

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

11 The Committee on Health & Human Services Appropriations
12 offered the following:

14 **Amendment (with title amendment)**

15 On page 3, line 27 through page 10, line 6,
16 remove: all of said lines

18 and insert in lieu thereof: of Children and Family Services
19 relating to services to abused and neglected children provided
20 through the child protection teams and sexual abuse treatment
21 program created under part IV of chapter 415, Florida
22 Statutes, are transferred to the Department of Health,
23 Division of Children's Medical Services, by a type two
24 transfer as defined in s. 20.06, Florida Statutes. The
25 Department of Health may organize, classify, and manage the
26 positions transferred in a manner that will reduce
27 duplication, achieve maximum efficiency, and ensure
28 accountability.

29 Section 3. Paragraph (h) of subsection (1) of section
30 20.43, Florida Statutes, is amended to read:

31 20.43 Department of Health.--There is created a

Amendment No. ____ (for drafter's use only)

1 Department of Health.

2 (1) The purpose of the Department of Health is to
3 promote and protect the health of all residents and visitors
4 in the state through organized state and community efforts,
5 including cooperative agreements with counties. The
6 department shall:

7 (h) Provide services to abused and neglected children
8 through child protection teams and sexual abuse treatment
9 programs. ~~Provide medical direction for child protection team~~
10 ~~and sexual abuse treatment functions created under chapter~~
11 ~~415.~~

12 Section 4. Paragraph (j) of subsection (4) of section
13 39.4031, Florida Statutes, is amended to read:

14 39.4031 Case plan requirements.--

15 (4) When the child is receiving services in a
16 placement outside the child's home or in foster care, the case
17 plan must be prepared within 30 days after placement and also
18 be approved by the court and must include, in addition to the
19 requirements in subsections (2) and (3), at a minimum:

20 (j) A written notice to the parent that failure of the
21 parent to substantially comply with the case plan may result
22 in the termination of parental rights, and that a material
23 failure to substantially comply may result in the filing of a
24 petition for termination of parental rights sooner than the
25 compliance periods set forth in the case plan itself. The
26 ~~child protection team shall coordinate its effort with the~~
27 case staffing committee shall coordinate its efforts with the
28 child protection team of the Department of Health.

29 Section 5. Paragraph (4) of section 39.4032, Florida
30 Statutes, is amended to read:

31 39.4032 Multidisciplinary case staffing.--

Amendment No. ____ (for drafter's use only)

1 (4) The case staffing committee shall coordinate its
2 effort with the child protection team of the Department of
3 Health.

4 Section 6. Paragraph (a) of subsection (3) of section
5 39.408, Florida Statutes, is amended to read:

6 39.408 Hearings for dependency cases.--

7 (3) DISPOSITION HEARING.--At the disposition hearing,
8 if the court finds that the facts alleged in the petition for
9 dependency were proven in the adjudicatory hearing, or if the
10 parents have consented to the finding of dependency or
11 admitted the allegations in the petition, have failed to
12 appear for the arraignment hearing after proper notice, or
13 have not been located despite a diligent search having been
14 conducted, the court shall receive and consider a
15 predisposition study, which must be in writing and presented
16 by an authorized agent of the department.

17 (a) The predisposition study shall cover for any
18 dependent child all factors specified in s. 61.13(3), and must
19 also provide the court with the following documented
20 information:

21 1. An assessment defining the dangers and risks of
22 returning the child home, including a description of the
23 changes in and resolutions to the initial risks.

24 2. A description of what risks are still present and
25 what resources are available and will be provided for the
26 protection and safety of the child.

27 3. A description of the benefits of returning the
28 child home.

29 4. A description of all unresolved issues.

30 5. An abuse registry history for all caretakers,
31 family members, and individuals residing within the household.

Amendment No. ____ (for drafter's use only)

1 6. The complete ~~child protection team~~ report and
2 recommendation of the child protection team of the Department
3 of Health or, if no report exists, a statement reflecting that
4 no report has been made.

5 7. All opinions or recommendations from other
6 professionals or agencies that provide evaluative, social,
7 reunification, or other services to the family.

8 8. The availability of appropriate prevention and
9 reunification services for the family to prevent the removal
10 of the child from the home or to reunify the child with the
11 family after removal, including the availability of family
12 preservation services through the Family Builders Program, the
13 Intensive Crisis Counseling Program, or both.

14 9. The inappropriateness of other prevention and
15 reunification services that were available.

16 10. The efforts by the department to prevent
17 out-of-home placement of the child or, when applicable, to
18 reunify the family if appropriate services were available,
19 including the application of intensive family preservation
20 services through the Family Builders Program, the Intensive
21 Crisis Counseling Program, or both.

22 11. Whether the services were provided to the family
23 and child.

24 12. If the services were provided, whether they were
25 sufficient to meet the needs of the child and the family and
26 to enable the child to remain at home or to be returned home.

27 13. If the services were not provided, the reasons for
28 such lack of action.

29 14. The need for, or appropriateness of, continuing
30 the services if the child remains in the custody of the family
31 or if the child is placed outside the home.

Amendment No. ____ (for drafter's use only)

1 15. Whether family mediation was provided.

2 16. Whether a multidisciplinary case staffing was
3 conducted and, if so, the results.

4 17. If the child has been removed from the home and
5 there is a parent who may be considered for custody pursuant
6 to s. 39.41(1), a recommendation as to whether placement of
7 the child with that parent would be detrimental to the child.

8 Section 7. Paragraph (i) of subsection (3) of section
9 119.07, Florida Statutes, is amended to read:

10 119.07 Inspection, examination, and duplication of
11 records; exemptions.--

12 (3)

13 (i)1. The home addresses, telephone numbers, social
14 security numbers, and photographs of active or former law
15 enforcement personnel, including correctional and correctional
16 probation officers, personnel of the Department of Children
17 and Family Health and Rehabilitative Services whose duties
18 include the investigation of abuse, neglect, exploitation,
19 fraud, theft, or other criminal activities, personnel of the
20 Department of Health whose duties are to support the
21 investigation of child abuse or neglect,and personnel of the
22 Department of Revenue or local governments whose
23 responsibilities include revenue collection and enforcement or
24 child support enforcement; the home addresses, telephone
25 numbers, social security numbers, photographs, and places of
26 employment of the spouses and children of such personnel; and
27 the names and locations of schools and day care facilities
28 attended by the children of such personnel are exempt from the
29 provisions of subsection (1). The home addresses, telephone
30 numbers, and photographs of firefighters certified in
31 compliance with s. 633.35; the home addresses, telephone

Amendment No. ____ (for drafter's use only)

1 numbers, photographs, and places of employment of the spouses
2 and children of such firefighters; and the names and locations
3 of schools and day care facilities attended by the children of
4 such firefighters are exempt from subsection (1). The home
5 addresses and telephone numbers of justices of the Supreme
6 Court, district court of appeal judges, circuit court judges,
7 and county court judges; the home addresses, telephone
8 numbers, and places of employment of the spouses and children
9 of justices and judges; and the names and locations of schools
10 and day care facilities attended by the children of justices
11 and judges are exempt from the provisions of subsection (1).
12 The home addresses, telephone numbers, social security
13 numbers, and photographs of current or former state attorneys,
14 assistant state attorneys, statewide prosecutors, or assistant
15 statewide prosecutors; the home addresses, telephone numbers,
16 social security numbers, photographs, and places of employment
17 of the spouses and children of current or former state
18 attorneys, assistant state attorneys, statewide prosecutors,
19 or assistant statewide prosecutors; and the names and
20 locations of schools and day care facilities attended by the
21 children of current or former state attorneys, assistant state
22 attorneys, statewide prosecutors, or assistant statewide
23 prosecutors are exempt from subsection (1) and s. 24(a), Art.
24 I of the State Constitution. The home addresses and home
25 telephone numbers of county and municipal code inspectors and
26 code enforcement officers are confidential and exempt from the
27 provisions of subsection (1) and s. 24(a), Art. I of the State
28 Constitution.

29 2. An agency that is the custodian of the personal
30 information specified in subparagraph 1. and that is not the
31 employer of the officer, employee, justice, judge, or other

Amendment No. ____ (for drafter's use only)

1 person specified in subparagraph 1. shall maintain the
2 confidentiality of the personal information only if the
3 officer, employee, justice, judge, other person, or employing
4 agency of the designated employee submits a written request
5 for confidentiality to the custodial agency.

6 Section 8. Subsection (3) of section 415.501, Florida
7 Statutes, is amended to read:

8 415.501 Prevention of abuse and neglect of children;
9 state plan.--

10 (3) FUNDING AND SUBSEQUENT PLANS.--

11 (a) All budget requests submitted by the Department of
12 Health, the Department of Children and Family Services, the
13 Department of Education, or any other agency to the
14 Legislature for funding of efforts for the prevention of child
15 abuse and neglect shall be based on the state plan developed
16 pursuant to this section.

17 (b) The Department of Children and Family Services at
18 the state and district levels and the other

19
20

21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 1, lines 8-16,
24 remove from the title of the bill: all of said lines

25
26

and insert in lieu thereof:

27 powers and duties relating to the child
28 protection teams, and the sexual abuse
29 treatment program to the Department of Health;
30 providing the Department of Health with certain
31 authority with respect to transferred

Amendment No. ____ (for drafter's use only)

1 positions; amending s. 20.43, F.S.; providing
2 responsibility of the Department of Health to
3 provide services to abused and
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31