

BOARD OF DIRECTORS  
September 22, 2011 BOARD MEETING  
MINUTES

**Board Members in Attendance:** Mr. William Ryder, Board Chair, Mr. Stockton Whitten, Board Vice Chair, Judge Kelly McKibben, Board Treasurer, Mr. Leo Roselip, Mr. Sam Gutierrez, Ms. Irene Burnett, Mr. Mel Broom, Ms. Brooke Deratany Goldfarb. Mr. Michael Cadore and Reverend Scott Elliott.

**Board Members Absent:** None

**Others in Attendance:** Dr. Patricia Nellius, Chief Executive Officer, Ms. Valerie M. Randall, Chief Personnel & Administrative Officer, Ms. Debbie Davidson-Cook, Chief Compliance & Utilization Officer, Mr. Jim Carlson, COO, Mr. Geo Ropert, Director of Communication, Ms. Gloria Hensler, Finance Director, Ms. Kelly Swartz, Staff Attorney and Ms. Stephanie Strodman, Executive Assistant. Also in attendance were Secretary Wilkins, Mr. John Everett CHS, Ms. Valerie Holmes, Brevard C.A.R.E.S., Mr. Bill Bucher, Devereux, Ms. Phebe Powell, DCF, and Ms. Michelle Scott, CHS.

Mr. Ryder called the meeting to order and requested those present state their names for the record.

Mr. Ryder then welcomed Secretary Wilkins to the meeting and invited him to address the board. Mr. Whitten arrived.

Secretary Wilkins thanked the board for inviting him and shared that he views meeting with the CBC CEO's an important activity and that he has been traveling throughout the State to meet with each community based care agency. He indicated he wanted to share with the board what he is trying to accomplish in his role as Secretary. He commented that while he is new to public service after retiring last summer, he was asked to work with the Governor initially as part of his transition team. He also stated that he and his spouse served as foster parents so he is familiar with the child welfare system from that perspective and that he served on the Baptist Children's home Board of Directors. He also commented that while he loves his position with DCF he had not worked this hard in the business world. He discussed the series of events and activities that occurred during his first three (3) weeks on the job and that these helped him to establish priorities. Secretary Wilkins also stated that these are operational issues and that he is someone who knows how to fix problems.

He indicated that he has a passion to improve the performance for our children in care and is specifically focusing on educational results and normalcy. He also shared that he has been on a learning curve regarding the CBC initiative and the complexity of the initiative. Secretary Wilkins stated that there is pressure from both the legislature and from a funding perspective and that since the evolution of the CBC initiative there are now questions as to whether this is the right model for the current times. He stated that the CBC's must align more closely operationally on priorities and key initiatives to focus on efficiencies and enterprise-wide initiatives. He commented that from his state-wide meetings and visits that there are great individuals and CEO's involved in the CBC's but there are areas where continued improvement can be made.

Secretary Wilkins spoke about process improvements needed in the Independent Living and CMA areas and also wants improvement in the use of prevention dollars and wants to ensure that these "soft" dollars pay off with effective results. He acknowledged that the State did not have good data and that effective July 1, 2011 that a standardized improvement has been implemented in order to determine the ROI.

Secretary Wilkins spoke about SAMH which is also being evaluated rigorously by the legislature. He stated he viewed this model as an older one where there is an approach to "buy beds" rather than pay for services as needed.

He stated this is one reason there is the intent to move to the Managing Entity model statewide. He also indicated that there is wide disparity and inconsistency in managing the health side and again, he is working to develop a standardized approach.

He also commented that there is much to do, but that not all of the issues or opportunities require legislative involvement. He suggested that he and the CBC's just need to work together to address some of the issues. He referenced resolutions to OTI and post-adoption supports which have been addressed without legislative involvement.

Mr. Ryder thanked Secretary Wilkins for his time, comments and information. He stated that he believes that BFP functions as the best in the state and is among the top Agencies nationally.

Mr. Ryder then posed the questions to the Secretary that had been compiled by the board members and previously shared with the Secretary:

1. CBCs were legislatively created with the intent for local communities to design systems of care to address the unique needs of the children and family that reside within their local communities. Given the constraints CBCs currently face with limits on fund raising and lobbying how do you foresee equity in competition for the Lead Agency contracts if For Profit Companies are now able to bid?

The Secretary commented that he has served as a provider for many years and is quite familiar with the bid process. He also stated that in his opinion DCF was more accustomed to doing sole-source procurements, and this is in fact referenced in legislation for Behavioral Health Services. However, Secretary Wilkins strongly believes in strong and open competition and free enterprise. He commented that both he and Governor Scott feel there should be open competition for all opportunities and that this is the environment they wish to create. He further stated that if the bidding was limited to non-profits only there would be little competition. Secretary Wilkins also shared that he had spoken with Jeb Bush and based on that conversation learned that the CBC initiative was envisioned where the communities would essentially fund the local CBC. He stated that CBC's should be raising funds on their own for diversification as otherwise these entities seem to be "state run" and locally operated. He commented that Florida results are outpacing those nationally and consequently he believes more companies will become involved in the business in Florida. Secretary Wilkins shared that he feels strongly that with increased competition, the strongest and best positioned will be rewarded to respond to the needs of the youth.

2. What is your perception of the likelihood of reaching consensus on a new equity allocation methodology and if one is not reached what is your position on this issue?

The Secretary did not indicate he was hopeful that consensus would be reached. He provided information about a recent conversation he held with Senator Negrón who strongly supports the current methodology. He shared that he would prefer a model that is not tied to the number of youth in care, but rather one with performance components and would like to see incentives for innovation.

Dr. Nellius shared with the Secretary that very recently several models have been developed among the CBC's that may provide him a basis for consideration as he wants to present some options. She stated that the current model is a moving target and that key metrics are missing such as the cost of living in different communities, some communities have very active and well funded foundations and Children's Councils that essentially provide services to that community rather than the CBC having to perform and pay for these services and she believes these factors need to be incorporated into an allocation methodology.

3. Children enter the child welfare system with a myriad of needs, one of which often involves significant academic gaps. Isn't one of the critical elements of success and improvement in addressing this issue to engage DOE at the state level given that the average length of stay in care in Florida is less than 12 months?

The Secretary did support the need for the Department of Education to be included in this solution. He also stated that foster parents had to enhance their involvement and he cited the QPI program as one initiative to help support the improved outcomes. He also indicated that he felt that mentors from each community needed to be identified to work one on one with our foster youth to help them along the path of educational preparedness.

4. How will the ITN process differ from in the past? What is your position regarding the feasibility of allowing more than one (1) contract renewal with a term limit for high performing and community supported CBCs? Would DCF consider establishing a definition for a high performing and community supported (using the Community Alliance for this part of the process) CBC and use this as the basis to determine whether or not a CBC agency should go out to bid?

The Secretary indicated that the new process is intended to reduce the costs associated (resources, time) of the CBC's to respond. He stated that the community assessment of the CBC performance will be a component and that he suggests that these community evaluations be done "off cycle" so that issues or concerns can then be incorporated into the individual bid.

5. Has DCF considered rewarding fiscal responsibility? Wouldn't it be better to have funding wisely spent in a well run organization that reinvests in the children and families it serves rather than loose funding for creating efficiencies?

The Secretary stated that where children's needs are not being met, that additional dollars must be expended to improve the care they receive. He acknowledged it is unfortunate that if a CBC is performing well that there is no money to reward their performance.

Dr. Nellius asked to comment on this subject and shared with the Secretary that in Brevard County TIP (Together in Partnership) was very clear in the mandate for the programs and initiatives that would be implemented in Brevard County and among them was a strong prevention program. She commented that despite dialogue, discussions and requests that the children and families served in our Brevard C.A.R.E.S. program have not been considered or counted in FSFN. She stated that while we took over from DCF there were 1500+ children in care we now carry an average of 700+ in the Brevard C.A.R.E.S. program. BFP has significantly reduced the number of children in the dependency system however; we are only recognized for serving approximately 750. She also stated that in contrast to other "prevention" programs the dollars we expend are not "soft" dollars. She shared that the families and children that are in the Brevard C.A.R.E.S. program receive care coordination, a form of case management, and access to flexible support services; no different that those served in the dependency system. Ms. Goldfarb inquired of the Secretary that if an organization is not performing well, and additional funding is provided, how can you guarantee that those dollars will be used effectively? The Secretary indicated that he could not be sure, but that he feels strongly that these are children who need more help and therefore more resources need to be deployed to those agencies. It is unfortunate that those who perform well will fund those who are not.

6. Who will serve on the Procurement review team to score the submissions to the ITN? Have you considered having the Community Alliance endorse an existing CBC and include a weight factor in the scoring process as they are legislatively intended to monitor the work of the local CBC and represent the community's interests.

The Secretary indicated that he had not considered the inclusion of a community alliance on the review team, but that he would give it some thought and find out and let us know.

Mr. Whitten asked a follow up question about the specific process that will be used to select a cross walk of individuals within the community. Secretary Wilkins indicated that he did not have that information but that he would provide an answer. Dr. Nellius interjected that one person who either had a bad experience or who was displeased with a decision (and one that may have been outside of the CBC control) could have a significant impact on the outcome when it is an individual issue and not a systemic one. She again referred to TIP and the LRA to which we report and must meet their expectations and requirements.

The Secretary commented that in the last four (4) CBC ITN's, in his opinion the decisions made were the correct ones, except for one where the incumbent CBC was retained. He feels the existing process works well.

Ms. Goldfarb inquired about the fact that BFP is called upon on a national basis for its expertise and based on a high level of interest in the replication program and wondered why that would not be an impact in the decision. Mr. Gutierrez interjected that this model, Brevard C.A.R.E.S. is the "showcase" for the State and why would BFP be penalized and suggested that the ROI should be distributed accordingly. The Secretary seemed to appreciate these sentiments, but suggested that BFP raise money to use as it needs or wants. Dr. Nellius commented that due to the restriction on fundraising, the WRAP Conference held in February which sold out would have generated significant dollars for the Agency except staff had to time log so there was little "revenue" earned. She also commented that numerous grants have been written; both state and federal. Dr. Nellius also shared with the Secretary that due to our fiscal responsibility, we use funds for capacity building and mentioned the FBI and the development of over 20+ new services on the continuum for our children and families. She stated that in the last legislative session, there were CBC's who had \$2M in roll forward or surplus yet also received \$2M as the result of the SB 2146. Ms. Goldfarb commented that it appears to her that BFP simply has to figure out how to manage on its own despite its record and accomplishments. Secretary Wilkins commented that all the CBC's have a good story to tell and that while there was a total reduction of \$4B from the budget, that the CBC's did not take a hit. He commented that he and Senator Negron have had animated discussions about the fact that the CBC's were not impacted when other programs were.

Mr. Roselip indicated that he has been with the Agency since 2003 and that BFP reports to the community with DCF funding. He indicated that he personally was not concerned with the for-profit competition but wondered if these for-profits would also be required to operate in the Sunshine as we do. The Secretary commented that he believed that if a for-profit won the bid, that they would create a spin off which would be subject to the Sunshine and felt there would not really be much of a profit margin for them.

Mr. Whitten requested that the Secretary respond to his earlier question about the process that will be used to determine the review team and the Secretary indicated that Mr. Whitten should send him an e-mail.

**Action Item:** Mr. Whitten or designee will send an e-mail to the Secretary requesting the response to this question.

Mr. Ryder thanked the Secretary for his time and indicated that he felt we had a better perspective on his position and focus. Secretary Wilkins thanked the board and invited them, when they were in Tallahassee, to stop by anytime. At this time Secretary Wilkins left the meeting.

**Motion:** Mr. Roselip moved to approve the agenda. This was seconded by Mr. Broom and the motion was passed unanimously.

**Motion:** Judge McKibben moved to approve the minutes with one correction from the August 25, 2011, 2011 Board meeting. This was seconded by Mr. Gutierrez and the motion was passed unanimously.

Mr. Carlson then addressed the members and shared with them a list of upcoming contract changes that have been presented by DCF. He commented that there are several references to documents that are updated on the DCF website frequently and that we will monitor that to ensure that we are informed of the most recent changes. He commented that there is a reference to a MOU that we have on the Quality Assurance activity. He shared that there is also a "Transition and Intervention Document" which addressed changes that may occur regarding the performance of CBC's and/or if another entity would win the RFP from an existing CBC. He further shared that the "Attestation" which involves the licensing for foster homes became a function performed by CBC's in July 2011. This role is to ensure that the licensing packets are complete and meet State requirements. Once the review is done these are then sent to DCF for the State to issue the license. Mr. Carlson indicated that this is a performance measure for us. He then shared that as of July 1, 2011 BFP also assumed the responsibility of the Master Trust function from DCF which involves the management and payment of monies for our youth for SSI, Disability and or survivor benefits. He then indicated that an IL performance measure had been added last year but not all the activities and elements are finalized. Finally, Mr. Carlson stated that BFP must enter data in a national database which was done in March 2011 and will be done again shortly. There were no follow up questions to this report.

#### Staff Reports:

Next, Dr. Nellius shared information contained in the Board Report. She reported that she had communicated with Ms. Julia Irvin both in writing and held a personal meeting with her and that Ms. Swartz met with Ms. Irvin to begin the process of working with her to develop and define roles and responsibilities with CBy25. She stated that another meeting is scheduled for September 23, 2011. Dr. Nellius indicated that she believed it would be helpful to the initiative to hire a former foster youth to engage in the development of the initiative and program and this youth could also serve as the spokesperson to make presentations to community leaders.

Dr. Nellius then spoke about the "Everyone is a Teacher" event and stated that it was outstanding with a large turnout. She outlined the many community meetings held during the month with our partners and stakeholders and indicated that more are scheduled for the upcoming month. She also shared that we are in the process of reviewing and revising many policies and procedures in anticipation of our COA visit and that the Board will be presented with these revisions in terms of Board Governance policies. Dr. Nellius also reported that Ms. Randall is providing leadership to the IT function and that things are going well. Dr. Nellius also reminded the members that on October 6, 2011 Dr. Munoz will be in town and he is prepared to speak to the Board Subcommittee-ITN on the national landscape. She invited all interested board members to attend. Dr. Nellius reported that the ITN will be published shortly and we will begin working on this activity.

Dr. Nellius then indicated that she wanted the board to begin considering the current structure and relationship with Brevard C.A.R.E.S. She wondered if the board wanted to consider separating Brevard C.A.R.E.S. from BFP in anticipation of the ITN and bid process. Mr. Roselip asked Ms. Holmes for her opinion and she commented that she and Dr. Nellius had been having discussions about the concept in consideration of the ITN.

**Action Item:** Mr. Roselip requested that this subject be on the October agenda for discussion.

Judge McKibben requested that a date for the November meeting be established so she could plan her schedule. There was some discussion and potential dates suggested.

**Motion:** Ms. Goldfarb moved that the November-December meeting be held on Thursday, December 8, 2011. This was seconded by Judge McKibben and the motion was passed unanimously.

There was discussion about the former Leader Board information which showed categories of performance measures and results by the CBC's.

**Action Item:** It was requested that this be developed and presented at the Board meetings.

Ms. Gloria Hensler then addressed the Board and distributed copies of the August Financial Statement of Activities and August Statement of Financial Position to the board members. She reviewed both documents with the members and pointed out specific areas regarding certain expenses in the month of August. She referenced the expenses associated with the two (2) children she mentioned at the last board meeting who are on the APD Waiver list, however, that list has now been frozen so if and until this is lifted we will retain the necessary funding of the needs of these children.

She reviewed some other details and indicated that we are on target with the annual budget for the fiscal year with 84% of the budget still remaining. Dr. Nellius commented that while we are keeping to our budget other sources are being restricted such as Magellan and that additional cuts to our providers will result in BFP having to make up the shortfall. She indicated she is concerned as we have no risk pool to cover these unplanned expenses. It was also noted that if the plan to redirect \$5M of the IVE Waiver is realized that BFP and other CBC's will incur additional reductions.

Judge McKibben stated that all Board Members had received a Related Party questionnaire from the audit firm and she asked the members to complete and return these to James Moore & Company.

Mr. Roselip inquired as to the status of Florida Mentor. Dr. Nellius shared that we are working with them to achieve consensus but had received a significant public records request. She stated that based on the magnitude of the request, she had decided not to attend the DCS as planned so she could concentrate on the request and develop a plan to respond. She has estimated this will require a minimum of 100 hours of staff time to gather and provide all the requested information. She reported that based on the current status that BFP has engaged a law firm to work with us and in house counsel.

Ms. Swartz commented that all prior litigation has been dismissed but that as they are for-profit and have funds, they can continue with legal avenues and that after two dismissed administrative hearings with DCF there is currently no appeal that has been presented. Dr. Nellius commented that she invested 16 hours or time on the public record request which only addressed her e-mail outbox for May as much information must be redacted to ensure appropriate confidentiality of sensitive or HIPAA covered information. Ms. Burnett inquired if this request was possibly a way to cause disruption to the Agency as they were not awarded the contract. Dr. Nellius indicated that she is aware that as a for-profit that Florida Mentor would have financial targets and that any shortfalls would have to be justified to executive leadership. She also stated that Florida Mentor had been provided during the RFP process two occasions to address the deficiencies in their response that were noted and that they did not choose to do so. She also reported that she had spoken with the State Director and discussed the fact that in terms of building capacity for the System of Care we would entertain any proposal targeted to serve a need and depending on the elements might be able to help them pilot the program. In response the State Director indicated he could not justify the expense of keeping a presence in Brevard without a firm and set contract; however, there seems to be adequate funding to pursue a legal course.

#### Legislative Update

Mr. Ropert shared that meetings have begun and that this year the redistricting is on tap for legislative activity. The session will commence earlier as a result and will take place between January and March 2012. He reported that we presented at the County Commissioner meeting and discussed equity and procurement and that these individuals expressed support for BFP and the initiatives, but also indicated they were not on the decision-making committees. He also shared that Children's Week will take place during the week of January 29, 2012 and that we plan to take a small contingent for this event as again, significant focus will be on the redistricting. Mr. Ropert did indicate that in meetings with Representatives Crisafulli, Workman and Goodson that they have a good understanding of the issues and are supportive of BFP and the CBC initiative.

Dr. Nellius then reviewed this month's Strategic Goal: Objective 5b: Develop, promote and capitalize on programs that are good candidates for replication.

Strategies:

- \* Develop and promote replication of the Brevard C.A.R.E.S. program once AED has completed validating the model.
- \* Establish an institute to provide wraparound services training and other technical assistance.
- \* Seek contracts from sources besides DCF.
- \* Seek to assume the operations of Brevard County's Country Acres group home should the county decide to outsource this.
- \* Partner with local child abuse prevention and intervention agencies to explore possible business partnerships that would result in efficiencies, accessibility and continuity of care for consumers.

Dr. Nellius reviewed the strategies of this goal and updates with the board members. Ms. Burnett inquired if Country Acres was still an option. Mr. Whitten indicated that there had been no further discussion on this subject at this time. There was no further discussion on this subject.

Dr. Nellius then provided the members with the draft minutes taken at the information meeting held in May. She indicated that as the meeting did not involve a motion that these are provided as information at this time (as they were overlooked at an earlier meeting) and that if any board member wanted to comment that this might be done at the next meeting. Ms. Swartz indicated that in accordance with Chapter 286 regarding the Sunshine Law there was no "business transacted" and absent this the meeting was informational in nature only and does not need to be voted upon or approved by the Board.

Mr. Whitten inquired if BFP intended to charge for both time and materials regarding the public records request. Dr. Nellius responded affirmatively.

Ms. Davidson Cook then provided to each member an announcement of the upcoming EBA meeting to be held on October 14, 2011 at 9:00 AM. It was requested that if board members planned to attend that they RSVP to both Ms. Davidson Cook and Ms. Randall.

**Motion:** Mr. Whitten moved to adjourn the meeting. This was seconded by Mr. Cadore and the motion was passed unanimously.

Respectfully Submitted,

Valerie M. Randall  
Recording Secretary

Approved at October 27, 2011 Board Meeting