A bill to be entitled
An act relating to community-based care lead agency expenditures; amending s. 409.992, F.S.; defining terms; specifying a total compensation limit from state-appropriated funds for certain employees of community-based care lead agencies; revising persons to whom the limit applies; requiring the Department of Children and Families to include a certain provision in contracts with a community-based care lead agency; amending s. 409.996, F.S.; revising persons of whom the department must publish certain compensation information; defining the term “total compensation”; providing an effective date.

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

Section 1. Subsection (3) of section 409.992, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

409.992 Lead agency expenditures.—
(3)(a) As used in this subsection, the term:
1. “Community-based care lead agency employee” means an executive staff member of a community-based care lead agency, including, but not limited to, the chief executive officer, chief financial officer, or chief operating officer.
2. “Incentive payment” means a financial or nonmonetary reward given to a person to recognize his or her performance results or to motivate him or her to exceed performance standards, rather than for time worked.
3. “Total compensation” includes direct and indirect salary, including base salary; bonuses; incentive payments; cashed-in leave; cash equivalents; severance pay; retirement benefits; deferred compensation; real property gifts; any other payout, such as additional leave, information technology equipment, leased vehicles, or car allowances; access to private donations or foundation funding or expense accounts; taxable group-term life insurance coverage; supplemental paid time off; or any other items that could be considered perquisites or accruals of deferred amounts.

(b) Notwithstanding any other provision of law, a community-based care lead agency administrative employee may not receive total compensation from state-appropriated funds, including state-appropriated federal funds, as a result of employment with one or more community-based care lead agencies, a community-based care lead agency and a managing entity, or a community-based care lead agency and another state agency a salary, whether base pay or base pay combined with any bonus or incentive payments, in excess of 150 percent of the annual salary paid to the secretary of the Department of Children and Families from state-appropriated funds, including state-appropriated federal funds.

(c) This subsection does not prohibit any party from providing cash that is not from appropriated state funds to a community-based care lead agency administrative employee.

(5) Upon the execution of a new contract or in any amendment to an existing contract with a community-based care lead agency, the department shall include a provision for the limitation on compensation specified in subsection (3).
Section 2. Subsection (4) of section 409.996, Florida Statutes, is amended to read:

409.996 Duties of the Department of Children and Families.—The department shall contract for the delivery, administration, or management of care for children in the child protection and child welfare system. In doing so, the department retains responsibility for the quality of contracted services and programs and shall ensure that, at a minimum, services are delivered in accordance with applicable federal and state statutes and regulations and the performance standards and metrics specified in the strategic plan created under s. 20.19(1).

(4)(a) The department shall collect and publish on its website, and annually update, all of the following information for each lead agency under contract with the department:

1. All compensation earned or awarded, whether paid or accrued, regardless of contingency, by position, for any employee, and any other person who is compensated through a contract for services whose services include those commonly associated with a chief executive, chief administrator, or other chief officer of a business or corporation, who receives total compensation from state-appropriated funds in excess of 150 percent of the annual salary paid to the secretary of the department. For purposes of this paragraph, the term “employee” has the same meaning as in s. 448.095, and the term “total compensation” has the same meaning as in s. 409.992(3)(a).

2. All findings of the review under subsection (3).

(b) The department shall collect and publish on its website, and update monthly, the information required under s.
409.988(1)(k).

Section 3. This act shall take effect July 1, 2022.