

**By** the Committees on Children, Families, and Elder Affairs; and Health Policy; and Senator Albritton

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1                                   A bill to be entitled  
2       An act relating to child welfare; creating s. 39.0012,  
3       F.S.; requiring the Department of Children and  
4       Families to establish a direct-support organization to  
5       assist the Children and Youth Cabinet with carrying  
6       out certain purposes and responsibilities; providing  
7       purposes and duties of the direct-support  
8       organization; providing for a board of directors;  
9       providing membership requirements; delineating  
10      contract and other governance requirements; providing  
11      for the future repeal of the direct-support  
12      organization; amending s. 39.01, F.S.; revising  
13      definitions; amending s. 39.201, F.S.; requiring the  
14      central abuse hotline to accept certain reports or  
15      calls for investigation for children who do not live  
16      in this state; requiring the Department of Children  
17      and Families to initiate an investigation when a  
18      report is received from an emergency room physician;  
19      amending s. 39.303, F.S.; expanding the types of  
20      reports that the department must refer to Child  
21      Protection Teams; amending s. 39.4015, F.S.; revising  
22      definitions; amending s. 39.402, F.S.; requiring that  
23      the order for placement of a child in shelter care  
24      contain a written finding specifying that the  
25      Department of Children and Families has placement and  
26      care responsibility for certain children; amending s.  
27      39.407, F.S.; authorizing certain advanced practice  
28      registered nurses to prescribe psychotropic  
29      medications to certain children; revising the time

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30 period within which a court must review a child's  
31 residential treatment plan; amending s. 39.5085, F.S.;  
32 requiring information to be provided to relatives and  
33 nonrelatives regarding the Guardianship Assistance  
34 Program and the Relative Caregiver Program; amending  
35 s. 39.5086, F.S.; deleting the term "fictive kin";  
36 amending s. 39.6225, F.S.; revising who the department  
37 must provide guardianship assistance payments to;  
38 defining the term "relative"; revising the  
39 requirements that must be met for approval of an  
40 application for the Guardianship Assistance Program;  
41 revising when guardianship assistance benefits must be  
42 terminated; conforming provisions to changes made by  
43 the act; amending s. 39.6251, F.S.; requiring a young  
44 adult in extended foster care to provide certain  
45 documentation or authorize release of certain records;  
46 revising permanency goals for young adults in extended  
47 foster care; requiring execution of a voluntary  
48 placement agreement under certain circumstances;  
49 requiring the department to adopt rules; amending s.  
50 39.701, F.S.; revising when a court must return a  
51 child to the custody of his or her parents after  
52 making certain determinations; requiring the court to  
53 enter certain orders if a young adult enters extended  
54 foster care; amending s. 402.56, F.S.; revising  
55 membership of the Children and Youth Cabinet; amending  
56 s. 409.1451, F.S.; authorizing certain financial  
57 awards to be disregarded when a young adult is  
58 applying for other federal assistance; amending s.

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59 409.175, F.S.; revising definitions; revising  
60 provisions related to the licensure of family foster  
61 homes and certain child-caring and child-placing  
62 agencies; requiring the department to post certain  
63 information on its website; deleting required numbers  
64 of training hours for foster parents; amending s.  
65 409.903, F.S.; revising eligibility for Medicaid  
66 coverage; amending s. 409.991, F.S.; revising a  
67 definition; amending s. 414.045, F.S.; revising  
68 eligibility for child-only funding; amending s.  
69 1009.25, F.S.; revising eligibility for tuition fee  
70 exemptions; providing an effective date.

71  
72 Be It Enacted by the Legislature of the State of Florida:

73  
74 Section 1. Section 39.0012, Florida Statutes, is created to  
75 read:

76 39.0012 Direct-support organization.—

77 (1) The Department of Children and Families shall establish  
78 a direct-support organization to assist the Children and Youth  
79 Cabinet in carrying out its purposes and responsibilities  
80 primarily relating to fostering public awareness of children and  
81 youth issues and developing new partners in the effort to serve  
82 children and youth by raising money; submitting requests for and  
83 receiving grants from the Federal Government, the state or its  
84 political subdivisions, private foundations, and individuals;  
85 and making expenditures to or for the benefit of the cabinet.

86 Such a direct-support organization is an organization that is:

87 (a) Incorporated under chapter 617 and approved by the

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88 Department of State as a Florida corporation not for profit;

89 (b) Organized and operated to make expenditures to or for  
90 the benefit of the cabinet; and

91 (c) Approved by the department to be operating for the  
92 benefit of and in a manner consistent with the goals of the  
93 cabinet and in the best interest of the state.

94 (2) The board of directors of the direct-support  
95 organization shall consist of seven members appointed by the  
96 Governor. Each member of the board of directors shall be  
97 appointed to a 4-year term.

98 (3) The direct-support organization shall operate under  
99 written contract with the department.

100 (4) All moneys received by the direct-support organization  
101 shall be deposited into an account of the direct-support  
102 organization and shall be used by the organization in a manner  
103 consistent with the goals of the cabinet.

104 (5) This section is repealed October 1, 2024, unless  
105 reviewed and saved from repeal by the Legislature.

106 Section 2. Subsection (37) of section 39.01, Florida  
107 Statutes, is amended to read:

108 39.01 Definitions.—When used in this chapter, unless the  
109 context otherwise requires:

110 (37) "Institutional child abuse or neglect" means  
111 situations of known or suspected child abuse or neglect in which  
112 the person allegedly perpetrating the child abuse or neglect is  
113 an employee of a public or private school, public or private day  
114 care center, residential home, institution, facility, or agency  
115 or any other person at such institution responsible for the  
116 child's care as defined in this section ~~subsection (54)~~.

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117 Section 3. Paragraph (d) of subsection (2) of section  
118 39.201, Florida Statutes, is amended, and paragraph (1) is added  
119 to that subsection, to read:

120 39.201 Mandatory reports of child abuse, abandonment, or  
121 neglect; mandatory reports of death; central abuse hotline.—

122 (2)

123 (d) If the report is of an instance of known or suspected  
124 child abuse, abandonment, or neglect which ~~that~~ occurred out of  
125 state and the alleged perpetrator and the child alleged to be a  
126 victim live out of state, the central abuse hotline may ~~shall~~  
127 not accept the report or call for investigation unless the child  
128 is currently being evaluated in a medical facility in this  
129 state.

130 1. If the child is currently being evaluated in a medical  
131 facility in this state, the central abuse hotline shall accept  
132 the report or call for investigation and shall transfer the  
133 information on the report or call to the appropriate state or  
134 country.

135 2. If the child is not currently being evaluated in a  
136 medical facility in this state, the central abuse hotline, but  
137 shall transfer the information on the report to or call to the  
138 appropriate state or country.

139 (1) The department shall initiate an investigation when it  
140 receives a report from an emergency room physician.

141 Section 4. Paragraph (i) is added to subsection (4) of  
142 section 39.303, Florida Statutes, to read:

143 39.303 Child Protection Teams and sexual abuse treatment  
144 programs; services; eligible cases.—

145 (4) The child abuse, abandonment, and neglect reports that

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146 must be referred by the department to Child Protection Teams of  
147 the Department of Health for an assessment and other appropriate  
148 available support services as set forth in subsection (3) must  
149 include cases involving:

150 (i) A child who does not live in this state who is  
151 currently being evaluated in a medical facility in this state.

152 Section 5. Paragraph (d) of subsection (2) of section  
153 39.4015, Florida Statutes, is amended to read:

154 39.4015 Family finding.-

155 (2) DEFINITIONS.-As used in this section, the term:

156 ~~(d) "Fictive kin" means an individual who is unrelated to~~  
157 ~~the child by either birth or marriage, but has such a close~~  
158 ~~emotional relationship with the child that he or she may be~~  
159 ~~considered part of the family.~~

160 Section 6. Paragraph (h) of subsection (8) of section  
161 39.402, Florida Statutes, is amended to read:

162 39.402 Placement in a shelter.-

163 (8)

164 (h) The order for placement of a child in shelter care must  
165 identify the parties present at the hearing and must contain  
166 written findings:

167 1. That placement in shelter care is necessary based on the  
168 criteria in subsections (1) and (2).

169 2. That placement in shelter care is in the best interest  
170 of the child.

171 3. That continuation of the child in the home is contrary  
172 to the welfare of the child because the home situation presents  
173 a substantial and immediate danger to the child's physical,  
174 mental, or emotional health or safety which cannot be mitigated

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175 by the provision of preventive services.

176 4. That based upon the allegations of the petition for  
177 placement in shelter care, there is probable cause to believe  
178 that the child is dependent or that the court needs additional  
179 time, which may not exceed 72 hours, in which to obtain and  
180 review documents pertaining to the family in order to  
181 appropriately determine the risk to the child.

182 5. That the department has made reasonable efforts to  
183 prevent or eliminate the need for removal of the child from the  
184 home. A finding of reasonable effort by the department to  
185 prevent or eliminate the need for removal may be made and the  
186 department is deemed to have made reasonable efforts to prevent  
187 or eliminate the need for removal if:

188 a. The first contact of the department with the family  
189 occurs during an emergency;

190 b. The appraisal of the home situation by the department  
191 indicates that the home situation presents a substantial and  
192 immediate danger to the child's physical, mental, or emotional  
193 health or safety which cannot be mitigated by the provision of  
194 preventive services;

195 c. The child cannot safely remain at home, either because  
196 there are no preventive services that can ensure the health and  
197 safety of the child or because, even with appropriate and  
198 available services being provided, the health and safety of the  
199 child cannot be ensured; or

200 d. The parent or legal custodian is alleged to have  
201 committed any of the acts listed as grounds for expedited  
202 termination of parental rights in s. 39.806(1)(f)-(i).

203 6. That the department has made reasonable efforts to keep

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204 siblings together if they are removed and placed in out-of-home  
205 care unless such placement is not in the best interest of each  
206 child. It is preferred that siblings be kept together in a  
207 foster home, if available. Other reasonable efforts shall  
208 include short-term placement in a group home with the ability to  
209 accommodate sibling groups if such a placement is available. The  
210 department shall report to the court its efforts to place  
211 siblings together unless the court finds that such placement is  
212 not in the best interest of a child or his or her sibling.

213 7. That the court notified the parents, relatives that are  
214 providing out-of-home care for the child, or legal custodians of  
215 the time, date, and location of the next dependency hearing and  
216 of the importance of the active participation of the parents,  
217 relatives that are providing out-of-home care for the child, or  
218 legal custodians in all proceedings and hearings.

219 8. That the court notified the parents or legal custodians  
220 of their right to counsel to represent them at the shelter  
221 hearing and at each subsequent hearing or proceeding, and the  
222 right of the parents to appointed counsel, pursuant to the  
223 procedures set forth in s. 39.013.

224 9. That the court notified relatives who are providing out-  
225 of-home care for a child as a result of the shelter petition  
226 being granted that they have the right to attend all subsequent  
227 hearings, to submit reports to the court, and to speak to the  
228 court regarding the child, if they so desire.

229 10. That the department has placement and care  
230 responsibility for any child who is not placed in the care of a  
231 parent at the conclusion of the shelter hearing.

232 Section 7. Subsection (3) and paragraphs (g), (h), and (i)



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233 of subsection (6) of section 39.407, Florida Statutes, are  
234 amended to read:

235 39.407 Medical, psychiatric, and psychological examination  
236 and treatment of child; physical, mental, or substance abuse  
237 examination of person with or requesting child custody.—

238 (3) (a) 1. Except as otherwise provided in subparagraph (b) 1.  
239 or paragraph (e), before the department provides psychotropic  
240 medications to a child in its custody, the prescribing physician  
241 or the advanced practice registered nurse whose specialty is  
242 psychiatric nursing, as defined in chapter 394, and who is given  
243 prescribing authority pursuant to chapter 464 shall attempt to  
244 obtain express and informed consent, as defined in s.  
245 394.455(15) and as described in s. 394.459(3) (a), from the  
246 child's parent or legal guardian. The department must take steps  
247 necessary to facilitate the inclusion of the parent in the  
248 child's consultation with the physician or advanced practice  
249 registered nurse. However, if the parental rights of the parent  
250 have been terminated, the parent's location or identity is  
251 unknown or cannot reasonably be ascertained, or the parent  
252 declines to give express and informed consent, the department  
253 may, after consultation with the prescribing physician or  
254 advanced practice registered nurse, seek court authorization to  
255 provide the psychotropic medications to the child. Unless  
256 parental rights have been terminated and if it is possible to do  
257 so, the department shall continue to involve the parent in the  
258 decisionmaking process regarding the provision of psychotropic  
259 medications. If, at any time, a parent whose parental rights  
260 have not been terminated provides express and informed consent  
261 to the provision of a psychotropic medication, the requirements

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262 of this section that the department seek court authorization do  
263 not apply to that medication until such time as the parent no  
264 longer consents.

265 2. Any time the department seeks a medical evaluation to  
266 determine the need to initiate or continue a psychotropic  
267 medication for a child, the department must provide to the  
268 evaluating physician or advanced practice registered nurse all  
269 pertinent medical information known to the department concerning  
270 that child.

271 (b)1. If a child who is removed from the home under s.  
272 39.401 is receiving prescribed psychotropic medication at the  
273 time of removal and parental authorization to continue providing  
274 the medication cannot be obtained, the department may take  
275 possession of the remaining medication and may continue to  
276 provide the medication as prescribed until the shelter hearing,  
277 if it is determined that the medication is a current  
278 prescription for that child and the medication is in its  
279 original container.

280 2. If the department continues to provide the psychotropic  
281 medication to a child when parental authorization cannot be  
282 obtained, the department shall notify the parent or legal  
283 guardian as soon as possible that the medication is being  
284 provided to the child as provided in subparagraph 1. The child's  
285 official departmental record must include the reason parental  
286 authorization was not initially obtained and an explanation of  
287 why the medication is necessary for the child's well-being.

288 3. If the department is advised by a physician licensed  
289 under chapter 458 or chapter 459 or an advanced practice  
290 registered nurse whose specialty is psychiatric nursing, as

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291 defined in chapter 394, and who is given prescribing authority  
292 pursuant to chapter 464 that the child should continue the  
293 psychotropic medication and parental authorization has not been  
294 obtained, the department shall request court authorization at  
295 the shelter hearing to continue to provide the psychotropic  
296 medication and shall provide to the court any information in its  
297 possession in support of the request. Any authorization granted  
298 at the shelter hearing may extend only until the arraignment  
299 hearing on the petition for adjudication of dependency or 28  
300 days following the date of removal, whichever occurs sooner.

301 4. Before filing the dependency petition, the department  
302 shall ensure that the child is evaluated by a physician licensed  
303 under chapter 458 or chapter 459 or an advanced practice  
304 registered nurse whose specialty is psychiatric nursing, as  
305 defined in chapter 394, and who is given prescribing authority  
306 pursuant to chapter 464 to determine whether it is appropriate  
307 to continue the psychotropic medication. If, as a result of the  
308 evaluation, the department seeks court authorization to continue  
309 the psychotropic medication, a motion for such continued  
310 authorization shall be filed at the same time as the dependency  
311 petition, within 21 days after the shelter hearing.

312 (c) Except as provided in paragraphs (b) and (e), the  
313 department must file a motion seeking the court's authorization  
314 to initially provide or continue to provide psychotropic  
315 medication to a child in its legal custody. The motion must be  
316 supported by a written report prepared by the department which  
317 describes the efforts made to enable the prescribing physician  
318 or advanced practice registered nurse whose specialty is  
319 psychiatric nursing, as defined in chapter 394, and who is given

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320 prescribing authority pursuant to chapter 464 to obtain express  
321 and informed consent for providing the medication to the child  
322 and other treatments considered or recommended for the child. In  
323 addition, the motion must be supported by the prescribing  
324 physician's or advanced practice registered nurse's signed  
325 medical report providing:

326 1. The name of the child, the name and range of the dosage  
327 of the psychotropic medication, and that there is a need to  
328 prescribe psychotropic medication to the child based upon a  
329 diagnosed condition for which such medication is being  
330 prescribed.

331 2. A statement indicating that the physician has reviewed  
332 all medical information concerning the child which has been  
333 provided.

334 3. A statement indicating that the psychotropic medication,  
335 at its prescribed dosage, is appropriate for treating the  
336 child's diagnosed medical condition, as well as the behaviors  
337 and symptoms the medication, at its prescribed dosage, is  
338 expected to address.

339 4. An explanation of the nature and purpose of the  
340 treatment; the recognized side effects, risks, and  
341 contraindications of the medication; drug-interaction  
342 precautions; the possible effects of stopping the medication;  
343 and how the treatment will be monitored, followed by a statement  
344 indicating that this explanation was provided to the child if  
345 age appropriate and to the child's caregiver.

346 5. Documentation addressing whether the psychotropic  
347 medication will replace or supplement any other currently  
348 prescribed medications or treatments; the length of time the

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349 child is expected to be taking the medication; and any  
350 additional medical, mental health, behavioral, counseling, or  
351 other services that the prescribing physician or advanced  
352 practice registered nurse recommends.

353 (d)1. The department must notify all parties of the  
354 proposed action taken under paragraph (c) in writing or by  
355 whatever other method best ensures that all parties receive  
356 notification of the proposed action within 48 hours after the  
357 motion is filed. If any party objects to the department's  
358 motion, that party shall file the objection within 2 working  
359 days after being notified of the department's motion. If any  
360 party files an objection to the authorization of the proposed  
361 psychotropic medication, the court shall hold a hearing as soon  
362 as possible before authorizing the department to initially  
363 provide or to continue providing psychotropic medication to a  
364 child in the legal custody of the department. At such hearing  
365 and notwithstanding s. 90.803, the medical report described in  
366 paragraph (c) is admissible in evidence. The prescribing  
367 physician or advanced practice registered nurse whose specialty  
368 is psychiatric nursing, as defined in chapter 394, and who is  
369 given prescribing authority pursuant to chapter 464 need not  
370 attend the hearing or testify unless the court specifically  
371 orders such attendance or testimony, or a party subpoenas the  
372 physician or advanced practice registered nurse to attend the  
373 hearing or provide testimony. If, after considering any  
374 testimony received, the court finds that the department's motion  
375 and the physician's or advanced practice registered nurse's  
376 medical report meet the requirements of this subsection and that  
377 it is in the child's best interests, the court may order that

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378 the department provide or continue to provide the psychotropic  
379 medication to the child without additional testimony or  
380 evidence. At any hearing held under this paragraph, the court  
381 shall further inquire of the department as to whether additional  
382 medical, mental health, behavioral, counseling, or other  
383 services are being provided to the child by the department which  
384 the prescribing physician or advanced practice registered nurse  
385 considers to be necessary or beneficial in treating the child's  
386 medical condition and which the physician or advanced practice  
387 registered nurse recommends or expects to provide to the child  
388 in concert with the medication. The court may order additional  
389 medical consultation, including consultation with the MedConsult  
390 line at the University of Florida, if available, or require the  
391 department to obtain a second opinion within a reasonable  
392 timeframe as established by the court, not to exceed 21 calendar  
393 days, after such order based upon consideration of the best  
394 interests of the child. The department must make a referral for  
395 an appointment for a second opinion with a physician within 1  
396 working day. The court may not order the discontinuation of  
397 prescribed psychotropic medication if such order is contrary to  
398 the decision of the prescribing physician or advanced practice  
399 registered nurse unless the court first obtains an opinion from  
400 a licensed psychiatrist, if available, or, if not available, a  
401 physician licensed under chapter 458 or chapter 459, stating  
402 that more likely than not, discontinuing the medication would  
403 not cause significant harm to the child. If, however, the  
404 prescribing psychiatrist specializes in mental health care for  
405 children and adolescents, the court may not order the  
406 discontinuation of prescribed psychotropic medication unless the

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407 required opinion is also from a psychiatrist who specializes in  
408 mental health care for children and adolescents. The court may  
409 also order the discontinuation of prescribed psychotropic  
410 medication if a child's treating physician, licensed under  
411 chapter 458 or chapter 459, states that continuing the  
412 prescribed psychotropic medication would cause significant harm  
413 to the child due to a diagnosed nonpsychiatric medical  
414 condition.

415 2. The burden of proof at any hearing held under this  
416 paragraph shall be by a preponderance of the evidence.

417 (e)1. If the child's prescribing physician or advanced  
418 practice registered nurse whose specialty is psychiatric  
419 nursing, as defined in chapter 394, and who is given prescribing  
420 authority pursuant to chapter 464 certifies in the signed  
421 medical report required in paragraph (c) that delay in providing  
422 a prescribed psychotropic medication would more likely than not  
423 cause significant harm to the child, the medication may be  
424 provided in advance of the issuance of a court order. In such  
425 event, the medical report must provide the specific reasons why  
426 the child may experience significant harm and the nature and the  
427 extent of the potential harm. The department must submit a  
428 motion seeking continuation of the medication and the  
429 physician's medical report to the court, the child's guardian ad  
430 litem, and all other parties within 3 working days after the  
431 department commences providing the medication to the child. The  
432 department shall seek the order at the next regularly scheduled  
433 court hearing required under this chapter, or within 30 days  
434 after the date of the prescription, whichever occurs sooner. If  
435 any party objects to the department's motion, the court shall

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436 hold a hearing within 7 days.

437         2. Psychotropic medications may be administered in advance  
438 of a court order in hospitals, crisis stabilization units, and  
439 in statewide inpatient psychiatric programs. Within 3 working  
440 days after the medication is begun, the department must seek  
441 court authorization as described in paragraph (c).

442         (f)1. The department shall fully inform the court of the  
443 child's medical and behavioral status as part of the social  
444 services report prepared for each judicial review hearing held  
445 for a child for whom psychotropic medication has been prescribed  
446 or provided under this subsection. As a part of the information  
447 provided to the court, the department shall furnish copies of  
448 all pertinent medical records concerning the child which have  
449 been generated since the previous hearing. On its own motion or  
450 on good cause shown by any party, including any guardian ad  
451 litem, attorney, or attorney ad litem who has been appointed to  
452 represent the child or the child's interests, the court may  
453 review the status more frequently than required in this  
454 subsection.

455         2. The court may, in the best interests of the child, order  
456 the department to obtain a medical opinion addressing whether  
457 the continued use of the medication under the circumstances is  
458 safe and medically appropriate.

459         (g) The department shall adopt rules to ensure that  
460 children receive timely access to clinically appropriate  
461 psychotropic medications. These rules must include, but need not  
462 be limited to, the process for determining which adjunctive  
463 services are needed, the uniform process for facilitating the  
464 prescribing physician's or advanced practice registered nurse's



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465 ability to obtain the express and informed consent of a child's  
466 parent or guardian, the procedures for obtaining court  
467 authorization for the provision of a psychotropic medication,  
468 the frequency of medical monitoring and reporting on the status  
469 of the child to the court, how the child's parents will be  
470 involved in the treatment-planning process if their parental  
471 rights have not been terminated, and how caretakers are to be  
472 provided information contained in the physician's or advanced  
473 practice registered nurse's signed medical report. The rules  
474 must also include uniform forms to be used in requesting court  
475 authorization for the use of a psychotropic medication and  
476 provide for the integration of each child's treatment plan and  
477 case plan. The department must begin the formal rulemaking  
478 process within 90 days after the effective date of this act.

479 (6) Children who are in the legal custody of the department  
480 may be placed by the department, without prior approval of the  
481 court, in a residential treatment center licensed under s.  
482 394.875 or a hospital licensed under chapter 395 for residential  
483 mental health treatment only pursuant to this section or may be  
484 placed by the court in accordance with an order of involuntary  
485 examination or involuntary placement entered pursuant to s.  
486 394.463 or s. 394.467. All children placed in a residential  
487 treatment program under this subsection must have a guardian ad  
488 litem appointed.

489 (g)1. The department must submit, at the beginning of each  
490 month, to the court having jurisdiction over the child, a  
491 written report regarding the child's progress toward achieving  
492 the goals specified in the individualized plan of treatment.

493 2. The court must conduct a hearing to review the status of

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494 the child's residential treatment plan no later than 60 days ~~3~~  
495 ~~months~~ after the child's admission to the residential treatment  
496 program. An independent review of the child's progress toward  
497 achieving the goals and objectives of the treatment plan must be  
498 completed by a qualified evaluator and submitted to the court  
499 before its 60-day ~~3-month~~ review.

500 3. For any child in residential treatment at the time a  
501 judicial review is held pursuant to s. 39.701, the child's  
502 continued placement in residential treatment must be a subject  
503 of the judicial review.

504 4. If at any time the court determines that the child is  
505 not suitable for continued residential treatment, the court  
506 shall order the department to place the child in the least  
507 restrictive setting that is best suited to meet his or her  
508 needs.

509 (h) After the initial 60-day ~~3-month~~ review, the court must  
510 conduct a review of the child's residential treatment plan every  
511 90 days.

512 (i) The department must adopt rules for implementing  
513 timeframes for the completion of suitability assessments by  
514 qualified evaluators and a procedure that includes timeframes  
515 for completing the 60-day ~~3-month~~ independent review by the  
516 qualified evaluators of the child's progress toward achieving  
517 the goals and objectives of the treatment plan which review must  
518 be submitted to the court. The Agency for Health Care  
519 Administration must adopt rules for the registration of  
520 qualified evaluators, the procedure for selecting the evaluators  
521 to conduct the reviews required under this section, and a  
522 reasonable, cost-efficient fee schedule for qualified

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523 evaluators.

524 Section 8. Present paragraphs (a) through (h) of subsection  
525 (2) of section 39.5085, Florida Statutes, are redesignated as  
526 paragraphs (b) through (i), respectively, paragraph (a) of  
527 subsection (1) is amended, and a new paragraph (a) is added to  
528 subsection (2) of that section, to read:

529 39.5085 Relative Caregiver Program.—

530 (1) It is the intent of the Legislature in enacting this  
531 section to:

532 (a) Provide for the establishment of procedures and  
533 protocols that serve to advance the continued safety of children  
534 by acknowledging the valued resource uniquely available through  
535 grandparents, relatives of children, and specified nonrelatives  
536 of children pursuant to subparagraph (2) (b) 3. ~~(2) (a) 3.~~

537 (2)

538 (a) Relatives and nonrelatives must be informed of the  
539 availability of, and the requirements and benefits of, the  
540 Relative Caregiver Program and the Guardianship Assistance  
541 Program and must be informed that they may choose which program  
542 to enroll in that best suits the particular needs of the  
543 caregiver.

544 Section 9. Paragraph (a) of subsection (1) of section  
545 39.5086, Florida Statutes, is amended to read:

546 39.5086 Kinship navigator programs.—

547 (1) DEFINITIONS.—As used in this section, the term:

548 ~~(a) "Fictive kin" has the same meaning as provided in s.~~  
549 ~~39.4015(2) (d).~~

550 Section 10. Subsections (1), (2), (6), and (10) of section  
551 39.6225, Florida Statutes, are amended to read:

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552 39.6225 Guardianship Assistance Program.—

553 (1) The department shall establish and operate the  
554 Guardianship Assistance Program to provide guardianship  
555 assistance payments to relatives, as defined in this subsection,  
556 ~~next of kin, and fictive kin~~ who meet the eligibility  
557 requirements established in this section. For purposes of  
558 administering the program, the term:

559 (a) "Child" means an individual who has not attained 21  
560 years of age.

561 (b) "Young adult" means an individual who has attained 18  
562 years of age but who has not attained 21 years of age.

563 (c) "Relative" means fictive kin, a relative as defined in  
564 s. 39.01(73), or next of kin.

565 (2) To approve an application for the program, the  
566 department shall determine that all of the following  
567 requirements have been met:

568 (a) The child's placement with the guardian has been  
569 approved by the court.

570 (b) The court has granted legal custody to the guardian  
571 pursuant to s. 39.6221 ~~39.521~~ ~~or s. 39.522~~.

572 (c) The guardian has been licensed to care for the child as  
573 provided in s. 409.175.

574 (d) The child was eligible for foster care room and board  
575 payments pursuant to s. 409.145 for at least 6 consecutive  
576 months while the child resided in the home of the guardian and  
577 the guardian was licensed as a foster parent.

578 (6) Guardianship assistance benefits shall be terminated  
579 if:

580 (a) The child has attained the age of 18, or such greater

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581 age as the department may elect;

582 (b) The child has not attained the age of 18 and the  
583 relative guardians are no longer legally responsible for the  
584 support of the child; or

585 (c) The child is no longer receiving support from the  
586 guardian

587 ~~(a) The child is absent from the home of the guardian for a~~  
588 ~~period of at least 60 consecutive calendar days, unless the~~  
589 ~~child:~~

590 ~~1. Is absent due to medical care, school attendance,~~  
591 ~~runaway status, or detention in a Department of Juvenile Justice~~  
592 ~~facility; and~~

593 ~~2. Continues to be under the care and custody of the~~  
594 ~~guardian.~~

595 ~~(b) The court modifies the placement of the child and the~~  
596 ~~guardian is no longer eligible to receive guardianship~~  
597 ~~assistance benefits.~~

598 (10) The case plan must describe the following for each  
599 child with a permanency goal of permanent guardianship in which  
600 the guardian is pursuing ~~in receipt of~~ guardianship assistance  
601 ~~payments:~~

602 (a) The manner in which the child meets program eligibility  
603 requirements.

604 (b) The manner in which the department determined that  
605 reunification or adoption is not appropriate.

606 (c) Efforts to discuss adoption with the child's permanent  
607 guardian.

608 (d) Efforts to discuss guardianship assistance with the  
609 child's parent or the reasons why efforts were not made.

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610 (e) The reasons why a permanent placement with the  
611 prospective guardian is in the best interest of the child.

612 (f) The reasons why the child is separated from his or her  
613 siblings during placement, if applicable.

614 (g) Efforts to consult the child, if the child is 14 years  
615 of age or older, regarding the permanent guardianship  
616 arrangement.

617 Section 11. Subsections (2) and (3), paragraph (a) of  
618 subsection (4), and subsection (6) of section 39.6251, Florida  
619 Statutes, are amended, and subsection (10) is added to that  
620 section, to read:

621 39.6251 Continuing care for young adults.—

622 (2) The primary goal for a child in care is permanency. A  
623 child who is living in licensed care on his or her 18th birthday  
624 and who has not achieved permanency under s. 39.621 is eligible  
625 to remain in licensed care under the jurisdiction of the court  
626 and in the care of the department. A child is eligible to remain  
627 in licensed care if he or she is:

628 (a) Completing secondary education or a program leading to  
629 an equivalent credential;

630 (b) Enrolled in an institution that provides postsecondary  
631 or vocational education;

632 (c) Participating in a program or activity designed to  
633 promote or eliminate barriers to employment;

634 (d) Employed for at least 80 hours per month; or

635 (e) Unable to participate in programs or activities listed  
636 in paragraphs (a)-(d) full time due to a physical, intellectual,  
637 emotional, or psychiatric condition that limits participation.

638 Any such barrier to participation must be supported by

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639 documentation in the child's case file or school or medical  
640 records of a physical, intellectual, or psychiatric condition  
641 that impairs the child's ability to perform one or more life  
642 activities.

643

644 The young adult must furnish documentation to the department or  
645 lead agency of his or her participation in one of the programs  
646 or activities listed in paragraphs (a)-(d), or his or her  
647 inability to participate in one of the programs or activities as  
648 provided in paragraph (e), or authorize the release of his or  
649 her records to the department or lead agency.

650 (3) The permanency goal for a young adult who chooses to  
651 remain in care past his or her 18th birthday is to transition to  
652 independence from licensed care to independent living.

653 (4) (a) The young adult must reside in a supervised living  
654 environment that is approved by the department or a community-  
655 based care lead agency. The young adult shall live  
656 independently, but in an environment in which he or she is  
657 provided supervision, case management, and supportive services  
658 by the department or lead agency. Such an environment must offer  
659 developmentally appropriate freedom and responsibility to  
660 prepare the young adult for adulthood. For the purposes of this  
661 subsection, a supervised living arrangement may include a  
662 licensed foster home, licensed group home, college dormitory,  
663 shared housing, apartment, or another housing arrangement if the  
664 arrangement is approved by the community-based care lead agency  
665 and is acceptable to the young adult, ~~with first choice being a~~  
666 ~~licensed foster home.~~ A young adult may continue to reside with  
667 the same licensed foster family or group care provider with whom

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668 he or she was residing at the time he or she reached the age of  
669 18 years.

670 (6) A young adult who is between the ages of 18 and 21 and  
671 who has left care may return to care by applying to the  
672 community-based care lead agency for readmission through the  
673 execution of a voluntary placement agreement. The community-  
674 based care lead agency shall readmit the young adult if he or  
675 she continues to meet the eligibility requirements in this  
676 section.

677 (a) The department shall develop a standard procedure and  
678 application packet for readmission to care to be used by all  
679 community-based care lead agencies.

680 (b) Within 30 days after the young adult has been  
681 readmitted to care, the community-based care lead agency shall  
682 assign a case manager to update the case plan and the transition  
683 plan and to arrange for the required services. Updates to the  
684 case plan and the transition plan and arrangements for the  
685 required services shall be undertaken in consultation with the  
686 young adult. The department shall petition the court to  
687 reinstate jurisdiction over the young adult. Notwithstanding s.  
688 39.013(2), the court shall resume jurisdiction over the young  
689 adult if the department establishes that he or she continues to  
690 meet the eligibility requirements in this section.

691 (10) The department shall adopt rules to administer this  
692 section.

693 Section 12. Paragraph (d) of subsection (2) of section  
694 39.701, Florida Statutes, is amended, and paragraphs (f) and (g)  
695 are added to subsection (4) of that section, to read:

696 39.701 Judicial review.—



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697 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF  
698 AGE.—

699 (d) *Orders.*—

700 1. Based upon the criteria set forth in paragraph (c) and  
701 the recommended order of the citizen review panel, if any, the  
702 court shall determine whether ~~or not~~ the social service agency  
703 shall initiate proceedings to have a child declared a dependent  
704 child, return the child to the parent, continue the child in  
705 out-of-home care for a specified period of time, or initiate  
706 termination of parental rights proceedings for subsequent  
707 placement in an adoptive home. Amendments to the case plan must  
708 be prepared as provided ~~prescribed~~ in s. 39.6013. If the court  
709 finds that the prevention or reunification efforts of the  
710 department will allow the child to remain safely at home or be  
711 safely returned to the home, the court shall allow the child to  
712 remain in or return to the home after making a specific finding  
713 of fact that the reasons for the creation of the case plan have  
714 been remedied to the extent that the child's safety, well-being,  
715 and physical, mental, and emotional health will not be  
716 endangered.

717 2. The court shall return the child to the custody of his  
718 or her ~~the~~ parents at any time it determines that the  
719 circumstances which caused the out-of-home placement, and issues  
720 subsequently identified, have been remedied to the extent that  
721 return of the child to the home with an in-home safety plan  
722 prepared or approved by the department ~~that they have~~  
723 ~~substantially complied with the case plan, if the court is~~  
724 ~~satisfied that reunification~~ will not be detrimental to the  
725 child's safety, well-being, and physical, mental, and emotional

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726 health.

727       3. If, in the opinion of the court, the social service  
728 agency has not complied with its obligations as specified in the  
729 written case plan, the court may find the social service agency  
730 in contempt, shall order the social service agency to submit its  
731 plans for compliance with the agreement, and shall require the  
732 social service agency to show why the child could not safely be  
733 returned to the home of the parents.

734       4. If, at any judicial review, the court finds that the  
735 parents have failed to substantially comply with the case plan  
736 to the degree that further reunification efforts are without  
737 merit and not in the best interest of the child, on its own  
738 motion, the court may order the filing of a petition for  
739 termination of parental rights, regardless of whether ~~or not~~ the  
740 time period as contained in the case plan for substantial  
741 compliance has expired.

742       5. Within 6 months after the date that the child was placed  
743 in shelter care, the court shall conduct a judicial review  
744 hearing to review the child's permanency goal as identified in  
745 the case plan. At the hearing the court shall make findings  
746 regarding the likelihood of the child's reunification with the  
747 parent or legal custodian. In making such findings, the court  
748 shall consider the level of the parent or legal custodian's  
749 compliance with the case plan and demonstrated change in  
750 protective capacities compared to that necessary to achieve  
751 timely reunification within 12 months after the removal of the  
752 child from the home. The court shall also consider the  
753 frequency, duration, manner, and level of engagement of the  
754 parent or legal custodian's visitation with the child in

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755 compliance with the case plan. If the court makes a written  
756 finding that it is not likely that the child will be reunified  
757 with the parent or legal custodian within 12 months after the  
758 child was removed from the home, the department must file with  
759 the court, and serve on all parties, a motion to amend the case  
760 plan under s. 39.6013 and declare that it will use concurrent  
761 planning for the case plan. The department must file the motion  
762 within 10 business days after receiving the written finding of  
763 the court. The department must attach the proposed amended case  
764 plan to the motion. If concurrent planning is already being  
765 used, the case plan must document the efforts the department is  
766 taking to complete the concurrent goal.

767 6. The court may issue a protective order in assistance, or  
768 as a condition, of any other order made under this part. In  
769 addition to the requirements included in the case plan, the  
770 protective order may set forth requirements relating to  
771 reasonable conditions of behavior to be observed for a specified  
772 period of time by a person or agency who is before the court,<sup>7</sup>  
773 and the order may require any person or agency to make periodic  
774 reports to the court containing such information as the court in  
775 its discretion may prescribe.

776 7. If, at any judicial review, the court determines that  
777 the child shall remain in out-of-home care in a placement other  
778 than with a parent, the court shall order that the department  
779 has placement and care responsibility for the child.

780 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—During  
781 each period of time that a young adult remains in foster care,  
782 the court shall review the status of the young adult at least  
783 every 6 months and must hold a permanency review hearing at

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784 least annually.

785 (f) If the young adult elects to voluntarily leave extended  
786 foster care for the sole purpose of ending a removal episode and  
787 immediately thereafter executes a voluntary placement agreement  
788 with the department to reenroll in extended foster care, the  
789 court shall enter an order finding that the prior removal  
790 episode has ended. Under these circumstances, the court  
791 maintains jurisdiction and a petition to reinstate jurisdiction  
792 as provided in s. 39.6251(6) (b) is not required.

793 (g)1. When a young adult enters extended foster care by  
794 executing a voluntary placement agreement, the court shall enter  
795 an order within 180 days after execution of the agreement which  
796 determines whether the placement is in the best interest of the  
797 young adult. For purposes of this paragraph, a placement may  
798 include a licensed foster home, licensed group home, college  
799 dormitory, shared housing, apartment, or another housing  
800 arrangement, if the arrangement is approved by the community-  
801 based care lead agency and is acceptable to the young adult.

802 2. When a young adult is in extended foster care, each  
803 judicial review order shall provide that the department has  
804 placement and care responsibility for the young adult.

805 3. When a young adult is in extended foster care, the court  
806 shall enter an order at least every 12 months that includes a  
807 finding of whether the department has made reasonable efforts to  
808 finalize the permanency plan currently in effect.

809 Section 13. Paragraph (a) of subsection (4) of section  
810 402.56, Florida Statutes, is amended to read:

811 402.56 Children's cabinet; organization; responsibilities;  
812 annual report.-

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813 (4) MEMBERS.—The cabinet shall consist of 16 members  
814 including the Governor and the following persons:  
815 (a)1. The Secretary of Children and Families;  
816 2. The Secretary of Juvenile Justice;  
817 3. The director of the Agency for Persons with  
818 Disabilities;  
819 4. The director of the Office of Early Learning;  
820 5. The State Surgeon General;  
821 6. The Secretary of Health Care Administration;  
822 7. The Commissioner of Education;  
823 8. The director of the Statewide Guardian Ad Litem Office;  
824 9. A representative ~~The director~~ of the Office of Adoption  
825 and Child Protection;  
826 10. A superintendent of schools, appointed by the Governor;  
827 and  
828 11. Five members who represent children and youth advocacy  
829 organizations and who are not service providers, appointed by  
830 the Governor.

831 Section 14. Present subsections (9) and (10) of section  
832 409.1451, Florida Statutes, are redesignated as subsections (10)  
833 and (11), respectively, paragraph (b) of subsection (2) is  
834 amended, and a new subsection (9) is added to that section, to  
835 read:

836 409.1451 The Road-to-Independence Program.—

837 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

838 (b) The amount of the financial assistance shall be as  
839 follows:

840 1. For a young adult who does not remain in foster care and  
841 is attending a postsecondary school as provided in s. 1009.533,

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842 the amount is \$1,256 monthly.

843 2. For a young adult who remains in foster care, is  
844 attending a postsecondary school, as provided in s. 1009.533,  
845 and continues to reside in a licensed foster home, the amount is  
846 the established room and board rate for foster parents. This  
847 takes the place of the payment provided for in s. 409.145(4).

848 3. For a young adult who remains in foster care, but  
849 temporarily resides away from a licensed foster home for  
850 purposes of attending a postsecondary school as provided in s.  
851 1009.533, the amount is \$1,256 monthly. This takes the place of  
852 the payment provided for in s. 409.145(4).

853 4. For a young adult who remains in foster care, is  
854 attending a postsecondary school as provided in s. 1009.533, and  
855 continues to reside in a licensed group home, the amount is  
856 negotiated between the community-based care lead agency and the  
857 licensed group home provider.

858 5. For a young adult who remains in foster care, but  
859 temporarily resides away from a licensed group home for purposes  
860 of attending a postsecondary school as provided in s. 1009.533,  
861 the amount is \$1,256 monthly. This takes the place of a  
862 negotiated room and board rate.

863 ~~6. The amount of the award may be disregarded for purposes~~  
864 ~~of determining the eligibility for, or the amount of, any other~~  
865 ~~federal or federally supported assistance.~~

866 6.7. A young adult is eligible to receive financial  
867 assistance during the months when he or she is enrolled in a  
868 postsecondary educational institution.

869 (9) FINANCIAL ASSISTANCE FOR YOUNG ADULTS RECEIVING  
870 SERVICES.—Financial awards to young adults receiving services

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871 under subsections (2) and (3) and s. 39.6251 may be disregarded  
872 for purposes of determining the eligibility for, or the amount  
873 of, any other federal or federally supported assistance for  
874 which the department is required to determine eligibility for to  
875 administer the program.

876 Section 15. Paragraphs (e), (j), and (m) of subsection (2),  
877 paragraph (b) of subsection (5), paragraphs (b) and (c) of  
878 subsection (6), subsection (7), paragraph (b) of subsection (9),  
879 paragraphs (b) and (c) of subsection (12), and paragraphs (b)  
880 and (d) of subsection (14) of section 409.175, Florida Statutes,  
881 are amended to read:

882 409.175 Licensure of family foster homes, residential  
883 child-caring agencies, and child-placing agencies; public  
884 records exemption.-

885 (2) As used in this section, the term:

886 (e) "Family foster home" means a ~~private~~ residence licensed  
887 by the department in which children who are unattended by a  
888 parent or legal guardian are provided 24-hour care. The term  
889 does not include an adoptive home that has been approved by the  
890 department or approved by a licensed child-placing agency for  
891 children placed for adoption.

892 (j) "Personnel" means all owners, operators, employees, and  
893 volunteers working in a child-placing agency, ~~family foster~~  
894 ~~home,~~ or residential child-caring agency who may be employed by  
895 or do volunteer work for a person, corporation, or agency that  
896 holds a license as a child-placing agency or a residential  
897 child-caring agency, but the term does not include those who do  
898 not work on the premises where child care is furnished and have  
899 no direct contact with a child or have no contact with a child

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900 outside of the presence of the child's parent or guardian. For  
901 purposes of screening, the term includes any member, over the  
902 age of 12 years, of the family of the owner or operator or any  
903 person other than a client, over the age of 12 years, residing  
904 with the owner or operator if the agency ~~or family foster home~~  
905 is located in or adjacent to the home of the owner or operator  
906 or if the family member of, or person residing with, the owner  
907 or operator has any direct contact with the children. Members of  
908 the family of the owner or operator, or persons residing with  
909 the owner or operator, who are between the ages of 12 years and  
910 18 years are not required to be fingerprinted, but must be  
911 screened for delinquency records. For purposes of screening, the  
912 term also includes owners, operators, employees, and volunteers  
913 working in summer day camps, or summer 24-hour camps providing  
914 care for children. A volunteer who assists on an intermittent  
915 basis for less than 10 hours per month shall not be included in  
916 the term "personnel" for the purposes of screening if a person  
917 who meets the screening requirement of this section is always  
918 present and has the volunteer in his or her line of sight.

919 (m) "Screening" means the act of assessing the background  
920 of personnel or level II through level V family foster homes and  
921 includes, but is not limited to, employment history checks as  
922 provided in chapter 435, using the level 2 standards for  
923 screening set forth in that chapter.

924 (5) The department shall adopt and amend rules for the  
925 levels of licensed care associated with the licensure of family  
926 foster homes, residential child-caring agencies, and child-  
927 placing agencies. The rules may include criteria to approve  
928 waivers to licensing requirements when applying for a child-



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929 specific license.

930 (b) The requirements for licensure and operation of family  
931 foster homes, residential child-caring agencies, and child-  
932 placing agencies shall include:

933 1. The operation, conduct, and maintenance of these homes  
934 and agencies and the responsibility which they assume for  
935 children served and the evidence of need for that service.

936 2. The provision of food, clothing, educational  
937 opportunities, services, equipment, and individual supplies to  
938 assure the healthy physical, emotional, and mental development  
939 of the children served.

940 3. The appropriateness, safety, cleanliness, and general  
941 adequacy of the premises, including fire prevention and health  
942 standards, to provide for the physical comfort, care, and well-  
943 being of the children served.

944 4. The ratio of staff to children required to provide  
945 adequate care and supervision of the children served and, in the  
946 case of family foster homes, the maximum number of children in  
947 the home.

948 5. The good moral character based upon screening,  
949 education, training, and experience requirements for personnel  
950 and family foster homes.

951 6. The department may grant exemptions from  
952 disqualification from working with children or the  
953 developmentally disabled as provided in s. 435.07.

954 7. The provision of preservice and inservice training for  
955 all foster parents and agency staff.

956 8. Satisfactory evidence of financial ability to provide  
957 care for the children in compliance with licensing requirements.

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958           9. The maintenance by the agency of records pertaining to  
959 admission, progress, health, and discharge of children served,  
960 including written case plans and reports to the department.

961           10. The provision for parental involvement to encourage  
962 preservation and strengthening of a child's relationship with  
963 the family.

964           11. The transportation safety of children served.

965           12. The provisions for safeguarding the cultural,  
966 religious, and ethnic values of a child.

967           13. Provisions to safeguard the legal rights of children  
968 served.

969           (6)

970           (b) Upon application, the department shall conduct a  
971 licensing study based on its licensing rules; shall inspect the  
972 home or the agency and the records, including financial records,  
973 of the agency; and shall interview the applicant. The department  
974 may authorize a licensed child-placing agency to conduct the  
975 licensing study of a family foster home to be used exclusively  
976 by that agency and to verify to the department that the home  
977 meets the licensing requirements established by the department.  
978 The department shall post on its website a list of the agencies  
979 authorized to conduct such studies. Upon certification by a  
980 licensed child-placing agency that a family foster home meets  
981 the licensing requirements and upon receipt of a letter from a  
982 community-based care lead agency in the service area where the  
983 home will be licensed which indicates that the family foster  
984 home meets the criteria established by the lead agency, the  
985 department shall issue the license. A letter from the lead  
986 agency is not required if the lead agency where the proposed

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987 home is located is directly supervising foster homes in the same  
988 service area.

989 (c) A licensed family foster home, child-placing agency, or  
990 residential child-caring agency which applies for renewal of its  
991 license shall submit to the department a list of personnel or  
992 household members who have worked or resided on a continuous  
993 basis at the applicant family foster home or agency since  
994 submitting fingerprints to the department, identifying those for  
995 whom a written assurance of compliance was provided by the  
996 department and identifying those personnel or household members  
997 who have recently begun working or residing at the family foster  
998 home or agency and are awaiting the results of the required  
999 fingerprint check, along with the date of the submission of  
1000 those fingerprints for processing. The department shall by rule  
1001 determine the frequency of requests to the Department of Law  
1002 Enforcement to run state criminal records checks for such  
1003 personnel or household members except for those personnel or  
1004 household members awaiting the results of initial fingerprint  
1005 checks for employment at the applicant family foster home or  
1006 agency.

1007 (7)(a) The department may extend a license expiration date  
1008 once for a period of up to 30 days. However, the department may  
1009 not extend a license expiration date more than once during a  
1010 licensure period ~~The department may issue a provisional license~~  
1011 ~~to an applicant who is unable to conform to the licensing~~  
1012 ~~requirements at the time of the study, but who is believed able~~  
1013 ~~to meet the licensing requirements within the time allowed by~~  
1014 ~~the provisional license. The issuance of a provisional license~~  
1015 ~~shall be contingent upon the submission to the department of an~~

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1016 ~~acceptable written plan to overcome the deficiency by the~~  
1017 ~~expiration date of the provisional license.~~

1018 ~~(b) A provisional license may be issued when the applicant~~  
1019 ~~fails to meet licensing requirements in matters that are not of~~  
1020 ~~immediate danger to the children and the agency has submitted a~~  
1021 ~~corrective action plan which is approved by the department. A~~  
1022 ~~provisional license may be issued if the screening material has~~  
1023 ~~been timely submitted; however, a provisional license may not be~~  
1024 ~~issued unless the applicant is in compliance with the~~  
1025 ~~requirements in this section for screening of personnel.~~

1026 ~~(c) A provisional license shall not be issued for a period~~  
1027 ~~in excess of 1 year and shall not be subject to renewal; and it~~  
1028 ~~may be suspended if periodic inspection by the department~~  
1029 ~~indicates that insufficient progress has been made toward~~  
1030 ~~compliance with the requirements.~~

1031 (9)

1032 (b) Any of the following actions by a family foster home or  
1033 its household members or an agency or its personnel is a ground  
1034 for denial, suspension, or revocation of a license:

1035 1. An intentional or negligent act materially affecting the  
1036 health or safety of children in the home or agency.

1037 2. A violation of ~~the provisions of~~ this section or of  
1038 licensing rules adopted ~~promulgated~~ pursuant to this section.

1039 3. Noncompliance with the requirements for good moral  
1040 character as specified in paragraph (5) (b).

1041 4. Failure to dismiss personnel or a household member found  
1042 in noncompliance with requirements for good moral character.

1043 5. Failure to comply with the requirements of ss. 63.0422  
1044 and 790.335.

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1045 (12)

1046 (b) It is unlawful for any person, agency, family foster  
1047 home, summer day camp, or summer 24-hour camp providing care for  
1048 children to:

1049 1. Willfully or intentionally fail to comply with the  
1050 requirements for the screening of personnel and family foster  
1051 homes or the dismissal of personnel or household members found  
1052 not to be in compliance with the requirements for good moral  
1053 character as specified in paragraph (5) (b).

1054 2. Use information from the criminal records obtained under  
1055 this section for any purpose other than screening a person for  
1056 employment as specified in this section or to release such  
1057 information to any other person for any purpose other than  
1058 screening for employment as specified in this section.

1059 (c) It is unlawful for any person, agency, family foster  
1060 home, summer day camp, or summer 24-hour camp providing care for  
1061 children to use information from the juvenile records of any  
1062 person obtained under this section for any purpose other than  
1063 screening for employment as specified in this section or to  
1064 release information from such records to any other person for  
1065 any purpose other than screening for employment as specified in  
1066 this section.

1067 (14)

1068 (b) As a condition of licensure, foster parents shall  
1069 successfully complete ~~a minimum of 21 hours of~~ preservice  
1070 training. The preservice training shall be uniform statewide and  
1071 shall include, but not be limited to, such areas as:

1072 1. Orientation regarding agency purpose, objectives,  
1073 resources, policies, and services;

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1074 2. Role of the foster parent as a treatment team member;

1075 3. Transition of a child into and out of foster care,  
1076 including issues of separation, loss, and attachment;

1077 4. Management of difficult child behavior that can be  
1078 intensified by placement, by prior abuse or neglect, and by  
1079 prior placement disruptions;

1080 5. Prevention of placement disruptions;

1081 6. Care of children at various developmental levels,  
1082 including appropriate discipline; and

1083 7. Effects of foster parenting on the family of the foster  
1084 parent.

1085 (d) Before ~~prior to~~ licensure renewal, each ~~level II~~  
1086 ~~through level V~~ foster parent must ~~shall~~ successfully complete ~~8~~  
1087 ~~hours of inservice training. Each level I foster parent shall~~  
1088 ~~successfully complete 4 hours of inservice training.~~ Periodic  
1089 time-limited training courses shall be made available for  
1090 selective use by foster parents. Such inservice training shall  
1091 include subjects affecting the daily living experiences of  
1092 foster parenting as a foster parent. For a foster parent  
1093 participating in the required inservice training, the department  
1094 shall reimburse such parent for travel expenditures and, if both  
1095 parents in a home are attending training or if the absence of  
1096 the parent would leave the children without departmentally  
1097 approved adult supervision, the department shall make provision  
1098 for child care or shall reimburse the foster parents for child  
1099 care purchased by the parents for children in their care.

1100 Section 16. Subsection (4) of section 409.903, Florida  
1101 Statutes, is amended to read:

1102 409.903 Mandatory payments for eligible persons.—The agency

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1103 shall make payments for medical assistance and related services  
1104 on behalf of the following persons who the department, or the  
1105 Social Security Administration by contract with the Department  
1106 of Children and Families, determines to be eligible, subject to  
1107 the income, assets, and categorical eligibility tests set forth  
1108 in federal and state law. Payment on behalf of these Medicaid  
1109 eligible persons is subject to the availability of moneys and  
1110 any limitations established by the General Appropriations Act or  
1111 chapter 216.

1112 (4) A child who is eligible under Title IV-E of the Social  
1113 Security Act for subsidized board payments, foster care, or  
1114 adoption subsidies, and a child for whom the state has assumed  
1115 temporary or permanent responsibility and who does not qualify  
1116 for Title IV-E assistance but is in foster care, shelter or  
1117 emergency shelter care, or subsidized adoption. This category  
1118 includes:

1119 (a) A young adult who is eligible to receive services under  
1120 s. 409.1451, until the young adult reaches 21 years of age,  
1121 without regard to any income, resource, or categorical  
1122 eligibility test that is otherwise required.

1123 ~~(b) This category also includes~~ A person who as a child was  
1124 eligible under Title IV-E of the Social Security Act for foster  
1125 care or the state-provided foster care and who is a participant  
1126 in the Road-to-Independence Program.

1127 (c) A child who is eligible for the Guardianship Assistance  
1128 Program as provided in s. 39.6225.

1129 Section 17. Paragraph (a) of subsection (1) of section  
1130 409.991, Florida Statutes, is amended to read:

1131 409.991 Allocation of funds for community-based care lead

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1132 agencies.—

1133 (1) As used in this section, the term:

1134 (a) "Core services funds" means all funds allocated to  
1135 community-based care lead agencies operating under contract with  
1136 the department pursuant to s. 409.987, with the following  
1137 exceptions:

1138 1. Funds appropriated for independent living;

1139 2. Funds appropriated for maintenance adoption subsidies;

1140 3. Funds allocated by the department for protective  
1141 investigations training;

1142 4. Nonrecurring funds;

1143 5. Designated mental health wrap-around services funds; ~~and~~

1144 6. Funds for special projects for a designated community-  
1145 based care lead agency; and

1146 7. Funds appropriated for the Guardianship Assistance  
1147 Program under s. 39.6225.

1148 Section 18. Paragraph (b) of subsection (1) of section  
1149 414.045, Florida Statutes, is amended to read:

1150 414.045 Cash assistance program.—Cash assistance families  
1151 include any families receiving cash assistance payments from the  
1152 state program for temporary assistance for needy families as  
1153 defined in federal law, whether such funds are from federal  
1154 funds, state funds, or commingled federal and state funds. Cash  
1155 assistance families may also include families receiving cash  
1156 assistance through a program defined as a separate state  
1157 program.

1158 (1) For reporting purposes, families receiving cash  
1159 assistance shall be grouped into the following categories. The  
1160 department may develop additional groupings in order to comply



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1161 with federal reporting requirements, to comply with the data-  
1162 reporting needs of the board of directors of CareerSource  
1163 Florida, Inc., or to better inform the public of program  
1164 progress.

1165 (b) *Child-only cases.*—Child-only cases include cases that  
1166 do not have an adult or teen head of household as defined in  
1167 federal law. Such cases include:

1168 1. Children in the care of caretaker relatives, if the  
1169 caretaker relatives choose to have their needs excluded in the  
1170 calculation of the amount of cash assistance.

1171 2. Families in the Relative Caregiver Program as provided  
1172 in s. 39.5085.

1173 3. Families in which the only parent in a single-parent  
1174 family or both parents in a two-parent family receive  
1175 supplemental security income (SSI) benefits under Title XVI of  
1176 the Social Security Act, as amended. To the extent permitted by  
1177 federal law, individuals receiving SSI shall be excluded as  
1178 household members in determining the amount of cash assistance,  
1179 and such cases shall not be considered families containing an  
1180 adult. Parents or caretaker relatives who are excluded from the  
1181 cash assistance group due to receipt of SSI may choose to  
1182 participate in work activities. An individual whose ability to  
1183 participate in work activities is limited who volunteers to  
1184 participate in work activities shall be assigned to work  
1185 activities consistent with such limitations. An individual who  
1186 volunteers to participate in a work activity may receive child  
1187 care or support services consistent with such participation.

1188 4. Families in which the only parent in a single-parent  
1189 family or both parents in a two-parent family are not eligible

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1190 for cash assistance due to immigration status or other  
1191 limitation of federal law. To the extent required by federal  
1192 law, such cases shall not be considered families containing an  
1193 adult.

1194 5. To the extent permitted by federal law and subject to  
1195 appropriations, special needs children who have been adopted  
1196 pursuant to s. 409.166 and whose adopting family qualifies as a  
1197 needy family under the state program for temporary assistance  
1198 for needy families. Notwithstanding any provision to the  
1199 contrary in s. 414.075, s. 414.085, or s. 414.095, a family  
1200 shall be considered a needy family if:

1201 a. The family is determined by the department to have an  
1202 income below 200 percent of the federal poverty level;

1203 b. The family meets the requirements of s. 414.095(2) and  
1204 (3) related to residence, citizenship, or eligible noncitizen  
1205 status; and

1206 c. The family provides any information that may be  
1207 necessary to meet federal reporting requirements specified under  
1208 Part A of Title IV of the Social Security Act.

1209 6. Families in the Guardianship Assistance Program as  
1210 provided in s. 39.6225.

1211  
1212 Families described in subparagraph 1., subparagraph 2., or  
1213 subparagraph 3. may receive child care assistance or other  
1214 supports or services so that the children may continue to be  
1215 cared for in their own homes or in the homes of relatives. Such  
1216 assistance or services may be funded from the temporary  
1217 assistance for needy families block grant to the extent  
1218 permitted under federal law and to the extent funds have been

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1219 provided in the General Appropriations Act.

1220 Section 19. Paragraph (d) of subsection (1) of section  
1221 1009.25, Florida Statutes, is amended to read:

1222 1009.25 Fee exemptions.—

1223 (1) The following students are exempt from the payment of  
1224 tuition and fees, including lab fees, at a school district that  
1225 provides workforce education programs, Florida College System  
1226 institution, or state university:

1227 (d) A student who is or was at the time he or she reached  
1228 18 years of age in the custody of a relative or nonrelative  
1229 under s. 39.5085 or s. 39.6225 or who was adopted from the  
1230 Department of Children and Families after May 5, 1997. Such  
1231 exemption includes fees associated with enrollment in applied  
1232 academics for adult education instruction. The exemption remains  
1233 valid until the student reaches 28 years of age.

1234 Section 20. This act shall take effect July 1, 2019.