

Committee on Children, Families, and Elder Affairs

CS/CS/HB 1079 — Child Welfare

by Health and Human Services Committee; Children, Families and Seniors Subcommittee; and Rep. Burton (CS/CS/SB 1360 by Appropriations Committee; Children, Families, and Elder Affairs Committee; and Senator Broxson)

CS/CS/HB 1079 makes a number of changes designed to improve the child welfare system.

When a household is under investigation for child abuse, the bill allows the Department of Children and Families to add to that investigation any child born into the home if the department determines that the family cannot safely care for the other children in the home.

The bill gives flexibility to the Department of Children and Families for fingerprinting a person with a significant disability in a household being considered as a prospective placement for a child in out-of-home care. In such cases, the department does not have to fingerprint the household member to conduct a national check of criminal history, but must still complete a level 1 background screening for state criminal history.

The bill requires parents involved in a dependency case to provide current contact information. The court must consider how well the parent has completed the case plan and how often the parent visits the child in dependency proceedings.

The bill establishes the Guardianship Assistance Program within the Department of Children and Families as an option for relatives and non-relative caregivers. The new program is to be available July 1, 2019 and is in addition to the existing relative caregiver program and licensure as a foster home. Caregivers under the Guardianship Assistance Program must be licensed by the state and will receive higher monthly payments than the relative caregiver program, but less than foster care payments. The department may waive certain licensing requirements for families in the Guardianship Assistance Program. The bill provides definitions, specifies eligibility criteria that must be met to receive payments, provides for a \$4,000 annual payment, and specifies criteria that must be met for a young adult to continue receiving assistance to the age of 21. Unlike young adults in other licensed care, the bill does not provide postsecondary benefits such as per diem payments when attending school, for those in the Guardianship Assistance Program.

The bill adds two federal Child Care and Development Block Grant Act requirements relating to background screening requirements for child care personnel. Child care licensing and employee background rescreening requirements are administered by the Department of Children and Families. The change will require the department to use out-of-state criminal history records results for the past five years and adds drug offenses to the list of disqualifying offenses in Chapter 893 for child care personnel. The bill amends child care licensing statutes to require child care providers to give parents information on the dangers of leaving a child unattended in a vehicle. Child care providers must also post this information in their facilities.

Effective January, 1, 2019, the bill extends adoption assistance payments to families for children who are older than 18 but less than age 21. Such payments are funded by federal sources to encourage the adoption of children from the child welfare system. In order for the family to receive the payments, the young adult must be working or enrolled in school, unless they are unable to participate in these activities due to a disability.

Residential treatment facilities such as crisis stabilization units, residential treatment facilities, and residential treatment centers for children and adolescents or hospitals who care for a child victim of commercial sex exploitation, must meet certain requirements set for safe houses or safe foster homes. The bill eliminates the requirement that residential treatment facilities or hospitals separate child victims of commercial sexual exploitation from children with other needs. In addition, such facilities will no longer need meet the requirement for awake staff members on duty 24 hours a day. Other licensing requirements regarding awake staff would still apply.

The bill revises the allocation formula used to distribute additional funding to community-based care lead agencies. The changes will increase the weight given to the provision of family support services and the workload from the child abuse hotline. The weight of the number of children in out-of-home care, in-home care, and the portion of children in care is reduced. The amount allocated to all community-based care lead agencies is increased while the amount to address funding inequities is decreased.

Finally, the bill directs the Legislature's Division of Law Revision and Information to prepare a reviser's bill for the 2019 session to capitalize each word of the term "child protection team" in the Florida Statutes.

If these provisions are approved by the Governor they will take effect July 1, 2018.

Vote: Senate 37-0; House 114-0