), Florida Statutes, 1988 Supplement] The DAC Statewide Coordinating Committee meets quarterly to analyze client needs statewide and express the views of the 11 District Advisory Councils to the Secretary of HRS.

B. EFFECT OF PROPOSED CHANGES:

The bill would reauthorize District Advisory Councils in each of the 11 districts of the Department of Health and Rehabilitative Services and reauthorizes the DAC Statewide Coordinating Committee, but correctly renamed a council rather than a committee.

The district administrators will be responsible for ensuring that the DAC's are effectively used to obtain community analysis of client needs and the Deputy Secretary for Operations of HRS will ensure that the district administrators serve as liaison with

district the district advisory councils.

The bill further provides that the DACs duties would include serving as liason with the community so as to advocate on behalf of client services.

The statewide council will be responsible for advising the Deputy Secretary of Programs, the Deputy Secretary for Health, and the assistant secretaries of the program offices of the client needs within each district. Also, the secretary will now present for discussion the budget requests and recommendations of the department prior to the submission to the Governor's office.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

none

2. Recurring or Annualized Continuation Effects:

1988-89 Fiscal Year \$12,380.

3. Long Run Effects Other Than Normal Growth:

none

4. Appropriations Consequences:

none

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

none

2. Recurring or Annualized Continuation Effects:

none

3. Long Run Effects Other Than Normal Growth:

none

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

none

2. Direct Private Sector Benefits:

none

3. Effects on Competition, Private Enterprise, and Employment Markets:

none

D. FISCAL COMMENTS:

none

III. LONG RANGE CONSEQUENCES:

none

IV. COMMENTS:

HB 1420 reflects the finds and recommendations of the staff's Sundown review of section 20.19(8), Florida Statutes.

V. FINAL ACTION:

HB 1420 was Laid on the Table under Rule, and SB 104 was passed by the Legislature. The governor approved this bill on April 13, 1989, as chapter 89-1, Laws of Florida.

VI. SIGNATURES:

SUBSTANTIVE COMMITTEE:
Prepared by:

Staff Director:



Jim Cordero



Patrick L. "Booter" Imhof