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1                   A bill to be entitled  
2     An act relating to child welfare; amending s. 39.2015,  
3     F.S.; authorizing critical incident rapid response  
4     teams to review cases of child deaths occurring during  
5     an open investigation; requiring the advisory  
6     committee to meet quarterly and submit quarterly  
7     reports; amending s. 39.3068, F.S.; requiring case  
8     staffing when medical neglect is substantiated;  
9     amending s. 125.901, F.S.; revising the schedule for a  
10    county's governing body to submit a general election  
11    ballot question on whether to retain a children's  
12    services district with voter-approved taxing  
13    authority; amending s. 383.402, F.S.; requiring an  
14    epidemiological child abuse death assessment and  
15    prevention system; providing intent for the operation  
16    of and interaction between the state and local death  
17    review committees; limiting members of the state  
18    committee to terms of 2 years, not to exceed three  
19    consecutive terms; requiring the committee to elect a  
20    chairperson and authorizing specified duties of the  
21    chairperson; providing for per diem and reimbursement  
22    of expenses; specifying duties of the state committee;  
23    deleting obsolete provisions; providing for the  
24    convening of county or multicounty local review  
25    committees and support by the county health department  
26    directors; specifying membership and duties of local  
27    review committees; requiring the state review  
28    committee to submit an annual statistical report to  
29    the Governor and the Legislature; identifying the

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30 required content for the report; specifying that  
31 certain responsibilities of the Department of Children  
32 and Families are to be administered at the regional  
33 level, rather than at the district level; amending s.  
34 402.301, F.S.; requiring personnel of specified  
35 membership organizations to meet background screening  
36 requirements; amending s. 402.302, F.S.; adding  
37 personnel of specified membership organizations to the  
38 definition of the term child care personnel; amending  
39 s. 409.977, F.S.; authorizing Medicaid managed care  
40 specialty plans to serve specified children; amending  
41 s. 409.986, F.S.; revising legislative intent to  
42 require community-based care lead agencies to give  
43 priority to the use of evidence-based and trauma-  
44 informed services; amending s. 409.988; requiring lead  
45 agencies to give priority to the use of evidence-based  
46 and trauma-informed services; amending s. 435.02,  
47 F.S.; redefining a term; amending s. 1006.061, F.S.;  
48 requiring each district school board, charter school,  
49 and certain private schools to post in each school a  
50 poster with specified information; providing criteria  
51 for the poster; requiring the Department of Education  
52 to develop and publish a sample notice on its Internet  
53 website; providing an effective date.

54  
55 Be It Enacted by the Legislature of the State of Florida:

56  
57 Section 1. Subsections (2) and (11) of section 39.2015,  
58 Florida Statutes, are amended to read:

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59 39.2015 Critical incident rapid response team.—

60 (2) An immediate onsite investigation conducted by a  
61 critical incident rapid response team is required for all child  
62 deaths reported to the department if the child or another child  
63 in his or her family was the subject of a verified report of  
64 suspected abuse or neglect during the previous 12 months. The  
65 secretary may direct an immediate investigation for other cases  
66 involving death or serious injury to a child, including, but not  
67 limited to, a death or serious injury occurring during an open  
68 investigation.

69 (11) The secretary shall appoint an advisory committee made  
70 up of experts in child protection and child welfare, including  
71 the Statewide Medical Director for Child Protection under the  
72 Department of Health, a representative from the institute  
73 established pursuant to s. 1004.615, an expert in organizational  
74 management, and an attorney with experience in child welfare, to  
75 conduct an independent review of investigative reports from the  
76 critical incident rapid response teams and to make  
77 recommendations to improve policies and practices related to  
78 child protection and child welfare services. The advisory  
79 committee shall meet at least once each quarter and ~~By October 1~~  
80 ~~of each year, the advisory committee~~ shall submit quarterly  
81 reports ~~a report~~ to the secretary which include ~~includes~~  
82 findings and recommendations. The secretary shall submit each  
83 ~~the~~ report to the Governor, the President of the Senate, and the  
84 Speaker of the House of Representatives.

85 Section 2. Subsection (3) of section 39.3068, Florida  
86 Statutes, is amended to read:

87 39.3068 Reports of medical neglect.—

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88 (3) The child shall be evaluated by the child protection  
89 team as soon as practicable. ~~If After receipt of the report from~~  
90 ~~the child protection team~~ reports that medical neglect is  
91 substantiated, the department shall convene a case staffing  
92 which shall be attended, at a minimum, by the child protective  
93 investigator; department legal staff; and representatives from  
94 the child protection team that evaluated the child, Children's  
95 Medical Services, the Agency for Health Care Administration, the  
96 community-based care lead agency, and any providers of services  
97 to the child. However, the Agency for Health Care Administration  
98 is not required to attend the staffing if the child is not  
99 Medicaid eligible. The staffing shall consider, at a minimum,  
100 available services, given the family's eligibility for services;  
101 services that are effective in addressing conditions leading to  
102 medical neglect allegations; and services that would enable the  
103 child to safely remain at home. Any services that are available  
104 and effective shall be provided.

105 Section 3. Subsection (4) of section 125.901, Florida  
106 Statutes, is amended to read:

107 125.901 Children's services; independent special district;  
108 council; powers, duties, and functions; public records  
109 exemption.—

110 (4) (a) Any district created pursuant to this section may be  
111 dissolved by a special act of the Legislature, or the county  
112 governing body may by ordinance dissolve the district subject to  
113 the approval of the electorate.

114 (b) 1.a. Notwithstanding paragraph (a), the governing body  
115 of the county shall submit the question of retention or  
116 dissolution of a district with voter-approved taxing authority

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117 to the electorate in the general election according to the  
118 following schedule:

119 (I) For a district in existence on July 1, 2010, and  
120 serving a county with a population of 400,000 or fewer persons  
121 as of that date.....2014.

122 ~~(II) For a district in existence on July 1, 2010, and~~  
123 ~~serving a county with a population of more than 400,000 but~~  
124 ~~fewer than 2 million persons as of~~  
125 ~~that date.....2016.~~

126 (II) ~~(III)~~ For a district in existence on July 1, 2010, and  
127 serving a county with a population of 2 million or more persons  
128 as of that date.....2020.

129 b. A referendum by the electorate on or after July 1, 2010,  
130 creating a new district with taxing authority may specify that  
131 the district is not subject to reauthorization or may specify  
132 the number of years for which the initial authorization shall  
133 remain effective. If the referendum does not prescribe terms of  
134 reauthorization, the governing body of the county shall submit  
135 the question of retention or dissolution of the district to the  
136 electorate in the general election 12 years after the initial  
137 authorization.

138 2. The governing body of the district may specify, and  
139 submit to the governing body of the county no later than 9  
140 months before the scheduled election, that the district is not  
141 subsequently subject to reauthorization or may specify the  
142 number of years for which a reauthorization under this paragraph  
143 shall remain effective. If the governing body of the district  
144 makes such specification and submission, the governing body of  
145 the county shall include that information in the question

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146 submitted to the electorate. If the governing body of the  
147 district does not specify and submit such information, the  
148 governing body of the county shall resubmit the question of  
149 reauthorization to the electorate every 12 years after the year  
150 prescribed in subparagraph 1. The governing body of the district  
151 may recommend to the governing body of the county language for  
152 the question submitted to the electorate.

153 3. Nothing in this paragraph limits the authority to  
154 dissolve a district as provided under paragraph (a).

155 4. Nothing in this paragraph precludes the governing body  
156 of a district from requesting that the governing body of the  
157 county submit the question of retention or dissolution of a  
158 district with voter-approved taxing authority to the electorate  
159 at a date earlier than the year prescribed in subparagraph 1. If  
160 the governing body of the county accepts the request and submits  
161 the question to the electorate, the governing body satisfies the  
162 requirement of that subparagraph.

163  
164 If any district is dissolved pursuant to this subsection, each  
165 county must first obligate itself to assume the debts,  
166 liabilities, contracts, and outstanding obligations of the  
167 district within the total millage available to the county  
168 governing body for all county and municipal purposes as provided  
169 for under s. 9, Art. VII of the State Constitution. Any district  
170 may also be dissolved pursuant to s. part VII of chapter 189.

171 Section 4. Section 383.402, Florida Statutes, is amended to  
172 read:

173 383.402 Child abuse death review; State Child Abuse Death  
174 Review Committee; local child abuse death review committees.—

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175 (1) INTENT.—It is the intent of the Legislature to  
176 establish a statewide multidisciplinary, multiagency,  
177 epidemiological child abuse death assessment and prevention  
178 system that consists of state and local review committees. The  
179 ~~state and local review~~ committees shall review the facts and  
180 circumstances of all deaths of children from birth ~~to~~ through  
181 age 18 which occur in this state and are reported to the central  
182 abuse hotline of the Department of Children and Families. The  
183 state and local review committees shall work cooperatively. The  
184 primary function of the state review committee is to provide  
185 direction and leadership for the review system and to analyze  
186 data and recommendations from local review committees to  
187 identify issues and trends and to recommend statewide action.  
188 The primary function of the local review committees is to  
189 conduct individual case reviews of deaths, generate information,  
190 make recommendations, and implement improvements at the local  
191 level. Each case ~~The purpose of the review must use a data-~~  
192 based, epidemiological approach shall be to:

193 (a) Achieve a greater understanding of the causes and  
194 contributing factors of deaths resulting from child abuse.

195 (b) Whenever possible, develop a communitywide approach to  
196 address such causes ~~eases~~ and contributing factors.

197 (c) Identify any gaps, deficiencies, or problems in the  
198 delivery of services to children and their families by public  
199 and private agencies which may be related to deaths that are the  
200 result of child abuse.

201 (d) Recommend ~~Make and implement recommendations for~~  
202 changes in law, rules, and policies at the state and local  
203 levels, as well as develop practice standards that support the

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204 safe and healthy development of children and reduce preventable  
205 child abuse deaths.

206 (e) Implement approved recommendations, to the extent  
207 possible.

208 (2) STATE CHILD ABUSE DEATH REVIEW COMMITTEE.—

209 (a) Membership.—

210 1. The State Child Abuse Death Review Committee is  
211 established within the Department of Health and shall consist of  
212 a representative of the Department of Health, appointed by the  
213 State Surgeon General, who shall serve as the state committee  
214 coordinator. The head of each of the following agencies or  
215 organizations shall also appoint a representative to the state  
216 committee:

217 a.1. The Department of Legal Affairs.

218 b.2. The Department of Children and Families.

219 c.3. The Department of Law Enforcement.

220 d.4. The Department of Education.

221 e.5. The Florida Prosecuting Attorneys Association, Inc.

222 f.6. The Florida Medical Examiners Commission, whose  
223 representative must be a forensic pathologist.

224 2.(b) In addition, the State Surgeon General shall appoint  
225 the following members to the state committee, based on  
226 recommendations from the Department of Health and the agencies  
227 listed in subparagraph 1. paragraph (a), and ensuring that the  
228 committee represents the regional, gender, and ethnic diversity  
229 of the state to the greatest extent possible:

230 a.1. The Department of Health Statewide Child Protection  
231 Team Medical Director ~~for Child Protection~~.

232 b.2. A public health nurse.



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233 ~~c.3.~~ A mental health professional who treats children or  
234 adolescents.

235 ~~d.4.~~ An employee of the Department of Children and Families  
236 who supervises family services counselors and who has at least 5  
237 years of experience in child protective investigations.

238 ~~e.5.~~ The medical director of a child protection team.

239 ~~f.6.~~ A member of a child advocacy organization.

240 ~~g.7.~~ A social worker who has experience in working with  
241 victims and perpetrators of child abuse.

242 ~~h.8.~~ A person trained as a paraprofessional in patient  
243 resources who is employed in a child abuse prevention program.

244 ~~i.9.~~ A law enforcement officer who has at least 5 years of  
245 experience in children's issues.

246 ~~j.10.~~ A representative of the Florida Coalition Against  
247 Domestic Violence.

248 ~~k.11.~~ A representative from a private provider of programs  
249 on preventing child abuse and neglect.

250 l. A substance abuse treatment professional.

251 3. The members of the state committee shall be appointed to  
252 staggered terms not to exceed 2 years each, as determined by the  
253 State Surgeon General. Members may be appointed to no more than  
254 three consecutive terms. The state committee shall elect a  
255 chairperson from among its members to serve for a 2-year term,  
256 and the chairperson may appoint ad hoc committees as necessary  
257 to carry out the duties of the committee.

258 4. Members of the state committee shall serve without  
259 compensation but may receive reimbursement for per diem and  
260 travel expenses incurred in the performance of their duties as  
261 provided in s. 112.061 and to the extent that funds are

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262 available.

263 (b)(3) Duties.—The State Child Abuse Death Review Committee  
264 shall:

265 1.(a) Develop a system for collecting data from local  
266 committees on deaths that are reported to the central abuse  
267 hotline the result of child abuse. The system must include a  
268 protocol for the uniform collection of data statewide, which  
269 must, at a minimum, use the National Child Death Review Case  
270 Reporting System administered by the National Center for the  
271 Review and Prevention of Child Deaths ~~uses existing data-~~  
272 ~~collection systems to the greatest extent possible.~~

273 2.(b) Provide training to cooperating agencies,  
274 individuals, and local child abuse death review committees on  
275 the use of the child abuse death data system.

276 ~~(c) Prepare an annual statistical report on the incidence~~  
277 ~~and causes of death resulting from reported child abuse in the~~  
278 ~~state during the prior calendar year. The state committee shall~~  
279 ~~submit a copy of the report by October 1 of each year to the~~  
280 ~~Governor, the President of the Senate, and the Speaker of the~~  
281 ~~House of Representatives. The report must include~~  
282 ~~recommendations for state and local action, including specific~~  
283 ~~policy, procedural, regulatory, or statutory changes, and any~~  
284 ~~other recommended preventive action.~~

285 3.(d) Provide training to local child abuse death review  
286 committee members on the dynamics and impact of domestic  
287 violence, substance abuse, or mental health disorders when there  
288 is a co-occurrence of child abuse. Training must ~~shall~~ be  
289 provided by the Florida Coalition Against Domestic Violence, the  
290 Florida Alcohol and Drug Abuse Association, and the Florida

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291 Council for Community Mental Health in each entity's respective  
292 area of expertise.

293 4.(e) Develop statewide uniform guidelines, standards, and  
294 protocols, including a protocol for standardized data  
295 collection, and reporting, for local child abuse death review  
296 committees, and provide training and technical assistance to  
297 local committees.

298 5.(f) Develop statewide uniform guidelines for reviewing  
299 deaths that are the result of child abuse, including guidelines  
300 to be used by law enforcement agencies, prosecutors, medical  
301 examiners, health care practitioners, health care facilities,  
302 and social service agencies.

303 6.(g) Study the adequacy of laws, rules, training, and  
304 services to determine what changes are needed to decrease the  
305 incidence of child abuse deaths and develop strategies and  
306 recruit partners to implement these changes.

307 7.(h) Provide consultation on individual cases to local  
308 committees upon request.

309 8.(i) Educate the public regarding the provisions of  
310 chapter 99-168, Laws of Florida, the incidence and causes of  
311 child abuse death, and ways by which such deaths may be  
312 prevented.

313 9.(j) Promote continuing education for professionals who  
314 investigate, treat, and prevent child abuse or neglect.

315 10.(k) Recommend, when appropriate, the review of the death  
316 certificate of a child who died as a result of abuse or neglect.

317 ~~(4) The members of the state committee shall be appointed~~  
318 ~~to staggered terms of office which may not exceed 2 years, as~~  
319 ~~determined by the State Surgeon General. Members are eligible~~

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320 ~~for reappointment. The state committee shall elect a chairperson~~  
321 ~~from among its members to serve for a 2-year term, and the~~  
322 ~~chairperson may appoint ad hoc committees as necessary to carry~~  
323 ~~out the duties of the committee.~~

324 ~~(5) Members of the state committee shall serve without~~  
325 ~~compensation but are entitled to reimbursement for per diem and~~  
326 ~~travel expenses incurred in the performance of their duties as~~  
327 ~~provided in s. 112.061 and to the extent that funds are~~  
328 ~~available.~~

329 ~~(3)-(6)~~ LOCAL CHILD ABUSE DEATH REVIEW COMMITTEES.—At the  
330 direction of the State Surgeon General, a county or multicounty  
331 child abuse death review committee shall be convened and  
332 supported by the county health department directors ~~the director~~  
333 ~~of each county health department, or the directors of two or~~  
334 ~~more county health departments by agreement, may convene and~~  
335 ~~support a county or multicounty child abuse death review~~  
336 ~~committee~~ in accordance with the protocols established by the  
337 State Child Abuse Death Review Committee.

338 (a) Membership.—Each local child abuse death review  
339 committee must include local representatives from:

340 1. The state attorney's office. ~~a local state attorney, or~~  
341 ~~his or her designee, and~~

342 2. The medical examiner's office.

343 3. The local Department of Children and Families child  
344 protective investigations unit.

345 4. The Department of Health child protection team.

346 5. The community-based care lead agency.

347 6. State, county, or local law enforcement agencies.

348 7. The school district.

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349 8. A mental health treatment provider.

350 9. A certified domestic violence center.

351 10. A substance abuse treatment provider.

352 11. Any other members that are determined by guidelines  
353 developed by the State Child Abuse Death Review Committee.

354  
355 To the extent possible, individuals from these organizations or  
356 entities who, in a professional capacity, dealt with a child  
357 whose death is verified as caused by abuse or neglect, or with  
358 the family of the child, shall attend any meetings where the  
359 child's case is reviewed. The members of a local committee shall  
360 be appointed to 2-year terms and may be reappointed. ~~The local~~  
361 ~~committee shall elect a chairperson from among its members.~~  
362 Members shall serve without compensation but may receive ~~are~~  
363 ~~entitled to~~ reimbursement for per diem and travel expenses  
364 incurred in the performance of their duties as provided in s.  
365 112.061 and to the extent that funds are available.

366 (b)(7) Duties.—Each local child abuse death review  
367 committee shall:

368 1.(a) Assist the state committee in collecting data on  
369 deaths that are the result of child abuse, in accordance with  
370 the protocol established by the state committee. The local  
371 committee shall complete, to the fullest extent possible, the  
372 individual case report in the National Child Death Review Case  
373 Reporting System.

374 2.(b) Submit written reports as required by ~~at the~~  
375 ~~direction of~~ the state committee. The reports must include:

376 a. Nonidentifying information from ~~an~~ individual cases.

377 b. Identification of any problems with the data system

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378 uncovered through the review process and the committee's  
379 recommendations for system improvements and needed resources,  
380 training, and information dissemination, where gaps or  
381 deficiencies may exist. and

382 c. All ~~the~~ steps taken by the local committee and private  
383 and public agencies to implement necessary changes and improve  
384 the coordination of services and reviews.

385 3. ~~(e)~~ Submit all records requested by the state committee  
386 at the conclusion of its review of a death resulting from child  
387 abuse.

388 4. ~~(d)~~ Abide by the standards and protocols developed by the  
389 state committee.

390 5. ~~(e)~~ On a case-by-case basis, request that the state  
391 committee review the data of a particular case.

392 (4) ANNUAL STATISTICAL REPORT.—The state committee shall  
393 prepare and submit a comprehensive statistical report by October  
394 1 of each year to the Governor, the President of the Senate, and  
395 the Speaker of the House of Representatives which includes data,  
396 trends, analysis, findings, and recommendations for state and  
397 local action regarding deaths from child abuse. Data must be  
398 presented on an individual calendar year basis and in the  
399 context of a multiyear trend. At a minimum, the report must  
400 include:

401 (a) Descriptive statistics, including demographic  
402 information regarding victims and caregivers, and the causes and  
403 nature of deaths.

404 (b) A detailed statistical analysis of the incidence and  
405 causes of deaths.

406 (c) Specific issues identified within current policy,

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407 procedure, rule, or statute and recommendations to address those  
408 issues from both the state and local committees.

409 (d) Other recommendations to prevent deaths from child  
410 abuse based on an analysis of the data presented in the report.

411 (5)-(8) ACCESS TO AND USE OF RECORDS.-

412 (a) Notwithstanding any other law, the chairperson of the  
413 State Child Abuse Death Review Committee, or the chairperson of  
414 a local committee, shall be provided with access to any  
415 information or records that pertain to a child whose death is  
416 being reviewed by the committee and that are necessary for the  
417 committee to carry out its duties, including information or  
418 records that pertain to the child's family, as follows:

419 1.(a) Patient records in the possession of a public or  
420 private provider of medical, dental, or mental health care,  
421 including, but not limited to, a facility licensed under chapter  
422 393, chapter 394, or chapter 395, or a health care practitioner  
423 as defined in s. 456.001. Providers may charge a fee for copies  
424 not to exceed 50 cents per page for paper records and \$1 per  
425 fiche for microfiche records.

426 2.(b) Information or records of any state agency or  
427 political subdivision which might assist a committee in  
428 reviewing a child's death, including, but not limited to,  
429 information or records of the Department of Children and  
430 Families, the Department of Health, the Department of Education,  
431 or the Department of Juvenile Justice.

432 (b)-(9) The State Child Abuse Death Review Committee or a  
433 local committee shall have access to all information of a law  
434 enforcement agency which is not the subject of an active  
435 investigation and which pertains to the review of the death of a

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436 child. A committee may not disclose any information that is not  
437 subject to public disclosure by the law enforcement agency, and  
438 active criminal intelligence information or criminal  
439 investigative information, as defined in s. 119.011(3), may not  
440 be made available for review or access under this section.

441 (c)~~(10)~~ The state committee and any local committee may  
442 share with each other any relevant information that pertains to  
443 the review of the death of a child.

444 (d)~~(11)~~ A member of the state committee or a local  
445 committee may not contact, interview, or obtain information by  
446 request or subpoena directly from a member of a deceased child's  
447 family as part of a committee's review of a child abuse death,  
448 except that if a committee member is also a public officer or  
449 state employee, that member may contact, interview, or obtain  
450 information from a member of the deceased child's family, if  
451 necessary, as part of the committee's review. A member of the  
452 deceased child's family may voluntarily provide records or  
453 information to the state committee or a local committee.

454 (e)~~(12)~~ The chairperson of the State Child Abuse Death  
455 Review Committee may require the production of records by  
456 requesting a subpoena, through the Department of Legal Affairs,  
457 in any county of the state. Such subpoena is effective  
458 throughout the state and may be served by any sheriff. Failure  
459 to obey the subpoena is punishable as provided by law.

460 (f)~~(13)~~ This section does not authorize the members of the  
461 state committee or any local committee to have access to any  
462 grand jury proceedings.

463 (g)~~(14)~~ A person who has attended a meeting of the state  
464 committee or a local committee or who has otherwise participated



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465 in activities authorized by this section may not be permitted or  
466 required to testify in any civil, criminal, or administrative  
467 proceeding as to any records or information produced or  
468 presented to a committee during meetings or other activities  
469 authorized by this section. However, this subsection does not  
470 prevent any person who testifies before the committee or who is  
471 a member of the committee from testifying as to matters  
472 otherwise within his or her knowledge. An organization,  
473 institution, committee member, or other person who furnishes  
474 information, data, reports, or records to the state committee or  
475 a local committee is not liable for damages to any person and is  
476 not subject to any other civil, criminal, or administrative  
477 recourse. This subsection does not apply to any person who  
478 admits to committing a crime.

479 (6) ~~(15)~~ DEPARTMENT OF HEALTH RESPONSIBILITIES.-

480 (a) The Department of Health shall administer the funds  
481 appropriated to operate the review committees and may apply for  
482 grants and accept donations.

483 (b) ~~(16)~~ To the extent that funds are available, the  
484 Department of Health may hire staff or consultants to assist a  
485 review committee in performing its duties. Funds may also be  
486 used to reimburse reasonable expenses of the staff and  
487 consultants for the state committee and the local committees.

488 (c) ~~(17)~~ For the purpose of carrying out the  
489 responsibilities assigned to the State Child Abuse Death Review  
490 Committee and the local review committees, the State Surgeon  
491 General may substitute an existing entity whose function and  
492 organization includes ~~include~~ the function and organization of  
493 the committees established by this section.

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494 (7) ~~(18)~~ DEPARTMENT OF CHILDREN AND FAMILIES

495 RESPONSIBILITIES.—Each regional managing director ~~district~~  
496 ~~administrator~~ of the Department of Children and Families must  
497 appoint a child abuse death review coordinator for the region  
498 ~~district~~. The coordinator must have knowledge and expertise in  
499 the area of child abuse and neglect. The coordinator's general  
500 responsibilities include:

501 (a) Coordinating with the local child abuse death review  
502 committee.

503 (b) Ensuring the appropriate implementation of the child  
504 abuse death review process and all regional ~~district~~ activities  
505 related to the review of child abuse deaths.

506 (c) Working with the committee to ensure that the reviews  
507 are thorough and that all issues are appropriately addressed.

508 (d) Maintaining a system of logging child abuse deaths  
509 covered by this procedure and tracking cases during the child  
510 abuse death review process.

511 (e) Conducting or arranging for a Florida Safe Families  
512 Network Abuse Hotline Information System (FAHIS) record check on  
513 all child abuse deaths covered by this procedure to determine  
514 whether there were any prior reports concerning the child or  
515 concerning any siblings, other children, or adults in the home.

516 (f) Coordinating child abuse death review activities, as  
517 needed, with individuals in the community and the Department of  
518 Health.

519 (g) Notifying the regional managing director ~~district~~  
520 ~~administrator~~, the Secretary of Children and Families, the  
521 Department of Health Deputy Secretary for Health and Deputy  
522 State Health Officer for Children's Medical Services, and the

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523 Department of Health Child Abuse Death Review Coordinator of all  
524 ~~child abuse~~ deaths meeting criteria for review as specified in  
525 this section within 1 working day after case closure ~~verifying~~  
526 ~~the child's death was due to abuse, neglect, or abandonment.~~

527 (h) Ensuring that all critical issues identified by the  
528 local child abuse death review committee are brought to the  
529 attention of the regional managing director ~~district~~  
530 ~~administrator~~ and the Secretary of Children and Families.

531 (i) Providing technical assistance to the local child abuse  
532 death review committee during the review of any child abuse  
533 death.

534 Section 5. Subsection (6) of section 402.301, Florida  
535 Statutes, is amended to read:

536 402.301 Child care facilities; legislative intent and  
537 declaration of purpose and policy.—It is the legislative intent  
538 to protect the health, safety, and well-being of the children of  
539 the state and to promote their emotional and intellectual  
540 development and care. Toward that end:

541 (6) It is further the intent that membership organizations  
542 affiliated with national organizations which do not provide  
543 child care, whose primary purpose is providing activities that  
544 contribute to the development of good character or good  
545 sportsmanship or to the education or cultural development of  
546 minors in this state, which charge only a nominal annual  
547 membership fee, which are not for profit, and which are  
548 certified by their national associations as being in compliance  
549 with the association's minimum standards and procedures shall  
550 not be considered child care facilities ~~and therefore, their~~  
551 ~~personnel shall not be required to be screened.~~ However, all

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552 personnel as defined in s. 402.302 of such membership  
553 organizations shall meet background screening requirements  
554 through the department pursuant to ss. 402.305 and 402.3055.

555 Section 6. Subsection (3) of section 402.302, Florida  
556 Statutes, is amended to read:

557 402.302 Definitions.—As used in this chapter, the term:

558 (3) "Child care personnel" means all owners, operators,  
559 employees, and volunteers working in a child care facility. The  
560 term does not include persons who work in a child care facility  
561 after hours when children are not present or parents of children  
562 in a child care facility. For purposes of screening, the term  
563 includes any member, over the age of 12 years, of a child care  
564 facility operator's family, or person, over the age of 12 years,  
565 residing with a child care facility operator if the child care  
566 facility is located in or adjacent to the home of the operator  
567 or if the family member of, or person residing with, the child  
568 care facility operator has any direct contact with the children  
569 in the facility during its hours of operation. Members of the  
570 operator's family or persons residing with the operator who are  
571 between the ages of 12 years and 18 years are not required to be  
572 fingerprinted but must be screened for delinquency records. For  
573 purposes of screening, the term also includes persons who work  
574 in child care programs that provide care for children 15 hours  
575 or more each week in public or nonpublic schools, family day  
576 care homes, membership organizations under s. 402.301, or  
577 programs otherwise exempted under s. 402.316. The term does not  
578 include public or nonpublic school personnel who are providing  
579 care during regular school hours, or after hours for activities  
580 related to a school's program for grades kindergarten through

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581 12. A volunteer who assists on an intermittent basis for less  
582 than 10 hours per month is not included in the term "personnel"  
583 for the purposes of screening and training if a person who meets  
584 the screening requirement of s. 402.305(2) is always present and  
585 has the volunteer in his or her line of sight. Students who  
586 observe and participate in a child care facility as a part of  
587 their required coursework are not considered child care  
588 personnel, provided such observation and participation are on an  
589 intermittent basis and a person who meets the screening  
590 requirement of s. 402.305(2) is always present and has the  
591 student in his or her line of sight.

592 Section 7. Subsection (5) is added to section 409.977,  
593 Florida Statutes, to read:

594 409.977 Enrollment.—

595 (5) Specialty plans serving children in the care and  
596 custody of the department may serve such children as long as  
597 they remain in care, including those remaining in extended  
598 foster care pursuant to s. 39.6251, or are in subsidized  
599 adoption and continue to be eligible for Medicaid pursuant to s.  
600 409.903.

601 Section 8. Paragraph (a) of subsection (1) of section  
602 409.986, Florida Statutes, is amended to read:

603 409.986 Legislative findings and intent; child protection  
604 and child welfare outcomes; definitions.—

605 (1) LEGISLATIVE FINDINGS AND INTENT.—

606 (a) It is the intent of the Legislature that the Department  
607 of Children and Families provide child protection and child  
608 welfare services to children through contracting with community-  
609 based care lead agencies. The community-based lead agencies

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610 shall give priority to the use of services that are evidence-  
611 based and trauma-informed. Counties that provide children and  
612 family services with at least 40 licensed residential group care  
613 beds by July 1, 2003, and that provide at least \$2 million  
614 annually in county general revenue funds to supplement foster  
615 and family care services shall continue to contract directly  
616 with the state. It is the further intent of the Legislature that  
617 communities have responsibility for and participate in ensuring  
618 safety, permanence, and well-being for all children in the  
619 state.

620 Section 9. Subsection (3) of section 409.988, Florida  
621 Statutes, is amended to read:

622 409.988 Lead agency duties; general provisions.—

623 (3) SERVICES.—A lead agency must provide ~~serve~~ dependent  
624 children with ~~through~~ services that are supported by research or  
625 that are recognized as best practices in the ~~best~~ child welfare  
626 field practices. The agency shall give priority to the use of  
627 services that are evidence-based and trauma-informed and may  
628 also provide other innovative services, including, but not  
629 limited to, family-centered and, ~~cognitive-behavioral, trauma-~~  
630 ~~informed~~ interventions designed to mitigate out-of-home  
631 placements.

632 Section 10. Subsection (5) of section 435.02, Florida  
633 Statutes, is amended to read:

634 435.02 Definitions.—For the purposes of this chapter, the  
635 term:

636 (5) "Specified agency" means the Department of Health, the  
637 Department of Children and Families, the Division of Vocational  
638 Rehabilitation within the Department of Education, the Agency

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639 for Health Care Administration, the Department of Elderly  
640 Affairs, the Department of Juvenile Justice, ~~and~~ the Agency for  
641 Persons with Disabilities, and local licensing agencies approved  
642 pursuant to s. 402.307, when these agencies are conducting state  
643 and national criminal history background screening on persons  
644 who work with children or persons who are elderly or disabled.

645 Section 11. Section 1006.061, Florida Statutes, is amended  
646 to read:

647 1006.061 Child abuse, abandonment, and neglect policy.—Each  
648 district school board, charter school, and private school that  
649 accepts scholarship students under s. 1002.39 or s. 1002.395  
650 shall:

651 (1) Post in a prominent place in each school a notice that,  
652 pursuant to chapter 39, all employees and agents of the district  
653 school board, charter school, or private school have an  
654 affirmative duty to report all actual or suspected cases of  
655 child abuse, abandonment, or neglect; have immunity from  
656 liability if they report such cases in good faith; and have a  
657 duty to comply with child protective investigations and all  
658 other provisions of law relating to child abuse, abandonment,  
659 and neglect. The notice shall also include the statewide toll-  
660 free telephone number of the central abuse hotline.

661 (2) Post in a prominent place at each school site and on  
662 each school's Internet website, if available, the policies and  
663 procedures for reporting alleged misconduct by instructional  
664 personnel or school administrators which affects the health,  
665 safety, or welfare of a student; the contact person to whom the  
666 report is made; and the penalties imposed on instructional  
667 personnel or school administrators who fail to report suspected

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668 or actual child abuse or alleged misconduct by other  
669 instructional personnel or school administrators.

670 (3) Require the principal of the charter school or private  
671 school, or the district school superintendent, or the  
672 superintendent's designee, at the request of the Department of  
673 Children and Families, to act as a liaison to the Department of  
674 Children and Families and the child protection team, as defined  
675 in s. 39.01, when in a case of suspected child abuse,  
676 abandonment, or neglect or an unlawful sexual offense involving  
677 a child the case is referred to such a team; except that this  
678 does not relieve or restrict the Department of Children and  
679 Families from discharging its duty and responsibility under the  
680 law to investigate and report every suspected or actual case of  
681 child abuse, abandonment, or neglect or unlawful sexual offense  
682 involving a child.

683 (4) (a) Post in a prominent place in a clearly visible  
684 location and public area of the school which is readily  
685 accessible to and widely used by students a sign in English and  
686 Spanish that contains:

687 1. The statewide toll-free telephone number of the central  
688 abuse hotline as provided in chapter 39;

689 2. Instructions to call 911 for emergencies; and

690 3. Directions for accessing the Department of Children and  
691 Families Internet website for more information on reporting  
692 abuse, neglect, and exploitation.

693 (b) The information in paragraph (a) must be put on at  
694 least one poster in each school, on a sheet that measures at  
695 least 11 inches by 17 inches, produced in large print, and  
696 placed at student eye level for easy viewing.



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698 The Department of Education shall develop, and publish on the  
699 department's Internet website, sample notices suitable for  
700 posting in accordance with subsections (1), ~~and~~ (2), and (4).

701

Section 12. This act shall take effect July 1, 2015.