

1 A bill to be entitled
2 An act relating to protection of children;
3 amending s. 20.19, F.S.; deleting reference to
4 child protection and sexual abuse treatment
5 teams from responsibilities of the Children and
6 Families Program Office of the Department of
7 Children and Family Services; transferring all
8 powers and duties relating to the child
9 protection teams, and the sexual abuse
10 treatment program to the Department of Health;
11 providing the Department of Health with certain
12 authority with respect to transferred
13 positions; amending s. 20.43, F.S.; providing
14 responsibility of the Department of Health to
15 provide services to abused and neglected
16 children through the teams and program;
17 providing qualifications and requirements for
18 the Director of Children's Medical Services of
19 the Department of Health; amending ss. 39.4031,
20 39.4032, and 39.408, F.S., relating to children
21 and family case plan requirements and case
22 staffing, and hearings for dependency cases;
23 providing for coordination with the child
24 protection teams of the Department of Health;
25 amending ss. 119.07, 415.50175, and 415.51,
26 F.S.; providing confidentiality under existing
27 public records exemptions for records of child
28 protection teams and personnel thereof;
29 amending ss. 415.50171, 415.5018, 415.503,
30 415.5055, and 415.5095, F.S.; clarifying
31 respective responsibilities of the Department

1 of Health and the Department of Children and
2 Family Services, relating to child abuse and
3 neglect cases, policy, and procedures, to child
4 protection teams, and to child sexual abuse
5 cases, pursuant to the transfer of
6 responsibilities under the act; providing
7 duties of the Division of Children's Medical
8 Services; amending s. 415.501, F.S.; revising
9 participants in the state plan for prevention
10 of child abuse and neglect; repealing s.
11 415.5075, F.S., relating to rulemaking;
12 requiring a memorandum of agreement between the
13 Department of Children and Family Services and
14 the Department of Health; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Paragraph (b) of subsection (4) of section
20 20.19, Florida Statutes, is amended to read:

21 20.19 Department of Children and Family
22 Services.--There is created a Department of Children and
23 Family Services.

24 (4) PROGRAM OFFICES.--

25 (b) The following program offices are established and
26 may be consolidated, restructured, or rearranged by the
27 secretary; provided any such consolidation, restructuring, or
28 rearranging is for the purpose of encouraging service
29 integration through more effective and efficient performance
30 of the program offices or parts thereof:

31

1 1. Economic Self-Sufficiency Program Office.--The
2 responsibilities of this office encompass income support
3 programs within the department, such as temporary assistance
4 to families with dependent children, food stamps, welfare
5 reform, and state supplementation of the supplemental security
6 income (SSI) program.

7 2. Developmental Services Program Office.--The
8 responsibilities of this office encompass programs operated by
9 the department for developmentally disabled persons.
10 Developmental disabilities include any disability defined in
11 s. 393.063.

12 3. Children and Families Program Office.--The
13 responsibilities of this program office encompass early
14 intervention services for children and families at risk;
15 intake services for protective investigation of abandoned,
16 abused, and neglected children; interstate compact on the
17 placement of children programs; adoption; child care;
18 out-of-home care programs and other specialized services to
19 families; ~~and child protection and sexual abuse treatment~~
20 ~~teams created under chapter 415, excluding medical direction~~
21 ~~functions.~~

22 4. Alcohol, Drug Abuse, and Mental Health Program
23 Office.--The responsibilities of this office encompass all
24 alcohol, drug abuse, and mental health programs operated by
25 the department.

26 Section 2. All powers, duties, functions, records,
27 personnel, property, and unexpended balances of
28 appropriations, allocations, and other funds of the Department
29 of Children and Family Services relating to services to abused
30 and neglected children provided through the child protection
31 teams and sexual abuse treatment program created under part IV

1 of chapter 415, Florida Statutes, are transferred to the
2 Department of Health, Division of Children's Medical Services,
3 by a type two transfer as defined in s. 20.06, Florida
4 Statutes. The Department of Health may organize, classify,
5 and manage the positions transferred in a manner that will
6 reduce duplication, achieve maximum efficiency, and ensure
7 accountability.

8 Section 3. Paragraph (h) of subsection (1) of section
9 20.43, Florida Statutes, is amended to read:

10 20.43 Department of Health.--There is created a
11 Department of Health.

12 (1) The purpose of the Department of Health is to
13 promote and protect the health of all residents and visitors
14 in the state through organized state and community efforts,
15 including cooperative agreements with counties. The
16 department shall:

17 (h) Provide services to abused and neglected children
18 through child protection teams and sexual abuse treatment
19 programs.~~Provide medical direction for child protection team~~
20 ~~and sexual abuse treatment functions created under chapter~~
21 ~~415.~~

22 Section 4. Paragraph (j) of subsection (4) of section
23 39.4031, Florida Statutes, is amended to read:

24 39.4031 Case plan requirements.--

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

30 (j) A written notice to the parent that failure of the
31 parent to substantially comply with the case plan may result

1 in the termination of parental rights, and that a material
2 failure to substantially comply may result in the filing of a
3 petition for termination of parental rights sooner than the
4 compliance periods set forth in the case plan itself. The
5 ~~child protection team shall coordinate its effort with the~~
6 case staffing committee shall coordinate its efforts with the
7 child protection team of the Department of Health.

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

10 39.4032 Multidisciplinary case staffing.--

11 (4) The case staffing committee shall coordinate its
12 effort with the child protection team of the Department of
13 Health.

14 Section 6. Paragraph (a) of subsection (3) of section
15 39.408, Florida Statutes, is amended to read:

16 39.408 Hearings for dependency cases.--

17 (3) DISPOSITION HEARING.--At the disposition hearing,
18 if the court finds that the facts alleged in the petition for
19 dependency were proven in the adjudicatory hearing, or if the
20 parents have consented to the finding of dependency or
21 admitted the allegations in the petition, have failed to
22 appear for the arraignment hearing after proper notice, or
23 have not been located despite a diligent search having been
24 conducted, the court shall receive and consider a
25 predisposition study, which must be in writing and presented
26 by an authorized agent of the department.

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

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

4 2. A description of what risks are still present and
5 what resources are available and will be provided for the
6 protection and safety of the child.

7 3. A description of the benefits of returning the
8 child home.

9 4. A description of all unresolved issues.

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

12 6. The complete ~~child protection team~~ report and
13 recommendation of the child protection team of the Department
14 of Health or, if no report exists, a statement reflecting that
15 no report has been made.

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

19 8. The availability of appropriate prevention and
20 reunification services for the family to prevent the removal
21 of the child from the home or to reunify the child with the
22 family after removal, including the availability of family
23 preservation services through the Family Builders Program, the
24 Intensive Crisis Counseling Program, or both.

25 9. The inappropriateness of other prevention and
26 reunification services that were available.

27 10. The efforts by the department to prevent
28 out-of-home placement of the child or, when applicable, to
29 reunify the family if appropriate services were available,
30 including the application of intensive family preservation
31

1 services through the Family Builders Program, the Intensive
2 Crisis Counseling Program, or both.

3 11. Whether the services were provided to the family
4 and child.

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

8 13. If the services were not provided, the reasons for
9 such lack of action.

10 14. The need for, or appropriateness of, continuing
11 the services if the child remains in the custody of the family
12 or if the child is placed outside the home.

13 15. Whether family mediation was provided.

14 16. Whether a multidisciplinary case staffing was
15 conducted and, if so, the results.

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

20 Section 7. Paragraph (i) of subsection (3) of section
21 119.07, Florida Statutes, is amended to read:

22 119.07 Inspection, examination, and duplication of
23 records; exemptions.--

24 (3)

25 (i)1. The home addresses, telephone numbers, social
26 security numbers, and photographs of active or former law
27 enforcement personnel, including correctional and correctional
28 probation officers, personnel of the Department of Children
29 and Family ~~Health and Rehabilitative~~ Services whose duties
30 include the investigation of abuse, neglect, exploitation,
31 fraud, theft, or other criminal activities, personnel of the

1 Department of Health whose duties are to support the
 2 investigation of child abuse or neglect,and personnel of the
 3 Department of Revenue or local governments whose
 4 responsibilities include revenue collection and enforcement or
 5 child support enforcement; the home addresses, telephone
 6 numbers, social security numbers, photographs, and places of
 7 employment of the spouses and children of such personnel; and
 8 the names and locations of schools and day care facilities
 9 attended by the children of such personnel are exempt from the
 10 provisions of subsection (1). The home addresses, telephone
 11 numbers, and photographs of firefighters certified in
 12 compliance with s. 633.35; the home addresses, telephone
 13 numbers, photographs, and places of employment of the spouses
 14 and children of such firefighters; and the names and locations
 15 of schools and day care facilities attended by the children of
 16 such firefighters are exempt from subsection (1). The home
 17 addresses and telephone numbers of justices of the Supreme
 18 Court, district court of appeal judges, circuit court judges,
 19 and county court judges; the home addresses, telephone
 20 numbers, and places of employment of the spouses and children
 21 of justices and judges; and the names and locations of schools
 22 and day care facilities attended by the children of justices
 23 and judges are exempt from the provisions of subsection (1).
 24 The home addresses, telephone numbers, social security
 25 numbers, and photographs of current or former state attorneys,
 26 assistant state attorneys, statewide prosecutors, or assistant
 27 statewide prosecutors; the home addresses, telephone numbers,
 28 social security numbers, photographs, and places of employment
 29 of the spouses and children of current or former state
 30 attorneys, assistant state attorneys, statewide prosecutors,
 31 or assistant statewide prosecutors; and the names and

1 locations of schools and day care facilities attended by the
2 children of current or former state attorneys, assistant state
3 attorneys, statewide prosecutors, or assistant statewide
4 prosecutors are exempt from subsection (1) and s. 24(a), Art.
5 I of the State Constitution. The home addresses and home
6 telephone numbers of county and municipal code inspectors and
7 code enforcement officers are confidential and exempt from the
8 provisions of subsection (1) and s. 24(a), Art. I of the State
9 Constitution.

10 2. An agency that is the custodian of the personal
11 information specified in subparagraph 1. and that is not the
12 employer of the officer, employee, justice, judge, or other
13 person specified in subparagraph 1. shall maintain the
14 confidentiality of the personal information only if the
15 officer, employee, justice, judge, other person, or employing
16 agency of the designated employee submits a written request
17 for confidentiality to the custodial agency.

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

20 415.501 Prevention of abuse and neglect of children;
21 state plan.--

22 (3) FUNDING AND SUBSEQUENT PLANS.--

23 (a) All budget requests submitted by the Department of
24 Health, the Department of Children and Family Services, the
25 Department of Education, or any other agency to the
26 Legislature for funding of efforts for the prevention of child
27 abuse and neglect shall be based on the state plan developed
28 pursuant to this section.

29 (b) The Department of Children and Family Services at
30 the state and district levels and the other agencies listed in
31 paragraph (2)(a) shall readdress the plan and make necessary

1 revisions every 5 years, at a minimum. Such revisions shall be
2 submitted to the Speaker of the House of Representatives and
3 the President of the Senate no later than June 30 of each year
4 divisible by 5. An annual progress report shall be submitted
5 to update the plan in the years between the 5-year intervals.
6 In order to avoid duplication of effort, these required plans
7 may be made a part of or merged with other plans required by
8 either the state or Federal Government, so long as the
9 portions of the other state or Federal Government plan that
10 constitute the state plan for the prevention of child abuse
11 and neglect are clearly identified as such and are provided to
12 the Speaker of the House of Representatives and the President
13 of the Senate as required above.

14 Section 9. Paragraphs (c) and (e) of subsection (2) of
15 section 415.50171, Florida Statutes, are amended to read:

16 415.50171 Family services response system; reports of
17 child-on-child sexual abuse.--

18 (2) District staff, at a minimum, shall adhere to the
19 following procedures:

20 (c) The assessment of risk and the perceived treatment
21 needs of the alleged juvenile sexual offender, the victim, and
22 respective caregivers shall be conducted by the district
23 staff, the child protection team of the Department of Health,
24 and other providers under contract with the department to
25 provide services to the caregiver of the alleged offender, the
26 victim, and the victim's caregiver.

27 (e) When necessary, the child protection team of the
28 Department of Health shall conduct an evidence-gathering
29 physical examination of the victim.

30 Section 10. Section 415.50175, Florida Statutes, is
31 amended to read:

1 415.50175 Confidentiality of records.--

2 (1) The department and the Department of Health shall
3 make and keep records of all cases brought before them ~~it~~
4 pursuant to this part and shall preserve the records
5 pertaining to a child and family until 7 years after the last
6 entry was made or until the child is 18 years of age,
7 whichever date is first reached, and may then destroy the
8 records.

9 (2) Department and Department of Health records
10 required by this part are confidential and are exempt from the
11 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
12 Constitution and, notwithstanding the provisions of s. 415.51,
13 may be inspected only upon order of the court or as provided
14 for in this section. Confidential records and information
15 provided pursuant to the provisions of this section shall
16 remain confidential and exempt from the provisions of s.
17 119.07(1) and s. 24(a), Art. I of the State Constitution.

18 (3) Access to records required by this part, excluding
19 the name of the reporter, which shall be released only as
20 provided in s. 415.51(4)~~(9)~~, may be provided to the child, the
21 parent, and their attorney, law enforcement agencies, and,
22 with the consent of the parent, the agency or individual
23 providing services to the child or family.

24 (4) The department and the Department of Health shall
25 provide for access to and use of records required by this part
26 for research or statistical purposes. All requests for such
27 records or information shall require the requesting individual
28 or entity to enter into a privacy and security agreement which
29 provides that the requesting individual or entity shall comply
30 with all laws and rules governing the use of such records and
31 information for research and statistical purposes.

1 Section 11. Subsection (3) of section 415.5018,
2 Florida Statutes, is amended to read:

3 415.5018 District authority and responsibilities.--

4 (3) CHILD PROTECTIVE INVESTIGATION; COUNTY SHERIFF'S
5 OFFICE OR LOCAL POLICE DEPARTMENT OPTION.--Within existing
6 resources, a district, with the approval of the district
7 health and human services board, and the secretary of the
8 department, after consultation with the Division of Children's
9 Medical Services of the Department of Health, shall enter into
10 an agreement with a county sheriff's office or local police
11 department that is jurisdictionally responsible to allow such
12 law enforcement entity to assume a lead in conducting any
13 potential criminal investigations as well as partial or full
14 responsibility for conducting certain components of protective
15 investigations under ss. 415.502-415.514 that are related to
16 cases involving a criminal investigation. The written
17 agreement must specify how the requirements of ss.
18 415.502-415.514 will be met. For the purposes of such
19 agreement, the jurisdictionally responsible law enforcement
20 entity is authorized to share Florida criminal history
21 information that is not otherwise exempt from s. 119.07(1)
22 with the local and district personnel directly responsible for
23 child protective investigation and emergency child placement.
24 The agencies entering into such agreement must comply with s.
25 943.0525 to the extent applicable. Criminal justice
26 information provided by such law enforcement entity shall be
27 used only for the purposes specified in the agreement and
28 shall be provided at no charge.

29 (a) The agreement between the district and the county
30 sheriff's office or local police department must include the
31 following assurances and information:

1 1. Assurance that the county sheriff's office or local
2 police department will be in compliance with the procedural
3 requirements of ss. 415.502-415.514.

4 2. Description of a protocol between the district and
5 the county sheriff's office or local police department that at
6 a minimum addresses the following:

7 a. Response to reports of abuse and neglect.

8 b. Investigations.

9 c. Assessment of risk.

10 d. Evidence gathering.

11 e. Classification of reports.

12 f. Appeals of classifications.

13 g. Communication and involvement with the state
14 attorney.

15 h. Confidentiality of reports and access to
16 information.

17 i. Utilization of the child protection team of the
18 Department of Health.

19 j. Storage and maintenance of records and other
20 information.

21 3. Description of the transition of responsibility
22 that assures the integrity and continuity of protective
23 investigations.

24 4. Description of any necessary changes to department
25 rules.

26 (b) County sheriff's office or local police department
27 personnel assuming responsibility for conducting certain
28 components of protective investigations shall receive training
29 from the department relevant to child protective
30 investigations and services.

31

1 (c) The secretary of the department shall dispose of a
2 proposed agreement by approving or disapproving the agreement
3 between a district and the county sheriff's office or local
4 police department within 60 days after receipt. The secretary
5 may negotiate modifications within this 60-day period.

6 Section 12. Subsection (5) of section 415.503, Florida
7 Statutes, is amended to read:

8 415.503 Definitions of terms used in ss.
9 415.502-415.514.--As used in ss. 415.502-415.514:

10 (5) "Child protection team" means a team of
11 professionals established by the Department of Health to
12 receive referrals from the protective investigators and
13 protective supervision staff of the children, youth, and
14 families program and to provide specialized and supportive
15 services to the program in processing child abuse and neglect
16 cases. A child protection team shall provide consultation to
17 other programs of the department and other persons on child
18 abuse and neglect cases pursuant to s. 415.5055(1)(g).

19 Section 13. Section 415.5055, Florida Statutes, is
20 amended to read:

21 415.5055 Child protection teams; services; eligible
22 cases.--The Division of Children's Medical Services of the
23 Department of Health shall develop, maintain, and coordinate
24 the services of one or more multidisciplinary child protection
25 teams in each of the service districts of the Department of
26 Children and Family Services. Such teams may be composed of
27 representatives of appropriate health, mental health, social
28 service, legal service, and law enforcement agencies. The
29 Legislature finds that optimal coordination of child
30 protection teams and sexual abuse treatment programs requires
31 collaboration between the Department of Health and the

1 Department of Children and Family Services. The two
2 departments shall maintain an interagency agreement that
3 establishes protocols for oversight and operations of child
4 protection teams and sexual abuse treatment programs. The
5 Secretary of Health, ~~and~~ the Director of the Division of
6 Children's Medical Services, and the Director of the Division
7 of Family Health Services, in consultation with the Secretary
8 of Children and Family Services, shall maintain the
9 responsibility for the screening, employment, and, if
10 necessary, the termination of child protection team medical
11 directors, at headquarters and in the 15 districts. Child
12 protection team medical directors shall be responsible for
13 oversight of the teams in the districts.

14 (1) The Department of Health shall utilize and convene
15 the teams to supplement the assessment and protective
16 supervision activities of the children, ~~youth~~, and families
17 program of the Department of Children and Family Services.
18 Nothing in this section shall be construed to remove or reduce
19 the duty and responsibility of any person to report pursuant
20 to s. 415.504 all suspected or actual cases of child abuse or
21 neglect or sexual abuse of a child. The role of the teams
22 shall be to support activities of the program and to provide
23 services deemed by the teams to be necessary and appropriate
24 to abused and neglected children upon referral. The
25 specialized diagnostic assessment, evaluation, coordination,
26 consultation, and other supportive services that a child
27 protection team shall be capable of providing include, but are
28 not limited to, the following:

29 (a) Medical diagnosis and evaluation services,
30 including provision or interpretation of X rays and laboratory
31

1 tests, and related services, as needed, and documentation of
2 findings relative thereto.

3 (b) Telephone consultation services in emergencies and
4 in other situations.

5 (c) Medical evaluation related to abuse or neglect, as
6 defined by ~~department~~ policy or rule of the Department of
7 Health.

8 (d) Such psychological and psychiatric diagnosis and
9 evaluation services for the child or the child's parent or
10 parents, guardian or guardians, or other caregivers, or any
11 other individual involved in a child abuse or neglect case, as
12 the team may determine to be needed.

13 (e) Short-term psychological treatment. It is the
14 intent of the Legislature that short-term psychological
15 treatment be limited to no more than 6 months' duration after
16 treatment is initiated, except that the appropriate district
17 administrator may authorize such treatment for individual
18 children beyond this limitation if the administrator deems it
19 appropriate.

20 (f) Expert medical, psychological, and related
21 professional testimony in court cases.

22 (g) Case staffings to develop, implement, and monitor
23 treatment plans for children whose cases have been referred to
24 the team. A child protection team may provide consultation
25 with respect to a child who has not been referred to the team,
26 but who is alleged or is shown to be abused, which
27 consultation shall be provided at the request of a
28 representative of the children, ~~youth,~~ and families program or
29 at the request of any other professional involved with a child
30 or the child's parent or parents, guardian or guardians, or
31 other caregivers. In every such child protection team case

1 staffing, consultation, or staff activity involving a child, a
2 children, ~~youth~~, and families program representative shall
3 attend and participate.

4 (h) Case service coordination and assistance,
5 including the location of services available from other public
6 and private agencies in the community.

7 (i) Such training services for program and other
8 ~~department~~ employees of the Department of Children and Family
9 Services, and employees of the Department of Health, as is
10 deemed appropriate to enable them to develop and maintain
11 their professional skills and abilities in handling child
12 abuse and neglect cases.

13 (j) Educational and community awareness campaigns on
14 child abuse and neglect in an effort to enable citizens more
15 successfully to prevent, identify, and treat child abuse and
16 neglect in the community.

17 (2) The child abuse and neglect cases that are
18 appropriate for referral by the children, ~~youth~~, and families
19 program to child protection teams of the Department of Health
20 for support services as set forth in subsection (1) include,
21 but are not limited to, cases involving:

22 (a) Bruises, burns, or fractures in a child under the
23 age of 3 years or in a nonambulatory child of any age.

24 (b) Unexplained or implausibly explained bruises,
25 burns, fractures, or other injuries in a child of any age.

26 (c) Sexual abuse of a child in which vaginal or anal
27 penetration is alleged or in which other unlawful sexual
28 conduct has been determined to have occurred.

29 (d) Venereal disease, or any other sexually
30 transmitted disease, in a prepubescent child.

31

1 (e) Reported malnutrition of a child and failure of a
2 child to thrive.

3 (f) Reported medical, physical, or emotional neglect
4 of a child.

5 (g) Any family in which one or more children have been
6 pronounced dead on arrival at a hospital or other health care
7 facility, or have been injured and later died, as a result of
8 suspected abuse or neglect, when any sibling or other child
9 remains in the home.

10 (h) Symptoms of serious emotional problems in a child
11 when emotional or other abuse or neglect is suspected.

12 (3) All records and reports of the child protection
13 team are confidential and exempt from the provisions of ss.
14 119.07(1) and 455.667 ~~455.241~~, and shall not be disclosed,
15 except, upon request, to the state attorney, law enforcement,
16 the Department of Children and Family Services, the Department
17 of Health, and necessary professionals, in furtherance of the
18 treatment or additional evaluative needs of the child or by
19 order of the court.

20
21 In all instances in which a child protection team is providing
22 certain services to abused or neglected children, other
23 offices and units of the Department of Health, and offices and
24 units of the Department of Children and Family Services, shall
25 avoid duplicating the provision of those services.

26 Section 14. Subsection (2) of section 415.5095,
27 Florida Statutes, is amended to read:

28 415.5095 Intervention and treatment in sexual abuse
29 cases; model plan.--

30 (2) The Department of Health ~~Children and Family~~
31 ~~Services~~ shall develop a model plan for community intervention

1 and treatment of intrafamily sexual abuse in conjunction with
2 the Department of Children and Family Services, the Department
3 of Law Enforcement, the Department of Education, the Attorney
4 General, the state Guardian Ad Litem Program, the Department
5 of Corrections, representatives of the judiciary, and
6 professionals and advocates from the mental health and child
7 welfare community.

8 Section 15. Subsection (5) of section 415.51, Florida
9 Statutes, is amended to read:

10 415.51 Confidentiality of reports and records in cases
11 of child abuse or neglect.--

12 (5) All records and reports of the child protection
13 team of the Department of Health are confidential and exempt
14 from the provisions of ss. 119.07(1) and 455.667 ~~455.241~~, and
15 shall not be disclosed, except, upon request, to the state
16 attorney, law enforcement, the department, and necessary
17 professionals, in furtherance of the treatment or additional
18 evaluative needs of the child or by order of the court.

19 Section 16. Section 415.5075, Florida Statutes, is
20 hereby repealed.

21 Section 17. A memorandum of agreement shall be
22 developed between the Department of Children and Family
23 Services and the Department of Health that specifies how the
24 teams will work with child protective investigation and
25 service staff, requires joint oversight by the two departments
26 of the activities of the teams, and specifies how that
27 oversight will be implemented.

28 Section 18. This act shall take effect January 1,
29 1999.

30
31