

1                                   A bill to be entitled  
2           An act relating to health care assistance for  
3           children; amending s. 216.136, F.S.; requiring  
4           the Social Services Estimating Conference to  
5           develop certain information relating to the  
6           Florida Kidcare program; amending s. 409.8132,  
7           F.S.; deleting an inappropriate cross  
8           reference; revising eligibility requirements  
9           for the Medikids program component of the  
10          Florida Kidcare program; authorizing a  
11          mandatory assignment process under specified  
12          circumstances; deleting obsolete language;  
13          revising enrollment procedures; amending s.  
14          409.8134, F.S.; requiring agencies that  
15          administer Florida Kidcare components to  
16          collect certain information and report to the  
17          Social Services Estimating Conference; amending  
18          s. 409.814, F.S.; providing for  
19          Medicaid-presumptive eligibility; providing for  
20          expedited enrollment; requiring applicant  
21          notice of changes in eligibility; requiring  
22          certain actions relating to such transition;  
23          amending s. 409.815, F.S.; providing for dental  
24          benefits under the Florida Kidcare program,  
25          subject to a specific appropriation; amending  
26          s. 409.8177, F.S.; clarifying annual report  
27          requirements; requiring the Agency for Health  
28          Care Administration to submit additional  
29          monthly reports to the Governor and  
30          Legislature; amending s. 409.818, F.S.;  
31          providing for a more simple eligibility

1 redetermination process; amending s. 409.903,  
2 F.S.; providing for presumptive eligibility for  
3 children eligible for Medicaid; amending s.  
4 409.904, F.S.; revising the eligibility  
5 requirements for optional payments for medical  
6 assistance and related services for certain  
7 children; providing for presumptive  
8 eligibility; amending s. 391.025, F.S.;  
9 deleting a contractor exclusion from an  
10 exemption for the Children's Medical Services  
11 program from certain licensing requirements of  
12 the Insurance Code and the Department of  
13 Insurance; providing for application to  
14 existing contracts of the Florida Healthy Kids  
15 Corporation; requiring the Division of State  
16 Group Insurance of the Department of Management  
17 Services and the Florida Healthy Kids  
18 Corporation to study the feasibility of  
19 subsidizing health insurance coverage for  
20 children of certain state employees; specifying  
21 a study report due date; amending s. 402.27,  
22 F.S.; providing for assistance to families in  
23 evaluating summer recreation and day camp  
24 programs; amending s. 402.3015, F.S.;  
25 authorizing the Department of Children and  
26 Family Services to increase family income  
27 limits for certain eligibility for subsidized  
28 child care; providing that an eligible family  
29 shall be considered a needy family for federal  
30 Temporary Assistance for Needy Families  
31 funding, subject to appropriations; creating s.

1 402.3017, F.S.; establishing the Teacher  
2 Education and Compensation Helps (TEACH)  
3 scholarship program; authorizing the department  
4 to contract for administration of the program  
5 and to adopt rules; amending s. 402.302, F.S.;  
6 revising the definition of "large family child  
7 care home" to include certain children related  
8 to the caregiver; creating s. 402.3028, F.S.;  
9 providing procedures for referrals for  
10 developmental assessment of children in  
11 subsidized child care programs; creating s.  
12 402.3054, F.S.; defining "child enrichment  
13 service provider"; specifying requirements  
14 relating to parental consent, compensation, and  
15 background screening for such providers  
16 providing services in a child care facility;  
17 amending s. 402.305, F.S.; revising provisions  
18 of child care facilities' licensing standards  
19 relating to transportation safety; amending s.  
20 409.178, F.S.; removing a restriction on the  
21 use of child care purchasing pool funds, under  
22 the Child Care Executive Partnership Act;  
23 requiring a workgroup, and report therefrom, on  
24 health and safety in summer camp programs,  
25 contingent on specific appropriation; providing  
26 an effective date.

27  
28 Be It Enacted by the Legislature of the State of Florida:

29  
30 Section 1. Paragraph (a) of subsection (6) of section  
31 216.136, Florida Statutes, is amended to read:

1           216.136 Consensus estimating conferences; duties and  
2 principals.--

3           (6) SOCIAL SERVICES ESTIMATING CONFERENCE.--

4           (a) Duties.--

5           1. The Social Services Estimating Conference shall  
6 develop such official information relating to the social  
7 services system of the state, including forecasts of social  
8 services caseloads, as the conference determines is needed for  
9 the state planning and budgeting system. Such official  
10 information shall include, but not be limited to, subsidized  
11 child care caseloads mandated by the Family Support Act of  
12 1988.

13           2. In addition, the Social Services Estimating  
14 Conference shall develop estimates and forecasts of the  
15 unduplicated count of children eligible for subsidized child  
16 care as defined in s. 402.3015(1). These estimates and  
17 forecasts shall not include children enrolled in the  
18 prekindergarten early intervention program established in s.  
19 230.2305.

20           3. The Department of Children and Family Services and  
21 the Department of Education shall provide information on  
22 caseloads and waiting lists for the subsidized child care and  
23 prekindergarten early intervention programs requested by the  
24 Social Services Estimating Conference or individual conference  
25 principals, in a timely manner.

26           4. The Social Services Estimating Conference shall  
27 develop information relating to the Florida Kidcare program,  
28 including, but not limited to, outreach impacts, enrollment,  
29 caseload, utilization, and expenditure information that the  
30 conference determines is needed to plan for and project future  
31 budgets and the drawdown of federal matching funds. The

1 agencies required to collect and analyze Florida Kidcare  
2 program data under s. 409.8134 shall be participants in the  
3 Social Services Estimating Conference for purposes of  
4 developing information relating to the Florida Kidcare  
5 program.

6 Section 2. Subsections (4), (6), (7), and (8) of  
7 section 409.8312, Florida Statutes, are amended to read:

8 409.8132 Medikids program component.--

9 (4) APPLICABILITY OF LAWS RELATING TO MEDICAID.--The  
10 provisions of ss. 409.902, 409.905, 409.906, 409.907, 409.908,  
11 ~~409.910~~, 409.912, 409.9121, 409.9122, 409.9123, 409.9124,  
12 409.9127, 409.9128, 409.913, 409.916, 409.919, 409.920, and  
13 409.9205 apply to the administration of the Medikids program  
14 component of the Florida Kidcare program, except that s.  
15 409.9122 applies to Medikids as modified by the provisions of  
16 subsection (7).

17 (6) ELIGIBILITY.--

18 (a) A child who has attained the age of 1 year but who  
19 is under the age of 5 years is eligible to enroll in the  
20 Medikids program component of the Florida Kidcare program, if  
21 the child is a member of a family that has a family income  
22 which exceeds the Medicaid applicable income level as  
23 specified in s. 409.903, but which is equal to or below 200  
24 percent of the current federal poverty level. In determining  
25 the eligibility of such a child, an assets test is not  
26 required. A child who is eligible for Medikids may elect to  
27 enroll in Florida Healthy Kids coverage or employer-sponsored  
28 group coverage. However, a child who is eligible for Medikids  
29 may participate in the Florida Healthy Kids program only if  
30 the child has a sibling participating in the Florida Healthy  
31

1 Kids program and the child's county of residence permits such  
2 enrollment.

3 (b) The provisions of s. 409.814(3), (4), and (5)  
4 shall be applicable to the Medikids program.

5 (7) ENROLLMENT.--Enrollment in the Medikids program  
6 component may only occur during periodic open enrollment  
7 periods as specified by the agency. ~~During the first 12 months~~  
8 ~~of the program, there shall be at least one, but no more than~~  
9 ~~three, open enrollment periods. The initial open enrollment~~  
10 ~~period shall be for 90 days, and subsequent open enrollment~~  
11 ~~periods during the first year of operation of the program~~  
12 ~~shall be for 30 days. After the first year of the program, the~~  
13 ~~agency shall determine the frequency and duration of open~~  
14 ~~enrollment periods.~~An applicant may apply for enrollment in  
15 the Medikids program component and proceed through the  
16 eligibility determination process at any time throughout the  
17 year. However, enrollment in Medikids shall not begin until  
18 the next open enrollment period; and a child may not receive  
19 services under the Medikids program until the child is  
20 enrolled in a managed care plan or MediPass. In addition, once  
21 determined eligible, an applicant may receive choice  
22 counseling and select a managed care plan or MediPass. The  
23 agency may initiate mandatory assignment for a Medikids  
24 applicant who has not chosen a managed care plan or MediPass  
25 provider after the applicant's voluntary choice period ends.  
26 An applicant may select MediPass under the Medikids program  
27 component only in counties that have fewer than two managed  
28 care plans available to serve Medicaid recipients and only if  
29 the federal Health Care Financing Administration determines  
30 that MediPass constitutes "health insurance coverage" as  
31 defined in Title XXI of the Social Security Act.

1           (8) SPECIAL ENROLLMENT PERIODS.--The agency shall  
2 establish a special enrollment period of 30 days' duration ~~for~~  
3 ~~any newborn child who is eligible for Medikids, or for any~~  
4 child who is enrolled in Medicaid if such child loses Medicaid  
5 eligibility and becomes eligible for Medikids, or for any  
6 child who is enrolled in Medikids if such child moves to  
7 another county that is not within the coverage area of the  
8 child's Medikids managed care plan or MediPass provider.

9           Section 3. Subsection (3) of section 409.8134, Florida  
10 Statutes, is amended to read:

11           409.8134 Program enrollment and expenditure  
12 ceilings.--

13           (3) The agencies that administer the Florida Kidcare  
14 program components ~~agency~~ shall collect and analyze the data  
15 needed to project Florida Kidcare program enrollment,  
16 including outreach impacts, participation rates, caseloads,  
17 utilization, and expenditures. The agencies ~~agency~~ shall  
18 report the caseload and expenditure trends to the Social  
19 Services Estimating Conference in accordance with chapter 216.

20           Section 4. Section 409.814, Florida Statutes, is  
21 amended to read:

22           409.814 Eligibility.--A child whose family income is  
23 equal to or below 200 percent of the federal poverty level is  
24 eligible for the Florida Kidcare program as provided in this  
25 section. In determining the eligibility of such a child, an  
26 assets test is not required. An applicant under 19 years of  
27 age who, based on a complete application, appears to be  
28 eligible for the Medicaid component of the Florida Kidcare  
29 program is presumed eligible for coverage under Medicaid,  
30 subject to federal rules. A child who has been deemed  
31 presumptively eligible for Medicaid shall not be enrolled in a

1 managed care plan until the child's full eligibility  
2 determination for Medicaid has been completed. The Florida  
3 Healthy Kids Corporation may, subject to compliance with  
4 applicable requirements of the Agency for Health Care  
5 Administration and the Department of Children and Family  
6 Services, be designated as an entity to conduct presumptive  
7 eligibility determinations. An applicant under 19 years of age  
8 who, based on a complete application, appears to be eligible  
9 for the Medikids, Florida Healthy Kids, or Children's Medical  
10 Services network program component, who is screened as  
11 ineligible for Medicaid and prior to the monthly verification  
12 of the applicant's enrollment in Medicaid or of eligibility  
13 for coverage under the state employee health benefit plan, may  
14 be enrolled in and begin receiving coverage from the  
15 appropriate program component on the first day of the month  
16 following the receipt of a completed application. For  
17 enrollment in the Children's Medical Services network, a  
18 complete application includes the medical or behavioral health  
19 screening. If, after verification, an individual is determined  
20 to be ineligible for coverage, he or she must be disenrolled  
21 from the respective Title XXI-funded Kidcare program  
22 component.

23 (1) A child who is eligible for Medicaid coverage  
24 under s. 409.903 or s. 409.904 must be enrolled in Medicaid  
25 and is not eligible to receive health benefits under any other  
26 health benefits coverage authorized under ss. 409.810-409.820.

27 (2) A child who is not eligible for Medicaid, but who  
28 is eligible for the Florida Kidcare program, may obtain  
29 coverage under any of the other types of health benefits  
30 coverage authorized in ss. 409.810-409.820 if such coverage is  
31 approved and available in the county in which the child



1 resides. However, a child who is eligible for Medikids may  
2 participate in the Florida Healthy Kids program only if the  
3 child has a sibling participating in the Florida Healthy Kids  
4 program and the child's county of residence permits such  
5 enrollment.

6 (3) A child who is eligible for the Florida Kidcare  
7 program who is a child with special health care needs, as  
8 determined through a medical or behavioral screening  
9 ~~risk-screening~~ instrument, is eligible for health benefits  
10 coverage from and shall ~~may~~ be referred to the Children's  
11 Medical Services network.

12 (4) The following children are not eligible to receive  
13 premium assistance for health benefits coverage under ss.  
14 409.810-409.820, except under Medicaid if the child would have  
15 been eligible for Medicaid under s. 409.903 or s. 409.904 as  
16 of June 1, 1997:

17 (a) A child who is eligible for coverage under a state  
18 health benefit plan on the basis of a family member's  
19 employment with a public agency in the state.†

20 (b) A child who is covered under a group health  
21 benefit plan or under other health insurance coverage,  
22 excluding coverage provided under the Florida Healthy Kids  
23 Corporation as established under s. 624.91.†

24 (c) A child who is seeking premium assistance for  
25 employer-sponsored group coverage, if the child has been  
26 covered by the same employer's group coverage during the 6  
27 months prior to the family's submitting an application for  
28 determination of eligibility under the Florida Kidcare  
29 program.†

30 (d) A child who is an alien, but who does not meet the  
31 definition of qualified alien, in the United States.†~~or~~

1 (e) A child who is an inmate of a public institution  
2 or a patient in an institution for mental diseases.

3 (5) A child whose family income is above 200 percent  
4 of the federal poverty level or a child who is excluded under  
5 the provisions of subsection (4) may participate in the  
6 Florida Kidcare program, excluding the Medicaid program, but  
7 is subject to the following provisions:

8 (a) The family is not eligible for premium assistance  
9 payments and must pay the full cost of the premium, including  
10 any administrative costs.

11 (b) The agency is authorized to place limits on  
12 enrollment in Medikids by these children in order to avoid  
13 adverse selection. The number of children participating in  
14 Medikids whose family income exceeds 200 percent of the  
15 federal poverty level must not exceed 10 percent of total  
16 enrollees in the Medikids program.

17 (c) The board of directors of the Florida Healthy Kids  
18 Corporation is authorized to place limits on enrollment of  
19 these children in order to avoid adverse selection. In  
20 addition, the board is authorized to offer a reduced benefit  
21 package to these children in order to limit program costs for  
22 such families. The number of children participating in the  
23 Florida Healthy Kids program whose family income exceeds 200  
24 percent of the federal poverty level must not exceed 10  
25 percent of total enrollees in the Florida Healthy Kids  
26 program.

27 (d) Children described in this subsection are not  
28 counted in the annual enrollment ceiling for the Florida  
29 Kidcare program.

30 (6) Once a child is enrolled in ~~determined eligible~~  
31 ~~for~~ the Florida Kidcare program, the child is eligible for

1 coverage under the program for 6 months without a  
2 redetermination or reverification of eligibility, if the  
3 family continues to pay the applicable premium. Effective  
4 January 1, 1999, a child who has not attained the age of 5 and  
5 who has been determined eligible for the Medicaid program is  
6 eligible for coverage for 12 months without a redetermination  
7 or reverification of eligibility.

8 (7) When determining or reviewing a child's  
9 eligibility under the program, the applicant shall be provided  
10 with reasonable notice of changes in eligibility which may  
11 affect enrollment in one or more of the program components.  
12 When a transition from one program component to another is  
13 appropriate, there shall be cooperation between the program  
14 components and the affected family which promotes continuity  
15 of health care coverage.

16 Section 5. Paragraphs (q), (r), (s), (t), and (u) of  
17 subsection (2) of section 409.815, Florida Statutes, are  
18 renumbered as paragraphs (r), (s), (t), (u), and (v),  
19 respectively, and a new paragraph (q) is added to said section  
20 to read:

21 409.815 Health benefits coverage; limitations.--

22 (2) BENCHMARK BENEFITS.--In order for health benefits  
23 coverage to qualify for premium assistance payments for an  
24 eligible child under ss. 409.810-409.820, the health benefits  
25 coverage, except for coverage under Medicaid and Medikids,  
26 must include the following minimum benefits, as medically  
27 necessary.

28 (q) Dental services.--Subject to a specific  
29 appropriation for this benefit, covered services include those  
30 dental services provided to children by the Florida Medicaid  
31 program under s. 409.906(6).

1           Section 6. Section 409.8177, Florida Statutes, is  
2 amended to read:

3           409.8177 Program evaluation.--The agency, in  
4 consultation with the Department of Health, the Department of  
5 Children and Family Services, and the Florida Healthy Kids  
6 Corporation, shall by January 1 of each year submit to the  
7 Governor, the President of the Senate, and the Speaker of the  
8 House of Representatives ~~Legislature~~ a report of the Florida  
9 Kidcare program. In addition to the items specified under s.  
10 2108 of Title XXI of the Social Security Act, the report shall  
11 include an assessment of crowd-out and access to health care,  
12 as well as the following:

13           (1) An assessment of the operation of the program,  
14 including the progress made in reducing the number of  
15 uncovered low-income children.

16           (2) An assessment of the effectiveness in increasing  
17 the number of children with creditable health coverage,  
18 including an assessment of the impact of outreach.

19           (3) The characteristics of the children and families  
20 assisted under the program, including ages of the children,  
21 family income, and access to or coverage by other health  
22 insurance prior to the program and after disenrollment from  
23 the program.

24           (4) The quality of health coverage provided, including  
25 the types of benefits provided.

26           (5) The amount and level, including payment of part or  
27 all of any premium, of assistance provided.

28           (6) The average length of coverage of a child under  
29 the program.

30           (7) The program's choice of health benefits coverage  
31 and other methods used for providing child health assistance.

1           (8) The sources of nonfederal funding used in the  
2 program.

3           (9) An assessment of the effectiveness of Medikids,  
4 Children's Medical Services network, and other public and  
5 private programs in the state in increasing the availability  
6 of affordable quality health insurance and health care for  
7 children.

8           (10) A review and assessment of state activities to  
9 coordinate the program with other public and private programs.

10           (11) An analysis of changes and trends in the state  
11 that affect the provision of health insurance and health care  
12 to children.

13           (12) A description of any plans the state has for  
14 improving the availability of health insurance and health care  
15 for children.

16           (13) Recommendations for improving the program.

17           (14) Other studies as necessary.

18

19 The agency shall also submit each month to the Governor, the  
20 President of the Senate, and the Speaker of the House of  
21 Representatives a report of enrollment for each program  
22 component of the Florida Kidcare program.

23           Section 7. Paragraph (b) of subsection (1) of section  
24 409.818, Florida Statutes, is amended to read:

25           409.818 Administration.--In order to implement ss.  
26 409.810-409.820, the following agencies shall have the  
27 following duties:

28           (1) The Department of Children and Family Services  
29 shall:

30           (b) Establish and maintain the eligibility  
31 determination process under the program except as specified in

1 subsection (5). The department shall directly, or through the  
2 services of a contracted third-party administrator, establish  
3 and maintain a process for determining eligibility of children  
4 for coverage under the program. The eligibility determination  
5 process must be used solely for determining eligibility of  
6 applicants for health benefits coverage under the program. The  
7 eligibility determination process must include an initial  
8 determination of eligibility for any coverage offered under  
9 the program, as well as a redetermination or reverification of  
10 eligibility each subsequent 6 months. Effective January 1,  
11 1999, a child who has not attained the age of 5 and who has  
12 been determined eligible for the Medicaid program is eligible  
13 for coverage for 12 months without a redetermination or  
14 reverification of eligibility. In conducting an eligibility  
15 determination, the department shall determine if the child has  
16 special health care needs. The department, in consultation  
17 with the Agency for Health Care Administration and the Florida  
18 Healthy Kids Corporation, shall develop procedures for  
19 redetermining eligibility which enable a family to easily  
20 update any change in circumstances which could affect  
21 eligibility. The department may accept changes in a family's  
22 status as reported to the department by the Florida Healthy  
23 Kids Corporation without requiring a new application from the  
24 family. Redetermination of a child's eligibility for Medicaid  
25 may not be linked to a child's eligibility determination for  
26 other programs.

27 Section 8. Subsections (6) and (7) of section 409.903,  
28 Florida Statutes, are amended to read:

29 409.903 Mandatory payments for eligible persons.--The  
30 agency shall make payments for medical assistance and related  
31 services on behalf of the following persons who the agency

1 determines to be eligible, subject to the income, assets, and  
2 categorical eligibility tests set forth in federal and state  
3 law. Payment on behalf of these Medicaid eligible persons is  
4 subject to the availability of moneys and any limitations  
5 established by the General Appropriations Act or chapter 216.

6 (6) A child born after September 30, 1983, living in a  
7 family that has an income which is at or below 100 percent of  
8 the current federal poverty level, who has attained the age of  
9 6, but has not attained the age of 19. In determining the  
10 eligibility of such a child, an assets test is not required. A  
11 child who is eligible for Medicaid under this subsection must  
12 be offered the opportunity, subject to federal rules, to be  
13 made presumptively eligible. A child who has been deemed  
14 presumptively eligible for Medicaid shall not be enrolled in a  
15 managed care plan until the child's full eligibility  
16 determination for Medicaid has been completed.

17 (7) A child living in a family that has an income  
18 which is at or below 133 percent of the current federal  
19 poverty level, who has attained the age of 1, but has not  
20 attained the age of 6. In determining the eligibility of such  
21 a child, an assets test is not required. A child who is  
22 eligible for Medicaid under this subsection must be offered  
23 the opportunity, subject to federal rules, to be made  
24 presumptively eligible. A child who has been deemed  
25 presumptively eligible for Medicaid shall not be enrolled in a  
26 managed care plan until the child's full eligibility  
27 determination for Medicaid has been completed.

28 Section 9. Subsection (6) of section 409.904, Florida  
29 Statutes, is amended, and subsection (8) is added to said  
30 section, to read:

31

1           409.904 Optional payments for eligible persons.--The  
2 agency may make payments for medical assistance and related  
3 services on behalf of the following persons who are determined  
4 to be eligible subject to the income, assets, and categorical  
5 eligibility tests set forth in federal and state law. Payment  
6 on behalf of these Medicaid eligible persons is subject to the  
7 availability of moneys and any limitations established by the  
8 General Appropriations Act or chapter 216.

9           (6) A child born before October 1, 1983, living in a  
10 family that has an income which is at or below 100 percent of  
11 the current federal poverty level, who has attained the age of  
12 6, but has not attained the age of 19, and who would be  
13 eligible in s. 409.903(6), if the child had been born on or  
14 after such date. In determining the eligibility of such a  
15 child, an assets test is not required. A child who is eligible  
16 for Medicaid under this subsection must be offered the  
17 opportunity, subject to federal rules, to be made  
18 presumptively eligible. A child who has been deemed  
19 presumptively eligible for Medicaid shall not be enrolled in a  
20 managed care plan until the child's full eligibility  
21 determination for Medicaid has been completed.

22           (8) A child under 1 year of age who lives in a family  
23 that has an income above 185 percent of the most recently  
24 published federal poverty level, but which is at or below 200  
25 percent of such poverty level. In determining the eligibility  
26 of such child, an assets test is not required. A child who is  
27 eligible for Medicaid under this subsection must be offered  
28 the opportunity, subject to federal rules, to be made  
29 presumptively eligible.

30           Section 10. Subsection (3) of section 391.025, Florida  
31 Statutes, is amended to read:



1           391.025 Applicability and scope.--

2           (3) The Children's Medical Services program shall not  
3 be deemed an insurer and is not subject to the licensing  
4 requirements of the Florida Insurance Code or the rules of the  
5 Department of Insurance, when providing services to children  
6 who receive Medicaid benefits, other Medicaid-eligible  
7 children with special health care needs, and children  
8 participating in the Florida Kidcare program. ~~This exemption~~  
9 ~~shall not extend to contractors.~~

10           Section 11. The provisions of this act which would  
11 require changes to contracts in existence as of June 30, 2000,  
12 between the Florida Healthy Kids Corporation and contracted  
13 providers of such corporation shall be applied to such  
14 contracts upon renewal of the contracts, but not later than  
15 July 1, 2002.

16           Section 12. The Division of State Group Insurance of  
17 the Department of Management Services and the Florida Healthy  
18 Kids Corporation shall study the feasibility of providing a  
19 subsidy comparable to the subsidy available through the  
20 Florida Healthy Kids Corporation for health insurance coverage  
21 through the state employee health insurance program for  
22 children of state employees who meet the eligibility  
23 requirements for the Florida Healthy Kids program. The  
24 Division of State Group Insurance and the Florida Healthy Kids  
25 Corporation shall submit a report by January 1, 2001, to the  
26 Governor, the President of the Senate, and the Speaker of the  
27 House of Representatives with their recommendations as to  
28 whether such a subsidy should be provided through the state  
29 employee health insurance program and how a subsidy could be  
30 administered.

31

1           Section 13. Subsection (9) of section 402.27, Florida  
2 Statutes, is renumbered as subsection (10), and a new  
3 subsection (9) is added to said section to read:

4           402.27 Child care and early childhood resource and  
5 referral.--The Department of Children and Family Services  
6 shall establish a statewide child care resource and referral  
7 network. Preference shall be given to using the already  
8 established central agencies for subsidized child care as the  
9 child care resource and referral agency. If the agency cannot  
10 comply with the requirements to offer the resource information  
11 component or does not want to offer that service, the  
12 Department of Children and Family Services shall select the  
13 resource information agency based upon a request for proposal.  
14 At least one child care resource and referral agency must be  
15 established in each district of the department, but no more  
16 than one may be established in any county. Child care  
17 resource and referral agencies shall provide the following  
18 services:

19           (9) Assistance to families in identifying summer  
20 recreation camp and summer day camp programs and in evaluating  
21 the health and safety qualities of summer recreation camp and  
22 summer day camp programs and in evaluating the health and  
23 safety qualities of summer camp programs. Contingent upon  
24 specific appropriation, a checklist of important health and  
25 safety qualities that parents can use to choose their summer  
26 camp programs shall be developed and distributed in a manner  
27 that will reach parents interested in such programs for their  
28 children.

29           Section 14. Paragraph (c) of subsection (1) of section  
30 402.3015, Florida Statutes, is amended, and subsection (10) is  
31 added to said section, to read:

1           402.3015 Subsidized child care program; purpose; fees;  
2 contracts.--

3           (1) The purpose of the subsidized child care program  
4 is to provide quality child care to enhance the development,  
5 including language, cognitive, motor, social, and self-help  
6 skills of children who are at risk of abuse or neglect and  
7 children of low-income families, and to promote financial  
8 self-sufficiency and life skills for the families of these  
9 children, unless prohibited by federal law. Priority for  
10 participation in the subsidized child care program shall be  
11 accorded to children under 13 years of age who are:

12           (c) Children of working families whose family income  
13 is equal to or greater than 100 percent, but does not exceed  
14 150 percent, of the federal poverty level. The department may  
15 extend eligibility to children of working families who are  
16 currently in subsidized child care and whose family income  
17 does not exceed 200 percent of the federal poverty level; and

18           (10) A family that is eligible to participate in the  
19 subsidized child care program shall be considered a needy  
20 family for purposes of the program funded through the federal  
21 Temporary Assistance for Needy Families (TANF) block grant, to  
22 the extent permitted by appropriation of funds.

23           Section 15. Section 402.3017, Florida Statutes, is  
24 created to read:

25           402.3017 Teacher Education and Compensation Helps  
26 (TEACH) scholarship program.--

27           (1) The Legislature finds that the level of early  
28 child care teacher education and training is a key predictor  
29 for determining program quality. The Legislature also finds  
30 that low wages for child care workers prevent many from  
31 obtaining increased training and education and contribute to

1 high turnover rates. The Legislature therefore intends to  
2 help fund a program which links teacher training and education  
3 to compensation and commitment to the field of early childhood  
4 education.

5 (2) The Department of Children and Family Services is  
6 authorized to contract for the administration of the Teacher  
7 Education and Compensation Helps (TEACH) scholarship program,  
8 which provides educational scholarships to caregivers and  
9 administrators of early childhood programs, family day care  
10 homes, and large family child care homes.

11 (3) The department shall adopt rules as necessary to  
12 implement this section.

13 Section 16. Subsection (8) of section 402.302, Florida  
14 Statutes, is amended to read:

15 402.302 Definitions.--

16 (8) "Large family child care home" means an occupied  
17 residence in which child care is regularly provided for  
18 children from at least two unrelated families, which receives  
19 a payment, fee, or grant for any of the children receiving  
20 care, whether or not operated for profit, and which has at  
21 least two full-time child care personnel on the premises  
22 during the hours of operation. One of the two full-time child  
23 care personnel must be the owner or occupant of the residence.  
24 A large family child care home must first have operated as a  
25 licensed family day care home for 2 years, with an operator  
26 who has had a child development associate credential or its  
27 equivalent for 1 year, before seeking licensure as a large  
28 family child care home. A large family child care home shall  
29 be allowed to provide care for one of the following groups of  
30 children, which shall include those children under 13 ~~12~~ years  
31 of age who are related to the caregiver:

1 (a) A maximum of 8 children from birth to 24 months of  
2 age.

3 (b) A maximum of 12 children, with no more than 4  
4 children under 24 months of age.

5 Section 17. Section 402.3028, Florida Statutes, is  
6 created to read:

7 402.3028 Referral for assessment.--The Department of  
8 Children and Family Services, Department of Health, and  
9 Department of Education shall implement the following  
10 procedures for making referrals for Level III assessment  
11 pursuant to s. 402.3027:

12 (1) Children under 3 years of age who are in the  
13 subsidized child care program and are identified as needing a  
14 Level III developmental assessment pursuant to s. 402.3027  
15 shall be referred to the Early Intervention for Infants and  
16 Toddlers with Disabilities Program of the Department of  
17 Health, funded under the federal Individuals with Disabilities  
18 Education Act, Pub. L. No. 105-17, Part C. Assessments shall  
19 be completed within 45 days after the referral. If the Early  
20 Intervention for Infants and Toddlers with Disabilities  
21 Program is not available, referral may be made to a local  
22 community service provider.

23 (2) Children age 3 years through 5 years who are in  
24 the subsidized child care program and are identified as  
25 needing a Level III developmental assessment pursuant to s.  
26 402.3027 shall be referred to the appropriate program under  
27 the local school district or appropriate local service  
28 provider. It is the intent of the Legislature that these  
29 assessments be completed within 45 days because of the  
30 critical nature of child development at this age.

31

1           (3) Services to children with disabilities under this  
2 section shall be integrated and delivered with child care  
3 programs to the extent possible.

4           (4) Nothing in this section prohibits a subsidized  
5 child care program from referring a child to Medicaid or the  
6 Florida KidCare program to determine eligibility for services,  
7 or from making a referral to a child's primary health care  
8 provider.

9           Section 18. Section 402.3054, Florida Statutes, is  
10 created to read:

11           402.3054 Child enrichment service providers.--

12           (1) For the purposes of this section, "child  
13 enrichment service provider" means an individual who provides  
14 enrichment activities, such as language training, music  
15 instruction, educational instruction, and other experiences,  
16 to specific children during a specific time that is not part  
17 of the regular program in a child care facility.

18           (2) The child's parent shall provide written consent  
19 before a child may participate in activities conducted by a  
20 child enrichment service provider that are not part of the  
21 regular program of the child care facility. A child  
22 enrichment service provider receives compensation from the  
23 child's parent or from the child care facility and shall not  
24 be considered a volunteer or child care personnel.

25           (3) A child enrichment service provider shall be of  
26 good moral character based upon screening. This screening  
27 shall be conducted as provided in chapter 435, using the level  
28 2 standards for screening set forth in that chapter. A child  
29 enrichment service provider must meet the screening  
30 requirements prior to providing services to a child in a child  
31 care facility. A child enrichment service provider who has

1 met the screening standards shall not be required to be under  
2 the direct and constant supervision of child care personnel.

3 Section 19. Subsection (10) of section 402.305,  
4 Florida Statutes, is amended to read:

5 402.305 Licensing standards; child care facilities.--

6 (10) TRANSPORTATION SAFETY.--Minimum standards shall  
7 include requirements for child restraints or seat belts in  
8 vehicles used by child care facilities and large-family child  
9 care homes to transport children, requirements for annual  
10 inspections of the vehicles, ~~and~~ limitations on the number of  
11 children in the vehicles, and accountability for children  
12 being transported.

13 Section 20. Subsection (3) of section 409.178, Florida  
14 Statutes, is amended to read:

15 409.178 Child Care Executive Partnership Act; findings  
16 and intent; grant; limitation; rules.--

17 (3) There is created a body politic and corporate  
18 known as the Child Care Executive Partnership which shall  
19 establish and govern the Child Care Executive Partnership  
20 Program. The purpose of the Child Care Executive Partnership  
21 Program is to utilize state and federal funds as incentives  
22 for matching local funds derived from local governments,  
23 employers, charitable foundations, and other sources, so that  
24 Florida communities may create local flexible partnerships  
25 with employers. The Child Care Executive Partnership Program  
26 funds shall be used at the discretion of local communities to  
27 meet the needs of working parents. A child care purchasing  
28 pool shall be developed with the state, federal, and local  
29 funds to provide subsidies to low-income working parents who  
30 are eligible for subsidized child care with a  
31 dollar-for-dollar match from employers, local government, and

1 other matching contributions. The funds used from the child  
2 care purchasing pool must be used to supplement or extend the  
3 use of existing public or private funds ~~and may not be used to~~  
4 ~~supplant the maintenance of effort presently exerted by the~~  
5 ~~employer or other participant in the activity funded.~~

6       Section 21. Contingent upon specific appropriation,  
7 the statewide child care resource and referral network,  
8 pursuant to s. 402.27, Florida Statutes, shall convene a  
9 workgroup for the purpose of developing recommendations for  
10 improving the health and safety qualities of summer camp  
11 programs without over-regulation. One component of the  
12 workgroup's deliberation shall include examining the  
13 feasibility of requiring summer camp programs to register with  
14 the Department of Children and Family Services, to provide  
15 annual program information to the statewide child care  
16 resource and referral networks, or to publish their health and  
17 safety plans. The workgroup shall include representatives from  
18 summer camp program related associations, the Department of  
19 Children and Family Services, parents, and any other  
20 interested individuals or organizations identified by the  
21 statewide child care resource and referral network. All  
22 participants in this process shall attend the meetings at  
23 their own expense. A report of the recommendations shall be  
24 submitted to the Governor, the President of the Senate, and  
25 the Speaker of the House of Representatives by January 1,  
26 2001.

27       Section 22. This act shall take effect July 1, 2000.  
28  
29  
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31