

AMENDMENT # 9

Contract # GJL58

Effective the latter of **February 11, 2022**, or the last date of the signatories, this amends the above referenced **Contract as follows**:

1. Numbers 2, 6-7, and 9-10 were last addressed in Amendment # 8.
2. In the Legacy Standard Contract, Section 3, \$396,738,386.00 is replaced with \$401,819,580.00.
3. Attachment I, 1.7.2. **Placement Services** is amended to add:
 - 1.7.2.7. In accordance with the Multi-Ethnic Placement Act of 1994 and the Small Business Job Protection Act of 1996, Section 1808, Removal of Barriers to Interethnic Adoption, the lead agency will diligently recruit prospective foster families that represent the racial and ethnic diversity of Florida's foster care population. To ensure such diligent recruitment, the lead agency will utilize culturally and linguistically appropriate competency and awareness during recruitment as required under Rule 65C-45.002(10), F.A.C., for all levels of licensure. The lead agency will develop and secure services to assist in the recruitment of such prospective foster families that reflect the diversity of Florida's foster care children, including, professional services for document translation, pre-service and in-service training translation, and translators for the application process and after licensure.
4. Attachment I, 2. **Performance Specifications** and 2.1 are replaced by the following.

2. PERFORMANCE SPECIFICATIONS

By execution of this Contract, the Lead Agency hereby acknowledges and agrees that its performance under this Contract must meet the measures set forth below. Per s. 402.73, F.S., and s. 409.996(1)(d), F.S., the Department will provide for graduated penalties for failure to comply with contract terms. Such penalties may include enhanced monitoring and reporting, imposition of corrective action plans, technical assistance and consultation from the Department, imposition of financial penalties, or early termination of contracts. The financial penalties shall require the Lead Agency to reallocate funds from administrative costs to direct care for children.

- 2.1. The Lead Agency shall be required to meet performance measures listed below whether services are performed directly or performed by a subcontractor. The Lead Agency shall demonstrate progress throughout the state fiscal year and will be required to be functioning in compliance with each performance measure. Nothing in this section shall be interpreted to mean the measures below are the only measures for which the Lead Agency shall be responsible. The Department reserves the right to modify or add any performance measures which are required by federal and state funding sources to comply with federal and state requirements.

Any modifications or additions will only be accomplished through formal amendment to this Contract.

- 2.1.1. If the Lead Agency fails to meet the following measures, the Department, may allow up to six months for the Lead Agency to achieve compliance with the measures. The determination of the extenuating or mitigating circumstances is the exclusive determination of the Department. If the Lead Agency can validate that the performance measures were not met due to extenuating circumstances outside of the Lead Agency's control, then the deficiency will not be adversely factored into the numerical level of achievement for such performance measure(s).
- 2.1.2. The Lead Agency shall continuously monitor FSFN data to ensure accurate input. Quarterly, the Department shall provide the Lead Agency FSFN data so that the Lead Agency, in turn, is able to disclose to the Department any inputted FSFN errors of which the Lead Agency is aware. The Lead Agency is to provide these inputted FSFN errors, along with valid supporting documentation, no later than fifteen (15) business days after receipt of the aforementioned

FSFN data from the Department.

The Department shall ensure qualitative data utilized to generate the performance scores of qualitative accountability metrics reflects a valid sample size by circuit and interrater reliability scores of the data collection instrument are published.

2.1.3. Corrective Action Plans

If the Lead Agency fails to meet the required performance measures, or if efforts in monitoring detect deficiencies by the Lead Agency, the Department may require the Lead Agency to develop and implement a Corrective Action Plan. Within ten days of the Department's notification of the deficiency, the Department may request the Lead Agency to develop a Corrective Action Plan which shall outline all the documented deficiencies, the timetable to correct the deficiencies (not to exceed six months, unless otherwise specified), and establish a schedule for reporting the progress toward correcting the deficiencies. The Department's approval or denial of the Corrective Action Plan shall be provided to the Lead Agency's CM. All communications regarding the Corrective Action Plan will flow between the CM for the Department and the CM for the Lead Agency.

Ref#	Category	Measure Description	Standard	Report Period
System-Wide Metrics				
1.	Safety	Percent of children with no verified maltreatment within six months of termination of supervision.	95%	The month ending nine months prior to the report month (e.g., January 1, 2020 to January 31, 2020 for the report month ending September 30, 2020).
2.	Safety	Children with no recurrence of verified maltreatment within 12 months of a prior verified maltreatment	90.9%	The month ending 15 months prior to the end of the report month. (e.g., March 1, 2020 - March 31, 2020 for the month ending June 30, 2021).
3	Permanency	Children achieving permanency within 12 months of entering care.	41%	The month beginning 12 months prior to the end of the report month (e.g., June 1 through June 30, 2019 for the report month ending June 30, 2020).
4.	Permanency	Children achieving permanency within 12 months for children in Out-of-home care between 12 and 23 months.	44%	The beginning of the day 12 months prior to the end of the report month (e.g., July 1, 2019 for the report month ending June 30, 2020).

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Ref#	Category	Measure Description	Standard	Report Period
5.	Permanency	Children achieving permanency within 12 months for children in out-of-home care for 24 months or more	30%	The beginning of the day 12 months prior to the end of the report month (e.g., July 1, 2019 for the report month ending June 30, 2020).
6.	Permanency	Children who do not re-enter foster care within 12 months of moving to a permanent home.	91.7%	The 12-month period ending 24 months prior to the end of the report quarter. (e.g., October 1 to September 30 for the 12-month period ending September 30).
Case Management – Quantitative Metrics				
7.	Safety	Percent of children not abused or neglected while in out-of-home care.	98%	The month ending three months prior to the end of the report month (e.g., June 1, 2020 to June 30, 2020 for the report month ending September 30, 2020).
8.	Safety	Percent of children not abused or neglected while receiving in-home services.	98%	The month ending three months prior to the end of the report month (e.g., June 1, 2020 to June 30, 2020 for the report month ending September 30, 2020).
9.	Well-Being	Percent of children under supervision who are seen every 30 days.	99.5%	The month ending as of the end of the report month (e.g. June 1, 2020 – June 30, 2020 for the month ending June 30, 2020).
10.	Well-Being	Percent of cases with caseworker visits with parents monthly.	80%	The month ending as of the end of the report month.
11.	Well-Being	Percent of case managers and supervisors maintained by vendor for contractual needs.	TBD-	Monthly: Staff available must be reported monthly to ensure availability is being maintained.
12.	Well-Being	Cases Transferred to Case Management within 10 Business Days	60%	The month ending as of the end of the report month

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Ref#	Category	Measure Description	Standard	Report Period
13.	Permanency	Children's placement moves per 1,000 days in foster care.	≤ 4	The twelve (12) month period ending as of the end of the report month (e.g. April 1, 2017 to March 31, 2018 for the report month March 2018)
14.	Permanency	Percent of children placed with relatives or nonrelatives.	65%	The last day of the report month.
15.	Permanency	Percent of sibling groups where all siblings are placed together.	65%	The last day of the report month.
16.	Permanency	Number of children with finalized adoptions during each state fiscal year (SFY) ending June 30. SFY 2021-22 SFY 2022-23 SFY 2023-24 SFY 2024-25 SFY 2025-26	TBD TBD TBD TBD TBD	Monthly: Performance through the end of the month prior to the report month Fiscal Year to Date: Same as monthly.
Case Management – Qualitative (Life of Case) Metrics				
The Department will be monitoring to establish a baseline system of measure across the state for the annual accountability system. Until Department's final approval of such baseline standards, the Department may, at its sole discretion, waive vendor's failure to satisfy the following Qualitative Metrics.				
17.	Safety	Cases with concerted efforts to provide services to prevent entry/re-entry into out-of-home care.	95%	The month ending as of the end of the report month.
18.	Well-Being	Cases with quality caseworker visits with child every 30 days. (ATTACHMENT 1)	95%	The month ending as of the end of the report month.
19.	Well-Being	Cases for which concerted efforts were made to assess and provide services to meet the needs of children, parents, and foster parents.	95%	The month ending as of the end of the report month.
20.	Well-Being	Cases with concerted efforts to involve children and parents in case planning.	95%	The month ending as of the end of the report month.
21.	Well-Being	Cases with quality caseworker visits with parents every 30 days to ensure safety, permanency, well-being, and support achievement of case goals. (ATTACHMENT 1)	95%	The month ending as of the end of the report month.
22.	Well-Being	Cases with concerted efforts to meet the educational needs of the child.	95%	The month ending as of the end of the report month.

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Ref#	Category	Measure Description	Standard	Report Period
23.	Well-Being	Cases with concerted efforts to meet the mental/behavioral health needs of the child	95%	The month ending as of the end of the report month.
24.-	Well-Being	Cases with concerted efforts to meet the physical and dental health needs of the child.	95%	The month ending as of the end of the report month.
25.	Permanency	Cases with appropriate permanency goals established in a timely manner.	95%	The month ending as of the end of the report month.
26.	Permanency	Cases for which concerted efforts were made to ensure visitation between a child in out-of-home care with parents and siblings in out-of-home care.	95%	The month ending as of the end of the report month.
27	Wellness	Within 12 months of execution of the contract, 85% of children and families identified as needing behavioral health services will be referred to a behavioral health provider within 5 calendar days. Within 24 months of execution of the contract, 95% of children and families identified as needing behavioral health services will be referred to a behavioral health provider within 5 calendar days.	Year 1: 85% Year 2: 95%	

5. Attachment I, 2.2 **Performance Evaluation Methodology** is amended to read:

The performance evaluation methodology for statewide measures is posted on the Department's website and included in the Biography of Accountability Metrics:

<https://www.myflfamilies.com/service-programs/child-welfare/dashboard/>

6. The highlighted portions below amend Attachment I, Section 4.1.1. The non-highlighted parts are illustrative and unaffected by this amendment.

This is an advance fixed price, fixed payment **and cost reimbursement** contract comprised of federal sources and a grant of state funds. The method of payment is per s. 409.990(1), F.S. The Department will pay the Lead Agency for the delivery of service units provided in accordance with the terms of this Contract, **as well as reimburse for allowable expenditures,** for a total dollar amount not to exceed **\$401,819,580.00**, subject to the availability of funds. The Schedule of Funds (Attachment II), which identifies the amount of the federal and **state** sources, will be amended into this Contract at the beginning of each fiscal year, and the total contract amount will be adjusted accordingly. The attached Schedule of Funds provides as follows:

Attachment II-A, Fiscal Year 2019-2020	\$77,363,883.00
Attachment II-B, Fiscal Year 2020-2021	\$83,435,693.00
Attachment II-C, Fiscal Year 2021-2022	\$82,103,770.00
Attachment II-D, Fiscal Year 2022-2023	\$79,458,117.00
Attachment II-E, Fiscal Year 2023-2024	\$79,458,117.00

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7. The highlighted portions of the below table amends Attachment I, 4.1.1. The non-highlighted parts are illustrative and unaffected by this amendment.

Service Unit	Fixed Payment	# of Units	Total Amount	Total Fiscal Year Amount
4.1.1.1 FY19/20				
One Month of Child Welfare and Related Services (7/01/2019-09/30/2019)	\$5,868,222.25	3	\$17,604,666.75	\$77,363,883.00
One Month of Child Welfare and Related Services (10/01/2019-5/30/2020)	\$6,346,878.25	8	\$50,775,026.00	
One Month of Child Welfare and Related Services (6/01/2020-06/30/2020)	\$6,356,292.25	1	\$6,356,292.25	
Lump Sum Back of the Bill (6/01/2019-6/30/2020)	\$2,627,898.00	1	\$2,627,898.00	
4.1.1.2 FY20/21				
One Month of Child Welfare and Related Services (7/01/2020-7/31/2020)	\$6,176,925.82	1	\$6,176,925.82	\$83,435,693
One Month of Chi01 Welfare and Related Services (08/01/2020-9/30/2020)	\$6,176,925.38	2	\$12,353,850.76	
One Month of Child Welfare and Related Services (10/01/2020-4/30/2021)	\$6,416,607.04	7	\$44,916,249.28	
One Month of Child Welfare and Related Services (5/01/2021-6/30/2021)	\$6,778,722.57	2	\$13,557,445.14	
Back of the Bill and additional GAP Lump Sum Payment for FY20-21	\$6,431,222.00	1	\$6,431,222.00	
4.1.1.3 FY21-22				
One Month of Child Welfare and Related Services (7/01/2021-9/30/2021)	\$6,417,039.25	3	\$19,251,117.75	\$82,103,770.00
One Month of Child Welfare and Related Services (10/01/2021-3/31/2022)	\$6,567,840.80	6	\$39,407,044.80	
One Month of Child Welfare and Related Services (4/01/2022-5/31/2022)	\$7,180,359.50	2	\$14,360,719.00	
One Month of Child Welfare and Related Services (6/01/2022-6/30/2022)	\$7,180,359.45	1	\$7,180,359.45	
Supplemental Payment for Division X Chafee Funds (Upon Execution of Amendment 08)	\$1,788,625.00	1	\$1,788,625.00	
Family First Transition Act (FFTA) Funds	Cost Reimbursement \$115,904.00		\$115,904.00	

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4.1.1.4 FY22-23				
One Month of Child Welfare and Related Services (7/01/2022-6/30/2023)	\$6,621,509.75	12	\$79,458,117.00	\$79,458,117.00
4.1.1.5 FY23-24				
One Month of Child Welfare and Related Services (7/01/2023-6/30/2024)	\$6,621,509.75	12	\$79,458,117.00	\$79,458,117.00

8. **4.2 Cost Reimbursement** is amended to add 4.2.3:**4.2.3. Family First Transition Act (FFTA) Funds**

4.2.3.1 FFTA Transition Funds shall be used to reimburse for allowable expenditures for Installation of Evidence Based Services, Foster Parent Mentors, Residential Setting Transitional Support, and Supplementation Foster Care Maintenance. Allowable expenditures shall be in accordance with Evidence Based Programs (EBPs), Foster Parent Peer Mentor, Qualified Residential Treatment Program (QRTP), and Trust-Based Relational Intervention Reimbursement Forms. Supplementation Foster Care Maintenance is paid to the CBCs via the fixed monthly payment invoice and allowable expenditures shall be made in accordance with the FSFN Payment Reference Guide (incorporated by reference and available on the DCF website).

4.2.3.2 Costs associated with carrying out FFTA services under this contract shall first be paid by the Provider. The Provider shall submit invoices for eligible costs to the Department for reimbursement. Expenditures shall meet the minimum requirements established by the Department of Financial Services, Division of Accounting and Auditing, Bureau of Auditing, Reference Guide for State Expenditures, which is available at the Department of Financial Services web site.

4.2.3.3 Payment may be authorized only for allowable expenditures on the Family First Transition Act Funds Cost Reimbursement Invoice (available on the Department website) which are in accordance with the limits per category as specified on the Schedule of Funds (Attachment II-C).

4.2.3.4 Except for the Supplementation Foster Care Maintenance which is paid as a part of the fixed monthly payment invoice and reported on the monthly actual expenditure report, the Lead Agency shall request payment for allowable FFTA expenditures through submission of a separate invoice for FFTA Funds on or before the 20th of each month for expenditures incurred during the preceding month. Supporting documentation must be submitted with the invoice to support all expenditures in accordance with the guidance documents.

9. **5.16.2.** is deleted and replaced with the following:

5.16.2. Any funding not spent by June 30, 2022, the Department will identify the amount of unearned funds for repayment upon completion of the final reconciliation.

The cost pools assigned and the amount for each cost pool will be provided in the Lead Agency State Fiscal Year 2021-2022 Schedule of Funds.

10. Attachment II-C is replaced by the attached Attachment II-C (dated 2/21/2022).

11. All provisions in the Contract and any attachments thereto in conflict with this Amendment are changed to conform with this Amendment. All provisions not in conflict with this Amendment are still in effect and are to be performed at the level specified in the Contract. This Amendment and all its attachments are made a part of the Contract.

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IN WITNESS THEREOF, the parties cause this amendment to be executed by their duly authorized officials.

PROVIDER: Embrace Families Community Based Care, Inc. DEPARTMENT: Department of Children and Families

SIGNED



BY: _____

NAME:

CATHERINE MACINA

TITLE:

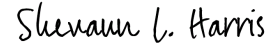
Chief Financial officer

DATE:

3/15/2022 | 8:38 AM EDT

Federal ID Number:010631375

SIGNED



BY: _____

NAME:

Shevaun L. Harris

TITLE:

Secretary

DATE:

3/15/2022 | 9:00 AM EDT

Attachment II-C

Community Based Care (CBC) Lead Agency Schedule of Funds
Embrace Families Community Based Care - Contract #GJL58
FY 2021-22 Use Designation - As of 2/21/2022

	Other Cost Accumulators (OCA)	Title IV-E Funds	Other Federal Funds	State Funds	Total Funds	The Amount of Non-Recurring Funds included in Total Funds
Line # 321 - Special Categories: Grant and Aids - Community Based Care Funds for Providers of Child Welfare Services (108304)						
Core Services Funding (409.991 (1)(a), Florida Statutes)						
Title IV-E Fund Sources (Section A&B) (a)	Multiple	14,935,292	9,157,411	26,165,784	50,258,487	11,910
Level I Licensed Care (FH) Payments - IV-E Eligible (Section B) (b)	LCLVE	750,053	-	474,324	1,224,377	-
Level I Licensed Care (FH) Payments - IV-E Ineligible (Section B) (b)	LCLVI	-	-	738,823	738,823	-
Capped Fund Sources (Section A&B) (c)	Multiple	-	99,670	4,604,420	4,704,090	-
Medicaid Administration	PR005	-	276,256	276,255	552,511	-
State Access & Visitation Grant (d)	PRSAV	-	24,527	-	24,527	-
Safe & Stable Families Act Grant-Family Preservation (e)	PRE04	-	337,694	-	337,694	-
Safe & Stable Families Act Grant-Family Support (e)	PRE06	-	337,694	-	337,694	-
Safe & Stable Families Act Grant-Family Reunification (e)	PRE11	-	675,386	-	675,386	-
Safe & Stable Families Act Grant-Adoption (e)	PRE12	-	337,694	-	337,694	-
Total Core Services Funding		15,685,345	11,246,332	32,259,606	59,191,283	11,910
Child Welfare Best Practices - Implementation of SB 80 and SB 96 requirements - Originally appropriated in 2021 GAA line 306A Lump Sum and released to line 321 (108304)						
Family Finders (39.2015, FS)	FFOCB	-	-	73,313	73,313	-
Kinship Navigation (39.2015, FS)	KINCB	-	-	744,679	744,679	56,273
Post Adoption Services	CSFAS	-	-	82,736	82,736	-
Independent Living Expansion	SFOAT	-	-	126,295	126,295	-
Total Child Welfare Best Practices		-	-	1,027,023	1,027,023	56,273
Family First Prevention Services Act Transition Funds - Originally appropriated in 2021 GAA line 306B Lump Sum and released to line 321 (108304)						
Installation of Evidenced Based Services (g)	FFPEB	-	75,904	-	75,904	75,904
Foster Parent Mentors (g)	FFPCI	-	40,000	-	40,000	40,000
Residential Settings Transition Support (g)	FFPRS	-	-	-	-	-
Supplementation Foster Care Maintenance	FFPSM	-	217,416	-	217,416	217,416
Total Family First Prevention Services Act Transition Funds		-	333,320	-	333,320	333,320
Independent Living (IL) , Extended Foster Care (EFC) and Aftercare Funding (409.1451, FS & 39.6251, FS)						
Independent Living Services - Chafee Administration Eligible and Other Chafee Road to Independence - Post-Secondary Education & Services and Supports (PESS)	KRE17/KRE22/ KRL17/KRL22/CH0AT	-	296,608	406,912	703,520	-
Chafee, Education & Training Vouchers (ETV), Post-Secondary Education & Services and Supports (PESS) and Aftercare	CHPES	-	122,122	187,853	309,975	-
Extended Foster Care - Title IV-E Eligible	ETVAF/ETVAP/ ETVPS	-	142,989	408,440	551,429	-
All State Funded Independent Living and Extended Foster Care Services	EFCCM/EFRBE EFRBI/ SFSRA/EFEOE	390,483	-	416,948	807,431	-
Total IL EFC and Aftercare Funding		390,483	561,719	1,539,024	2,491,226	-
Line # 322 Special Categories: Grant and Aids - Adoption Assistance (108305) - 409.166, FS						
Maintenance Adoption Subsidies (MAS) and Non Recurring Expenses	39MAS/ MP000/ SFMSA/WO006/ WO007/WR001/ WR002	7,662,562	1,221,936	6,617,663	15,502,161	-
Line # 323 Special Categories: Grant and Aids - Guardianship Assistance Program Payments (108306) - 39.6225, FS						
Guardianship Assistance Program (GAP) Payments	GAP4E/GAPTA/ GAPSF/GAPNR/ EGAPE/EGAPI	140,362	-	468,329	608,691	-
Line # 368 Special Categories: Grant and Aids - Purchase of Therapeutic Services for Children (100806)						
Children's Mental Health CW Wraparound Funding	19MCB/19MCF	-	-	705,916	705,916	-
Line # 310 Special Categories: Contracted Services (100777)						
Protective Investigator Training - IV-E Eligible	BATRN	-	-	-	-	-
Line # 314 Special Categories: Grant and Aids - Child Protection (103034)						
CW PI Training	BAT00	-	-	-	-	-
Line # 314 Special Categories: Grant and Aids - Child Protection (103034)						
Special Projects		-	-	-	-	-
Special Projects		-	-	-	-	-
Line # 321 - Special Categories: Grant and Aids - Community Based Care Funds for Providers of Child Welfare Services (108304)						
CW Performance Incentive Project - 6th Judicial Circuit	SFE06	-	-	-	-	-
CW Performance Incentive Project - 13th Judicial Circuit	SFE13	-	-	-	-	-
Line # 310A Special Categories: Grant and Aids - Contracted Services (100778)						
Special Projects		-	-	-	-	-
Special Projects		-	-	-	-	-
Line # 318A - Special Categories: Coronavirus (COVID-19) - Public Assistance - State Operations (105153)						
Division X Chafee - Relief & Assistance (f)	CHXRA	-	751,329	-	751,329	751,329
Division X Chafee - Transportation (f)	CHXTR	-	415,250	-	415,250	415,250
Division X Chafee - Extended Foster Care (f)	CHXEF	-	418,280	-	418,280	418,280
Division X Chafee - Postsecondary Education Svcs & Supports (PESS) (f)	ETVXR	-	203,766	-	203,766	203,766
CARES Act Division B - Title IV-B: Safe & Stable Families Act Grant-Family Preservation (f)	CCX04	-	91,105	-	91,105	91,105
CARES Act Division B -Title IV-B: Safe & Stable Families Act Grant-Family Support (f)	CCX06	-	91,105	-	91,105	91,105
CARES Act Division B -Title IV-B: Safe & Stable Families Act Grant-Time Limited Reunification (f)	CCX11	-	182,210	-	182,210	182,210
CARES Act Division B -Title IV-B: Safe & Stable Families Act Grant-Adoption (f)	CCX12	-	91,105	-	91,105	91,105
Total All Fund Sources		23,878,752	15,607,457	42,617,561	82,103,770	2,645,653

Footnotes:

- (a) Expenditures less than the IV-E amount identified in this section may be subject to repayment. This section includes the following OCAs: AS000, AS0CS, DCMPR, DCML0, CHPA0, DCM0H, DCMIH, LCFHE, LCFHI, LCGHE, LCGHI, REV4E, REVTF, SECLE, SECLI, SMS4E, TRCOR, TRFCA, LCNSE, LCNSI, LCSSE, LCSSI, SESSE, SESSI
- (b) Expenditures less than the IV-E amount identified in this section may be subject to repayment. Funds may only be used for Foster Home Level I Board Payments.
- (c) The section includes the following OCAs: PVSPR, CS00H, CSF0H, CS0AS, SECSV, PR024
- (d) A 10% match is provided by the Community-Based Care provider.
- (e) A 25% match is provided by the Community-Based Care provider.
- (f) No local match is required.
- (g) Separate method of payment from fixed monthly payment. Cost reimbursement request to DCF