

Legislative Link

A legislative update provided by the United Way of Florida, Inc.

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Helping all children succeed for life.
An initiative of the United Way of Florida,
Publix Super Market Charities, Inc. and
NationsBank



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REAPPORTIONMENT . . . POLITICS . . . MONEY

Hang On! The rescheduled 2002 Legislative Session has begun. It promises to be filled with more suspense, rhetoric, funky new relationships, strange bedfellows, intrigue, and surprises than the most successful TV daytime soaps.

Reapportionment – that once-every-decade exercise where legislators divvy up political turf and the dominant political party does all it can to maintain its dominance - will impact just about every issue considered during the session. As lawmakers jockey for favorable redrawn districts, new and often times surprising relationships will emerge, and leverage will be created where little or none existed before. In particular, House and Senate leadership teams and reapportionment chairs will yield considerably more influence than usual. Alliances that would otherwise seem unfathomable – such as that between the Republican Party and the Black Caucus in the early '90s – will surface.

Everything else will take place against the backdrop of reapportionment politics. And “everything else” is significant. The state faces significant revenue shortfalls – perhaps in the range of \$1-\$2.5 billion. The tightening budget will further choke education and human services systems, not to mention other important areas such as corrections, transportation, the environment, and the judiciary.

What does the session portend for health and human services? The mantra in Tallahassee is that the 2002 session will be a great success if funding is maintained at current (2001-2002) levels. Of course, numerous substantive issues lay on the horizon, but the most critical needs revolve around funding – or the lack thereof. Juvenile justice, school readiness, Healthy Families, and health, elder, mental health, and homeless services are just a few areas where resources are desperately needed.

Who knows when the 2002 Session will end? The official last day of Session is March 22nd, but the Legislature started early in anticipation of running over, and the extended 2002 session, and the special sessions to follow may not end until close to mid-year. Of course, since every legislator, the Governor, and all Cabinet positions are up for election in November, there is a great desire on the part of legislators to end as soon as possible. Only time – and your *Legislative Link* - will tell!

We hope you find this year's 2002 *Legislative Link* interesting, thought provoking, and meaningful. If you have any questions or comments regarding articles contained in this or future editions, please contact the United Way of Florida/Success By 6 offices at 850/488-8287.

2002 HIGH PRIORITY CHILD AND FAMILY ISSUES

Identified below are five issues of major import to the well-being of Florida's children and their families. These are only a few of the many critical issues the 2002 Florida Legislature will face that will have a huge impact on Florida's children and their families today, and on our society and workforce tomorrow.

HEALTHY FAMILIES FLORIDA – Because the 2001 Legislature failed to replace non-recurring funds that it had appropriated to Healthy Families Florida in 1999, the program is using about \$6 million in rollover, non-recurring funds this year to maintain services for about 2,000 families. Healthy Families serves the most at-risk families in zip code areas that have the highest incidences of child abuse and neglect in the state.

Issue – *If the 2002 Legislature does not appropriate \$28.2 million to Healthy Families Florida (\$22.2 million base budget plus \$6 million to replace non-recurring funds being used this year) the program will be forced to terminate services to about 2,000 families.*

SCHOOL READINESS FUNDING – The wonderful vision of Florida's 1999 School Readiness Act is largely dependent on communities – particularly business people and other influential community leaders – working together through Florida's 57 school readiness coalitions to improve their local early care and education systems. Unfortunately, many of those leaders are disengaging from the coalitions because they are unable to implement the school readiness improvement plans they worked so hard to create, and that the Legislature required.

Issue: *The Legislature must hold school readiness funding harmless from budget cuts in 2002, or community leaders who are the linchpins to achieving successful school readiness change will make an exodus from school readiness coalitions.*

PREVENTION, PREVENTION, PREVENTION – Looming budget deficits are causing some legislators to consider prevention programs – as opposed to deep-end programs – as expendable. This shortsighted view ignores the reality that prevention programs save the state billions of dollars in future years.

Issue: *The 2002 Florida Legislature should recognize the long-term value of prevention programs and maintain funding for them, to the greatest extent possible.*

BEFORE AND AFTER SCHOOL CARE – The statute authorizing use of subsidized child care funds for before- and after-school programs for school age children is repealed, effective January 2002. The repeal jeopardizes the ability of the state to help working parents ensure the safety and well-being of thousands of children across the state.

Issue: *The 2002 Legislature should amend the authorizing statute for the Florida Partnership for School Readiness to permit use of subsidized child care funds for before- and after-school care for school age children.*

EARLY INTERVENTION PROGRAM – Florida's Early Intervention Program, serves Florida's youngest children with disabilities at a time when those disabilities can be best addressed and most alleviated, saving the state untold resources in both the short and long term. The Part C Program alone serves more than 34 percent more children and families today than it did six years ago, but has received only about 5 percent in increased appropriations during that time.

Issue: *The 2002 Florida Legislature should hold Florida's Early Intervention Program harmless from budget cuts during the 2002 legislative session.*

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- ã **Price paid at auction in May for a sculpture of Pope John Paul II being struck by a meteorite: \$800,000**
 - ã **Rank of gas mileage among the 35 things Americans say they look for in buying a new car or truck: 20**

2002 FLORIDA LEGISLATIVE ISSUES

Reapportionment: Every 10 years, the Legislature must redraw district lines for Congressional, State Senate and State House seats in accordance with new census figures. This is the issue that is first and foremost on everyone's mind. This process will be used as political leverage in debates on the budget and tax reform and will likely dominate press coverage in 2002.

The Budget: The economy has not recovered from the slow-down of the past year, and Florida continues to lose revenue as a result of our dependence on sales tax receipts. In upcoming budget battles, the Legislature will face the challenges of another shortfall of \$1.5-\$2 billion next year, while trying to continue programs whose general revenue funds were replaced with non-recurring trust fund dollars during the December special session.

Tax Reform: In an effort to make Florida's tax base more stable and less susceptible to changes in the economy, Senate President John McKay is proposing a constitutional amendment to lower the state sales tax from 6% to 4.5%. This plan would make up the loss in revenue by repealing \$9.5 billion in current exemptions. Additionally, some legislators have indicated that they will seek to implement the final phase-out of the intangibles tax at a cost of \$469.4 million. (SB 938)

Healthy Kids: Watch for efforts to increase KidCare funding, allow the Healthy Kids Corporation to maintain over \$50 million in reserves, eliminate the local match, and allow communities to use local money to cover non-title XXI eligible kids, outreach, etc. (SB 142, SB 1044)

Community-Based Care: With input from current lead agencies, legislation has been developed allowing shared earnings, permitting dual licensure for foster homes, expanding child welfare targeted case management, requiring additional automobile insurance coverage for employees, and extending the date for communities to transition to community based care. (HB 755/ SB 632)

Legal Rights of Children: Efforts to address how representation is provided for children are made in two proposals, each creating an office dedicated to advocacy. A final bill will likely require standards for the representation of children, coordinate resources, and relocate the Guardian ad Litem program from the Office of the State Courts Administrator. (SB 686, HB 629)

Domestic Violence: Protections for victims of domestic violence would be enhanced through legislation, which amends definitions, increases the filing charge for dissolution of marriage petitions, and directs funds to the Domestic Violence Trust Fund to fund domestic violence centers. (SB 316/ HB 299)

Education: The Legislature will be rewriting the Florida school code, a major undertaking expected to be one of the largest education bills ever.

Community Mental Health Services: Legislation has been filed requiring DCF to use certain funds to expand the provision of community mental health services. This bill prohibits release of funds for new community mental health services until approval of an implementation plan by the appropriations committees of the Legislature. (HB 751/ SB 598)

Developmental Disabilities: Legislation would modify the definition of "retardation" and "supported living", specify the procedure for persons with developmental disabilities to receive medical care when no guardian advocate has been appointed, and authorizes DCF to adopt rules for the home and community-based Medicaid waiver program, support services and supported living program. (SB 364)

Other Issues: Other important issues your Legislative Link will cover include legislation regarding autism spectrum disorder, the Florida Infant Crib Safety Act, firearm safety, Medicaid buy-in proposals, the Transportation Disadvantaged Trust Fund, the Learning Gateway, child booster seats, mental health parity and funding, 211, the Part C/Early Intervention Program, and immigrant issues, among others.

FLORIDA 211 NETWORK

Background: On July 21, 2000, the Federal Communications Commission (FCC) designated the telephone number "211" to access community Information and Referral (I&R) services nationwide. Ultimately, it is hoped 211 will be as recognizable for accessing information regarding human services as 911 is for emergencies.

Community I&Rs throughout Florida are beginning to implement 211. Pinellas, Hillsborough, and Brevard Counties already have implemented the number. Miami-Dade, Broward, Palm Beach, Escambia, Monroe, Duval (covering Duval, Clay, St. Johns, Nassau, Baker, Putnam, Bradford, Union, Columbia, Suwanee, and Hamilton Counties) and Leon County (covering Leon, Wakulla, Gadsden, Jefferson, Liberty, Madison, Taylor, and Franklin Counties) are poised to launch 211 in 2002. These counties represent more than 61 percent of Florida's population. More counties will join the effort in 2003.

All of the I&Rs moving forward with 211 in the communities identified above are members of the state's I&R Association, the Florida Alliance of Information and Referral Services (FLAIRS), and endorse the Florida 211 Network legislative proposal supported in this paper. FLAIRS members are information and referral professionals who answer more than 1.5 million telephone inquiries annually regarding human services in Florida.

In October, 1998, the Office of Policy Planning and Government Accountability (OPPAGA) concluded that about half of Florida's state-funded human service I&Rs, receive state funding of \$14.5 million and expend more than 787,000 employee hours maintaining and providing I&R services. Consequently, state resources annually expended for

human service I&R services are projected to exceed \$20-\$25 million, and more than 1,000,000 person hours. Yet, virtually all of these autonomous I&Rs act in isolation from the others, with no way to share information or act in a coordinated manner that would result in more efficient and effective expenditure of state resources.

2002 Legislative Issue: The advent of 211 provides the Florida Legislature an unparalleled opportunity to facilitate development of a statewide Florida 211 Network. Such a Network would link, coordinate, and standardize the work already being done by dozens of existing community information and referral providers throughout the state. It would also significantly enhance the ability of people to attain and maintain self-sufficiency, and to volunteer time, money, and materials to human service organizations.

This opportunity must not be lost. Implementation of a Florida 211 Network will ensure that a comprehensive, quality, efficient, and effective 211 "system" will be created in Florida. The alternative is a fragmented, inefficient "non-system" that fails to maximize use of tax dollars, and does not effectively help people to help themselves and help others.

**THE UNITED WAY OF FLORIDA URGES THE
2002 FLORIDA LEGISLATURE TO PASS
LEGISLATION FACILITATING DEVELOPMENT
OF A FLORIDA 211 NETWORK.**

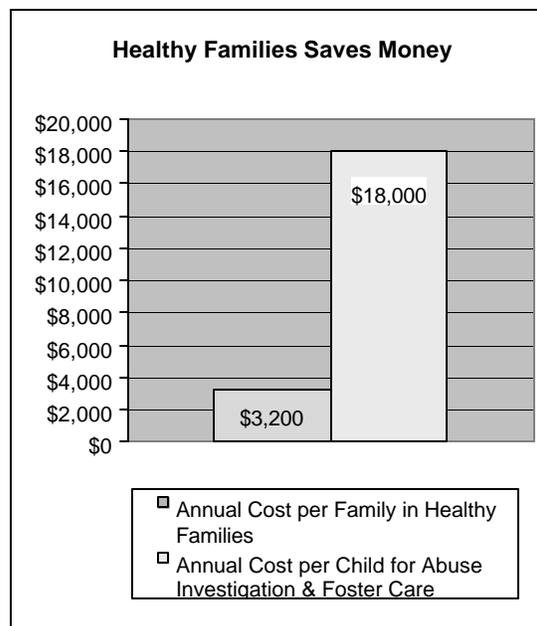
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- In 1999-2000, in Florida, there were 135,907 investigations of child abuse involving 178,575 children. Of the alleged child victims, 85,648 children were identified as abused or neglected. Most children who die from abuse or neglect are under four years of age and over half are under two-years of age.
 - In 2000, there were 168 domestic violence murders in Florida. (Miami Herald – 9/18/01)

HEALTHY FAMILIES FLORIDA FUNDING

Background: Every five days, a child dies from abuse or neglect in Florida. Nationally, the Healthy Families program has a 20+-year history of successfully preventing child abuse.

These two facts compelled the 1998 Florida Legislature to pass legislation and appropriate \$10 million to create the Healthy Families Florida program. Contracted by the Florida Department of Children and Families to the Ounce of Prevention Fund of Florida, Healthy Families Florida is a voluntary, community-based, intensive home visiting program intended to help parents strengthen their families, thereby reducing family dysfunction which results in an array of negative social outcomes.

The 2001 Florida Legislature appropriated approximately \$22.2 million to Healthy Families Florida. These funds are being used, together with a 25 percent local match, to provide funding to 38 Healthy Families sites in 49 counties, serving more than 10,000 families during FY 2000-2001 in zip code areas with the highest incidences of child abuse and neglect.



2002 Legislative Issue: The 2000 Florida Legislature appropriated Healthy Families Florida its “base” budget of \$22.2 million plus nonrecurring TANF funds which, when combined with roll-forward funds, resulted in an additional \$10 million for the program. The 2001 Legislature again appropriated the \$22.2 million base, but did not replace the \$10 million in TANF and roll-forward funds. Fortunately, loss of this \$10 million did not result in a \$10 million cut to Healthy Families; an additional \$6 million in nonrecurring roll-forward funds was utilized this year to offset the loss. As a result, because Healthy Families was able to utilize roll-forward funds from previous years, the total Healthy Families budget fell by about \$4 million, to about \$28 million. No additional roll-forward funds exist for next year. Therefore, if the 2002 Legislature does not appropriate an additional \$6 million above the Healthy Families \$22.2 million base, the effect will be a \$6 million cut in services. This translates into the loss of services to 2,305 families.

The costs of adverse social outcomes that can be avoided through use of Healthy Families Florida far outweigh the costs of the program, particularly in these difficult economic times. Remember, it costs \$3,200 per year to provide Healthy Families home visiting services for an entire family. It costs \$22,000 for one child abuse investigation plus a year of foster care. In 2002, the Florida Legislature will decide whether to recognize the benefits of this investment or, in its absence, to pay billions more in future years for public assistance, criminal justice, and deep-end child welfare programs, among others.

THE UNITED WAY OF FLORIDA URGES THE 2002 FLORIDA LEGISLATURE TO APPROPRIATE \$28 MILLION TO HEALTHY FAMILIES FLORIDA.

- **A CLEAR CONSCIENCE IS USUALLY THE SIGN OF A BAD MEMORY.**

SCHOOL READINESS FUNDING

Background: The 1999 Florida Legislature passed the “School Readiness Act,” reconfiguring Florida’s early care and education system. Under the Act, subsidized child care, pre-kindergarten early intervention, and other early care and education funds will be “block granted” to local School Readiness Coalitions that are crafting plans specifying how the money will be spent. A state-level Partnership for School Readiness is designing program eligibility requirements and standards, evaluation parameters, outcome measures, student assessment tools, and more.

The intent of the School Readiness Act is to provide a better early care and education system for all of Florida’s children. By passing the Act, the Legislature recognized that providing a positive and rich early childhood experience for children can play a huge role in determining their future academic and social success. At this time, there are approximately 50,000 children of working poor families on the subsidized childcare waiting list. In addition, a recent study rated 70 percent of Florida’s childcare sites as mediocre or poor quality

2002 Legislative Issue: The 2002 Florida Legislature will be asked whether or not its commitment to school readiness is rhetoric or reality. In the School Readiness Act, the Legislature placed extraordinary time frames on communities to develop local plans detailing how they can most effectively and efficiently provide early care and education services to their youngest children and their families. In response, every county, through 57 local School Readiness Coalitions from Key West to Pensacola, has worked hard to transform its early care and education system to comply. This metamorphosis has been exceedingly difficult, at best. Now, after having achieved what few thought they could in such a short time, the School Readiness Coalitions are looking to the Legislature to fulfill the implicit commitment contained in the Act – to provide the funding necessary for the Coalitions to serve their children in quality settings.

2002 is a particularly important one for Florida’s school readiness initiative. On one hand, Coalition members - particularly those from the private sector - are questioning whether they are truly making an impact by participating on the Coalitions. State bureaucracy combined with lack of funding to implement plan improvements are causing many disillusioned Coalition members to vacate their seats.

On the other hand, the state is facing the tightest budget year it has had in over a decade, making the possibility of additional state resources more difficult.

The United Way of Florida recognizes the bleak fiscal realities legislators will face when crafting the 2002-2003 state budget. Failure to appropriate additional funds to School Readiness Coalitions will result in a continued exodus of private sector members from the Coalitions. Additional funds must be appropriated if the vision of school readiness is to be achieved. However, at a minimum, the Legislature must appropriate at least the same amount of money to school readiness next year as it did this year, lest it completely lose the faith of those who have gone the extra mile at its behest.

THE UNITED WAY OF FLORIDA URGES THE 2002 FLORIDA LEGISLATURE TO HOLD SCHOOL READINESS FUNDING HARMLESS FROM BUDGET REDUCTIONS.

- ã Opportunities always look bigger going than coming.
- ã Artificial intelligence is no match for natural stupidity.

HEALTHY KIDS PROGRAM

Background: The Healthy Kids program is a public/private partnership created by the Legislature in 1990. Through it, local, state, and federal dollars, including family contributions, are combined to purchase from the private sector health care coverage for children. Part of the funding also comes from a required local match of up to 20 percent. Originally, state funding for the program was considered “seed” money that would eventually be supplanted entirely by local funds. Local matching funds could also be obtained from any source, including local taxing authorities, hospitals, and other health care providers.

The federal Balanced Budget Act of 1997 allocated approximately \$40 billion over 10 years to help states expand health insurance coverage to children. The Act created Title XXI of the Social Security Act. The 1998 Legislature aligned the Healthy Kids Program with Title XXI program requirements. Unfortunately, Title XXI prohibits contributions by hospitals and other health care providers to meet the match requirements. This change has meant that local governments, which had previously relied on provider funds to meet the local match, have had to find other funding sources. Local governments currently contribute about \$12 million to the Healthy Kids Program, leveraging more than \$20 million in federal matching funds to pay for coverage for about 50,000 children.

In order to reduce the burden to local communities caused by the match, the Healthy Kids Board of Directors implemented a policy whereby each county is allocated 500 “free” Healthy Kids slots, so counties must pay the match only for the number of children in their programs that exceed 500. Even so, many counties have had difficulty raising the match. Primarily due to lack of corporate and industry presence, 35 of Florida’s 67 counties – all of which have more than 500 eligible children - are unable to provide the match.

2002 Legislative Issue: Recognizing the difficulty many counties had raising the match, and wanting as many children covered as possible, the 2001 Legislature replaced the local match with state funds for one year. This was accomplished in proviso language in the 2001-2002 appropriations bill. Shortly after session, Governor Bush filed suit to have the proviso overturned, claiming the Legislature unconstitutionally attempted through the proviso language to change substantive Florida law that vests the Healthy Kids Board with responsibility for addressing the match. The Legislature reiterated its position in legislation that passed during the 2001 special session, thereby rendering the lawsuit moot. But the match is replaced only for this fiscal year, setting the stage for a rehash of the battle during the 2002 session.

THE UNITED WAY OF FLORIDA URGES THE 2002 FLORIDA LEGISLATURE TO REPLACE WITH STATE FUNDS THE HEALTHY KIDS LOCAL MATCH.

- Estimated percentage of Columbia’s cocaine exports controlled by right-wing paramilitary leaders: 40
- Number of right-wing Colombian groups on the United States’ designated foreign terrorist list: 0
- Chances that a teenage boy in Botswana will die of AIDS, given current infection rates: 9 in 10
- Federal funds budgeted this year for cleanup of the Defense Department’s hazardous waste: \$7,460,000,000

SPECIAL NOTE

This will be the last *Legislative Link* you will receive via the US Postal Service. Beginning with your next issue, we will email the *Legislative Link* to you. If you have not submitted your email address with the Memorandum dated January 14, 2002, please complete the information below, and fax this page to us (850/681-9137) by Wednesday, January 30, 2002 so that you can continue to receive this newsletter. Thank you.

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