

Committee on Children, Families, And Elder Affairs

CS/CS/HB 1121 — Child Welfare

by Health and Human Services Committee; Children, Families and Seniors Subcommittee; and Reps. Stevenson; Harrell, and others (CS/CS/CS/SB 1044 Appropriations Committee; Judiciary Committee; Children, Families, and Elder Affairs Committee; and Senators Garcia and Campbell)

Chapters 39 and 409, F.S., contain provisions relating to Florida’s child welfare system to protect and provide services to children who are either at risk of maltreatment or who have been abused, abandoned or neglected. The Department of Children and Families (DCF) Office of Child Welfare works in partnership with Community Based Care lead agencies (CBCs) and the courts to ensure the safety, timely permanency and well-being of children.

DCF’s child welfare practice model standardizes the approach to risk assessment and decision making used to determine a child’s safety. The model emphasizes parent engagement and empowerment as well as the training and support of child welfare professionals to assess child safety and emphasizes a family-centered practice with the goal of keeping children in their homes whenever possible.

CS/CS/HB 1121 makes a number of revisions to current law to improve the care of children in the child welfare system. Most of these changes are recommended by DCF and seek to better ensure child safety. Specifically, the bill:

- Requires the state to identify a child’s father earlier in the legal process to allow for more placement options and family involvement when a child is removed from his or her family by DCF.
- Allows DCF to return an abused or neglected child to his or her home with an in-home safety plan when the conditions that caused the child to be removed are resolved rather than when the parents have substantially completed their case plan.
- Requires DCF to consider the safety of any new children added to the home of a family after a child abuse investigation has begun.
- Requires a parent to be assessed for substance abuse and complete treatment when there is evidence of harm to a child as a result of substance abuse.
- Allows DCF to terminate parental rights when a child has been placed in out-of-home care in any jurisdiction three or more times.
- Requires DCF to develop, in collaboration with the Florida Institute for Child Welfare, service providers, and other community stakeholders, a statewide quality accountability system for providers of residential group care that promotes high quality in services and accommodations. CBCs must implement the quality accountability system by July 1, 2022. DCF must submit a report to the Governor and Legislature on October 1, 2017, and by October 1 of each year thereafter.
- Requires DCF to convene a workgroup on increasing the number of high-quality foster homes and report to the Governor and Legislature by November 15, 2017.
- Allows the dependency court to order a case plan with a permanency goal of “maintain and strengthen” in the child’s home by adding “maintain and strengthen” to the list of

permanency options that a court may order and revises the definition of “permanency goal” by removing language duplicated in substantive law.

- Extends the jurisdiction of the dependency court over young adults with a disability until the age of 22, requires that a child’s transition plan must be approved by the court before a child’s 18th birthday regardless of whether the child is leaving care at 18 and requires that the transition plan must be attached to the case plan and updated before each judicial review.
- Requires the appropriate CBC or subcontracted agency to establish a multi-disciplinary team to determine appropriate placement of a child after gathering customized data and information on the child.
- Requires DCF to collect data on out-of-home placements, post the data on its website, and update the website twice a year.
- Establishes a shared family care residential services pilot program to facilitate the temporary placement of substance-exposed newborns and their families in the home of trained volunteer families for the purpose of mentoring and receiving treatment and services.
- Makes additional changes such as prohibiting payments under the Relative Caregiver Program when the parent is living with the relative along with the dependent child, allowing the release of medical records by hospitals and physicians for child abuse cases, and using child abuse records to screen employees of group homes for foster children.

The bill also makes a number of changes to laws related to children who are not involved with the child welfare system. Specifically, the bill:

- Allows certain children services councils, as independent special districts having taxing authority, to remain in existence without additional voter approval in 2020 if they were reapproved for a second time since 2005.
- Prohibits the use of state-appropriated funds to pay the salary of a CBC administrative employee in an amount that exceeds 150% of the salary paid to the secretary of DCF.
- Addresses issues related to the needs of unaccompanied homeless youth by clarifying eligibility for college and university tuition exemptions and current law relating to being able to obtain medical care without parental permission.
- Requires the initiation of an involuntary mental health examination under the Baker Act of a minor within 12 hours of arriving at a facility. The bill creates a task force within DCF to address the issue of involuntary examinations of children age 17 and younger.
- Establishes a technical advisory panel within the Agency for Health Care Administration for the purpose of developing procedures and standards for measuring outcomes of pediatric cardiac catheterization programs and pediatric open-heart surgery programs. The bill specifies the duties and composition of the panel.

If approved by the Governor, the bill takes effect July 1, 2017, except for the provisions relating to the assessment of a child removed from his or her home and placed in out-of-home care, which takes effect January 1, 2018.

Vote: Senate 38-0; House 117-0