

By the Committees on Fiscal Policy; Children and Families; and
Senator Cowin

309-2059B-00

1 A bill to be entitled
2 An act relating to child welfare; amending s.
3 20.19, F.S.; modifying the certification
4 program for family safety and preservation
5 employees and agents; amending s. 39.201, F.S.;
6 providing for the release of abuse hotlines
7 recordings to specified persons and entities;
8 providing circumstances in which an officer or
9 employee of the judicial branch is not required
10 to report child abuse, abandonment, or neglect;
11 revising procedures; amending s. 39.202, F.S.;
12 specifying persons to whom the names of persons
13 reporting child abuse, abandonment, or neglect
14 may be released; amending s. 39.205, F.S.;
15 exempting judges from prosecution for failure
16 to report; amending s. 39.301, F.S.; clarifying
17 provisions relating to initiation of protective
18 investigations and criminal investigations;
19 clarifying that the age of parents shall be
20 factored into risk assessments; providing
21 circumstances under which an injunction must be
22 sought; providing procedures; changing certain
23 time requirements; amending s. 39.303, F.S.;
24 revising provisions governing the composition,
25 qualifications, training, and duties of child
26 protection teams; prescribing circumstances
27 under which face-to-face medical evaluations
28 are necessary and procedures for determining
29 whether they are necessary; providing for
30 collaboration by agency quality assurance
31 programs; amending s. 39.304, F.S.; revising

1 provisions governing the use of photographs
2 taken by child protection teams; amending s.
3 39.3065, F.S.; directing that the sheriff of
4 Seminole County be awarded a grant; amending s.
5 39.401, F.S.; requiring documentation to the
6 court when a child is not placed with a
7 relative or other specified adult; amending s.
8 39.402, F.S.; providing for initial assessment
9 after a shelter hearing; amending s. 39.504,
10 F.S.; adding a condition for issuing an
11 injunction; amending s. 39.507, F.S.; revising
12 provisions governing the authority of courts to
13 provide for the child as adjudicated; amending
14 s. 383.011, F.S.; providing for a campaign to
15 help certain pregnant teenagers; amending s.
16 383.402, F.S.; deleting reference to the Kayla
17 McKean Child Protection Act; amending s.
18 383.402, F.S.; revising duties of local child
19 abuse death review committees and of district
20 child abuse death review coordinators; amending
21 s. 409.1671, F.S.; prescribing times when
22 summaries of investigations must be provided to
23 the community-based agency; amending s.
24 409.175, F.S.; requiring a plan for
25 streamlining foster parent training; requiring
26 that certain information be provided to
27 licensed foster homes; creating s. 409.1753,
28 F.S.; specifying duties of the Department of
29 Children and Family Services or its agents
30 regarding foster care; providing for dependency
31 court pilot programs; requiring a report;

1 prohibiting position-lapse adjustments for
2 certain positions; establishing a work group
3 within the Department of Children and Family
4 Services; providing duties; requiring reports;
5 repealing s. 1, ch. 99-168, Laws of Florida,
6 which provides the short title for the Kayla
7 McKean Child Protection Act; providing an
8 effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (4) of section 20.19, Florida
13 Statutes, is amended to read:

14 20.19 Department of Children and Family
15 Services.--There is created a Department of Children and
16 Family Services.

17 (4) CERTIFICATION PROGRAMS FOR DEPARTMENT
18 EMPLOYEES.--The department is authorized to create
19 certification programs for family safety and preservation
20 employees and agents to ensure that only qualified employees
21 and agents provide child protection services. The department
22 shall develop specific certification criteria related to
23 investigations involving children who have developmental
24 disabilities, emotional disturbances, or chronic medical
25 conditions or who are residing in residential treatment
26 facilities.The department is authorized to develop rules that
27 include qualifications for certification, including training
28 and testing requirements, continuing education requirements
29 for ongoing certification, and decertification procedures to
30 be used to determine when an individual no longer meets the
31

1 qualifications for certification and to implement the
2 decertification of an employee or agent.

3 Section 2. Subsections (2), (7), (8), and (9) of
4 section 39.201, Florida Statutes, are amended to read:

5 39.201 Mandatory reports of child abuse, abandonment,
6 or neglect; mandatory reports of death; central abuse
7 hotline.--

8 (2)(a) Each report of known or suspected child abuse,
9 abandonment, or neglect pursuant to this section, except those
10 solely under s. 827.04(3), shall be made immediately to the
11 department's central abuse hotline on the single statewide
12 toll-free telephone number, and, if the report is of an
13 instance of known or suspected child abuse by a noncaretaker,
14 the call shall be immediately electronically transferred to
15 the appropriate county sheriff's office by the central abuse
16 hotline. If the report is of an instance of known or
17 suspected child abuse involving impregnation of a child under
18 16 years of age by a person 21 years of age or older solely
19 under s. 827.04(3), the report shall be made immediately to
20 the appropriate county sheriff's office or other appropriate
21 law enforcement agency. If the report is of an instance of
22 known or suspected child abuse solely under s. 827.04(3), the
23 reporting provisions of this subsection do not apply to health
24 care professionals or other persons who provide medical or
25 counseling services to pregnant children when such reporting
26 would interfere with the provision of medical services.

27 (b) The department must consider valid and accept for
28 investigation any report received by the central abuse hotline
29 from a judge, teacher or other professional school official,
30 or physician, as specified in paragraph (1)(a), paragraph
31

1 (1)(d), or paragraph (1)(g), who is acting in his or her
2 professional capacity, alleging harm as defined in s. 39.01.

3 (c) Reporters in occupation categories designated in
4 subsection (1) are required to provide their names to the
5 hotline staff. The names of reporters shall be entered into
6 the record of the report, but shall be held confidential as
7 provided in s. 39.202.

8 (d) Reports involving known or suspected institutional
9 child abuse or neglect shall be made and received in the same
10 manner as all other reports made pursuant to this section.

11 (e) Reports involving a known or suspected juvenile
12 sexual offender shall be made and received by the department.

13 1. The department shall determine the age of the
14 alleged juvenile sexual offender if known.

15 2. When the alleged juvenile sexual offender is 12
16 years of age or younger, the department shall proceed with an
17 investigation of the report pursuant to this part, immediately
18 electronically transfer the call to the appropriate law
19 enforcement agency office by the central abuse hotline, and
20 send a written report of the allegation to the appropriate
21 county sheriff's office within 48 hours after the initial
22 report is made to the central abuse hotline.

23 3. When the alleged juvenile sexual offender is 13
24 years of age or older, the department shall immediately
25 electronically transfer the call to the appropriate county
26 sheriff's office by the central abuse hotline, and send a
27 written report to the appropriate county sheriff's office
28 within 48 hours after the initial report to the central abuse
29 hotline.

30 (f) Hotline counselors shall receive periodic training
31 in encouraging reporters to provide their names when reporting

1 abuse, abandonment, or neglect. Callers shall be advised of
2 the confidentiality provisions of s. 39.202. The department
3 shall secure and install electronic equipment that
4 automatically provides to the hotline the number from which
5 the call is placed. This number shall be entered into the
6 report of abuse, abandonment, or neglect and become a part of
7 the record of the report, but shall enjoy the same
8 confidentiality as provided to the identity of the caller
9 pursuant to s. 39.202.

10 (g) The department shall voice-record all incoming or
11 outgoing calls that are received or placed by the central
12 abuse hotline which relate to suspected or known child abuse,
13 neglect, or abandonment. The recording shall become a part of
14 the record of the report, but, notwithstanding s. 39.202,
15 shall be released in full to law enforcement agencies and
16 state attorneys for the purpose of investigating and
17 prosecuting criminal charges pursuant to s. 39.205 or to
18 employees of the department for the purpose of investigating
19 and seeking administrative penalties pursuant to s. 39.206 ~~is~~
20 ~~subject to the same confidentiality as is provided to the~~
21 ~~identity of the caller under s. 39.202.~~

22 (7) This section does not require a professional who
23 is hired by or enters into a contract with the department for
24 the purpose of treating or counseling any person, as a result
25 of a report of child abuse, abandonment, or neglect, to again
26 report to the central abuse hotline the abuse, abandonment, or
27 neglect that was the subject of the referral for treatment.
28 This section does not require an officer or employee of the
29 judicial branch to again provide notice of reasonable cause to
30 suspect child abuse, abandonment, or neglect when that child
31 is currently being investigated by the department, when there

1 is an existing dependency case, or when the matter has
2 previously been reported to the department, provided that
3 there is reasonable cause to believe that the information is
4 already known to the department. This subsection applies only
5 when the information has been provided to the officer or
6 employee in the course of his or her official duties.

7 (8) Nothing in this chapter or in the contracting with
8 community-based care providers for ~~privatization~~ of foster
9 care and related services as specified in s. 409.1671 shall be
10 construed to remove or reduce the duty and responsibility of
11 any person, including any employee of the community-based care
12 ~~privatization~~ provider, to report a suspected or actual case
13 of child abuse, abandonment, or neglect or the sexual abuse of
14 a child to the department's central abuse hotline.

15 (9) On an ongoing basis, the department's quality
16 assurance program shall review calls ~~reports~~ to the hotline
17 involving three or more unaccepted reports on a single child
18 in order to detect such things as harassment and situations
19 that warrant an investigation because of the frequency or
20 variety of the source of the reports. The assistant secretary
21 may refer a case for investigation when it is determined, as a
22 result of this review, that an investigation may be warranted.
23 The hotline shall document all calls for purposes of
24 administering this subsection when such calls relate
25 specifically to all definitions of harm under this chapter.

26 Section 3. Subsection (4) of section 39.202, Florida
27 Statutes, is amended to read:

28 39.202 Confidentiality of reports and records in cases
29 of child abuse or neglect.--

30 (4) The name of any person reporting child abuse,
31 abandonment, or neglect may not be released to any person

1 other than employees of the department responsible for child
2 protective services, the central abuse hotline, law
3 enforcement, the child protection team, or the appropriate
4 state attorney, without the written consent of the person
5 reporting. This does not prohibit the subpoenaing of a person
6 reporting child abuse, abandonment, or neglect when deemed
7 necessary by the court, the state attorney, or the department,
8 provided the fact that such person made the report is not
9 disclosed. Any person who reports a case of child abuse or
10 neglect may, at the time he or she makes the report, request
11 that the department notify him or her that a child protective
12 investigation occurred as a result of the report. Any person
13 specifically listed in s. 39.201(1) who makes a report in his
14 or her official capacity may also request a written summary of
15 the outcome of the investigation. The department shall mail
16 such a notice to the reporter within 10 days after completing
17 the child protective investigation.

18 Section 4. Subsection (1) of section 39.205, Florida
19 Statutes, is amended to read:

20 39.205 Penalties relating to reporting of child abuse,
21 abandonment, or neglect.--

22 (1) A person who is required to report known or
23 suspected child abuse, abandonment, or neglect and who
24 knowingly and willfully fails to do so, or who knowingly and
25 willfully prevents another person from doing so, is guilty of
26 a misdemeanor of the first degree, punishable as provided in
27 s. 775.082 or s. 775.083. A judge, subject to discipline
28 pursuant to s. 12 of Art. V of the State Constitution, shall
29 not be subject to criminal prosecution when the information
30 was received in the course of official duties.

31

1 Section 5. Subsection (2), paragraph (b) of subsection
2 (8), and subsections (12), (14), (17), and (18) of section
3 39.301, Florida Statutes, are amended to read:

4 39.301 Initiation of protective investigations.--

5 (2)(a) The department ~~Upon notification by the~~
6 ~~department's central abuse hotline under subsection (1), the~~
7 ~~designated child protective investigator shall immediately~~
8 ~~forward allegations of criminal conduct to the municipality or~~
9 ~~county~~ notify the appropriate law enforcement agency of the
10 county ~~in which the alleged conduct has known or suspected~~
11 ~~child abuse, abandonment, or neglect is believed to have~~
12 ~~occurred.~~

13 (b) As used in this subsection, the term "criminal
14 conduct" means:

15 1. A child is known or suspected to be the victim of
16 child abuse, as defined in s. 827.03, or of neglect of a
17 child, as defined in s. 827.03.

18 2. A child is known or suspected to have died as a
19 result of abuse or neglect.

20 3. A child is known or suspected to be the victim of
21 aggravated child abuse, as defined in s. 827.03.

22 4. A child is known or suspected to be the victim of
23 sexual battery, as defined in s. 827.071, or of sexual abuse,
24 as defined in s. 39.01.

25 5. A child is known or suspected to be the victim of
26 institutional child abuse or neglect, as defined in s. 39.01,
27 and as provided for in s. 39.302(1).

28
29 Upon receiving a written report of an allegation of criminal
30 conduct from the department ~~receipt of a report~~, the law
31 enforcement agency shall ~~must~~ review the information in the

1 written report to ~~and~~ determine whether a criminal
2 ~~investigation of the case is warranted.~~and, If the law
3 enforcement agency accepts the case for so, shall conduct the
4 criminal investigation that shall be coordinated, it shall
5 coordinate its investigative activities with the department
6 whenever feasible possible, with the child protective
7 investigation of the department or its agent. If the law
8 enforcement agency does not accept the case for criminal
9 investigation, the agency shall notify the department in
10 writing.

11 (c) The local law enforcement agreement required in s.
12 39.306 must describe the specific local protocols for
13 implementing this section.

14 (8) The person responsible for the investigation shall
15 make a preliminary determination as to whether the report is
16 complete, consulting with the attorney for the department when
17 necessary. In any case in which the person responsible for
18 the investigation finds that the report is incomplete, he or
19 she shall return it without delay to the person or agency
20 originating the report or having knowledge of the facts, or to
21 the appropriate law enforcement agency having investigative
22 jurisdiction, and request additional information in order to
23 complete the report; however, the confidentiality of any
24 report filed in accordance with this chapter shall not be
25 violated.

26 (b) If it is determined that the child is in need of
27 the protection and supervision of the court, the department
28 shall file a petition for dependency. A petition for
29 dependency shall be filed in all cases classified by the
30 department as high-risk. Factors that the department may
31 consider in determining whether a case is high-risk include,

1 but are not limited to, the young age of the cases, including,
2 but not limited to, cases involving parents or legal
3 custodians of a young age, the use of illegal drugs, or
4 domestic violence.

5 (12)(a) If the child protective investigator
6 determines that the child can be maintained safely in the
7 child's own home only after injunctive relief has been granted
8 pursuant to s. 39.504, the investigator must file a request
9 for injunction and shall determine whether a parent or legal
10 custodian is available, willing, and capable of removing the
11 child from the home temporarily while the injunctive relief is
12 sought.

13 (a) If a parent or legal custodian is available,
14 willing, and capable of removing the child from the home
15 temporarily while injunctive relief is sought and the parent
16 or legal custodian provides the child protective investigator
17 with a safety plan developed with the assistance of the child
18 protective investigator, the child shall be left in the
19 custody of the parent or legal custodian as long as the safety
20 plan is followed. In cases in which domestic violence is
21 occurring in the household, the protective investigator shall
22 request assistance from the local certified domestic violence
23 center in developing the safety plan.

24 (b) If a parent or legal custodian is not available,
25 willing, and capable of removing the child from the home
26 temporarily while injunctive relief is sought, if the parent
27 or legal custodian is unable or unwilling to provide the child
28 protective investigator with a safety plan, if the child
29 protective investigator is unwilling to approve the safety
30 plan provided by the parent or legal custodian, or if the
31 parent or legal custodian fails to follow the approved safety

1 plan, the child shall be taken into protective custody while
2 injunctive relief is sought pursuant to s. 39.504.

3 (c) If the department or its agent determines that a
4 child requires immediate or long-term protection through:

- 5 1. Medical or other health care; or
6 2. Homemaker care, day care, protective supervision,
7 or other services to stabilize the home environment, including
8 intensive family preservation services through the Family
9 Builders Program or the Intensive Crisis Counseling Program,
10 or both,

11
12 such services shall first be offered for voluntary acceptance
13 unless there are high-risk factors that may impact the ability
14 of the parents or legal custodians to exercise judgment. Such
15 factors may include the parents' or legal custodians' young
16 age or history of substance abuse or domestic violence.

17 (d)~~(b)~~ The parents or legal custodians shall be
18 informed of the right to refuse services, as well as the
19 responsibility of the department to protect the child
20 regardless of the acceptance or refusal of services. If the
21 services are refused and the department deems that the child's
22 need for protection so requires, the department shall take the
23 child into protective custody or petition the court as
24 provided in this chapter.

25 (e)~~(c)~~ The department, in consultation with the
26 judiciary, shall adopt by rule criteria that are factors
27 requiring that the department take the child into custody,
28 petition the court as provided in this chapter, or, if the
29 child is not taken into custody or a petition is not filed
30 with the court, conduct an administrative review. If after an
31 administrative review the department determines not to take

1 the child into custody or petition the court, the department
2 shall document the reason for its decision in writing and
3 include it in the investigative file. For all cases that were
4 accepted by the local law enforcement agency for criminal
5 investigation pursuant to subsection (2), the department must
6 include in the file written documentation that the
7 administrative review included input from law enforcement. In
8 addition, for all cases that must be referred to child
9 protection teams pursuant to s. 39.303(2) and (3), the file
10 must include written documentation that the administrative
11 review included the results of the team's evaluation ~~medical~~
12 ~~evaluation~~. Factors that must be included in the development
13 of the rule include noncompliance with the case plan developed
14 by the department, or its agent, and the family under this
15 chapter and prior abuse reports with findings that involve the
16 child or caregiver.

17 (14) No later than 60 ~~30~~ days after receiving the
18 initial report, the local office of the department shall
19 complete its investigation.

20 (17) When a law enforcement agency conducts a criminal
21 investigation into allegations of child abuse, neglect, or
22 abandonment, photographs documenting the abuse or neglect will
23 be taken when appropriate. ~~is participating in an~~
24 ~~investigation, the agency shall take photographs of the~~
25 ~~child's living environment. Such photographs shall become part~~
26 ~~of the investigative file.~~

27 (18) Within 15 days after the case is ~~completion of~~
28 ~~the investigation of cases~~ reported to him or her pursuant to
29 this chapter, the state attorney shall report his or her
30 findings to the department and shall include in such report a
31

1 determination of whether or not prosecution is justified and
2 appropriate in view of the circumstances of the specific case.

3 Section 6. Section 39.303, Florida Statutes, is
4 amended to read:

5 39.303 Child protection teams; services; eligible
6 cases.--The Department of Health shall develop, maintain, and
7 coordinate the services of one or more multidisciplinary child
8 protection teams in each of the service districts of the
9 Department of Children and Family Services. Such teams may be
10 composed of appropriate representatives of school districts
11 and appropriate health, mental health, social service, legal
12 service, and law enforcement agencies. The Legislature finds
13 that optimal coordination of child protection teams and sexual
14 abuse treatment programs requires collaboration between the
15 Department of Health and the Department of Children and Family
16 Services. The two departments shall maintain an interagency
17 agreement that establishes protocols for oversight and
18 operations of child protection teams and sexual abuse
19 treatment programs. The Secretary of Health and the Deputy
20 Secretary for ~~director of~~ Children's Medical Services, in
21 consultation with the Secretary of Children and Family
22 Services, shall maintain the responsibility for the screening,
23 employment, and, if necessary, the termination of child
24 protection team medical directors, at headquarters and in the
25 15 districts. Child protection team medical directors shall be
26 responsible for oversight of the teams in the districts.

27 (1) The Department of Health shall utilize and convene
28 the teams to supplement the assessment and protective
29 supervision activities of the family safety and preservation
30 program of the Department of Children and Family Services.
31 Nothing in this section shall be construed to remove or reduce

1 the duty and responsibility of any person to report pursuant
2 to this chapter all suspected or actual cases of child abuse,
3 abandonment, or neglect or sexual abuse of a child. The role
4 of the teams shall be to support activities of the program and
5 to provide services deemed by the teams to be necessary and
6 appropriate to abused, abandoned, and neglected children upon
7 referral. The specialized diagnostic assessment, evaluation,
8 coordination, consultation, and other supportive services that
9 a child protection team shall be capable of providing include,
10 but are not limited to, the following:

11 (a) Medical diagnosis and evaluation services,
12 including provision or interpretation of X rays and laboratory
13 tests, and related services, as needed, and documentation of
14 findings relative thereto.

15 (b) Telephone consultation services in emergencies and
16 in other situations.

17 (c) Medical evaluation related to abuse, abandonment,
18 or neglect, as defined by policy or rule of the Department of
19 Health.

20 (d) Such psychological and psychiatric diagnosis and
21 evaluation services for the child or the child's parent or
22 parents, legal custodian or custodians, or other caregivers,
23 or any other individual involved in a child abuse,
24 abandonment, or neglect case, as the team may determine to be
25 needed.

26 (e) Expert medical, psychological, and related
27 professional testimony in court cases.

28 (f) Case staffings to develop treatment plans for
29 children whose cases have been referred to the team. A child
30 protection team may provide consultation with respect to a
31 child who is alleged or is shown to be abused, abandoned, or

1 neglected, which consultation shall be provided at the request
2 of a representative of the family safety and preservation
3 program or at the request of any other professional involved
4 with a child or the child's parent or parents, legal custodian
5 or custodians, or other caregivers. In every such child
6 protection team case staffing, consultation, or staff activity
7 involving a child, a family safety and preservation program
8 representative shall attend and participate.

9 (g) Case service coordination and assistance,
10 including the location of services available from other public
11 and private agencies in the community.

12 (h) Such training services for program and other
13 employees of the Department of Children and Family Services,
14 employees of the Department of Health, and other medical
15 professionals as is deemed appropriate to enable them to
16 develop and maintain their professional skills and abilities
17 in handling child abuse, abandonment, and neglect cases.

18 (i) Educational and community awareness campaigns on
19 child abuse, abandonment, and neglect in an effort to enable
20 citizens more successfully to prevent, identify, and treat
21 child abuse, abandonment, and neglect in the community.

22 (j) Child protection team assessments that include, as
23 appropriate, a medical evaluation, medical consultation,
24 family psychosocial interview, specialized clinical interview,
25 or forensic interview.

26
27 All medical personnel participating on a child protection team
28 must successfully complete the required child protection team
29 training curriculum as set forth in protocols determined by
30 the Deputy Secretary for Children's Medical Services and the
31 Statewide Medical Director for Child Protection Teams.

1 (2) The child abuse, abandonment, and neglect reports
2 that must be referred by the Department of Children and Family
3 Services to child protection teams of the Department of Health
4 for an assessment ~~medical evaluation~~ and other appropriate
5 available support services as set forth in subsection (1) must
6 include cases involving:

7 (a) Injuries to the head,bruises to the neck or head,
8 burns, or fractures in a child of any age.

9 (b) Bruises anywhere on a child 5 years of age or
10 under.

11 (c)~~(b)~~ Sexual abuse of a child in which vaginal or
12 anal penetration is alleged or in which other unlawful sexual
13 conduct has been determined to have occurred.

14 ~~(d)(c)~~ Venereal disease, or Any other sexually
15 transmitted disease, in a prepubescent child.

16 ~~(e)(d)~~ Reported malnutrition of a child and failure of
17 a child to thrive.

18 ~~(f)(e)~~ Reported medical or,physical, ~~or emotional~~
19 neglect of a child.

20 ~~(g)(f)~~ Any family in which one or more children have
21 been pronounced dead on arrival at a hospital or other health
22 care facility, or have been injured and later died, as a
23 result of suspected abuse, abandonment, or neglect, when any
24 sibling or other child remains in the home.

25 ~~(h)(g)~~ Symptoms of serious emotional problems in a
26 child when emotional or other abuse, abandonment, or neglect
27 is suspected.

28 ~~(h)~~ ~~Injuries to a child's head.~~

29 (3) All abuse and neglect cases transmitted for
30 investigation to a district by the hotline must be
31 simultaneously transmitted to the Department of Health child

1 protection team for review. For the purpose of determining
2 whether face-to-face medical evaluation of a child by a child
3 protection team is necessary,all cases transmitted to the
4 child protection team which meet the criteria in subsection
5 (2) must be timely reviewed by:

6 (a) A physician licensed under chapter 458 or chapter
7 459 who holds board certification in pediatrics and is a
8 member of a child protection team;

9 (b) A physician who is licensed under chapter 458 or
10 chapter 459 who holds board certification in a specialty other
11 than pediatrics who may complete the review only when working
12 under the direction of a physician licensed under chapter 458
13 or chapter 459 who holds board certification in pediatrics and
14 is a member of a child protection team;

15 (c) An advanced registered nurse practitioner licensed
16 under chapter 464 who has a specialty in pediatrics and is a
17 member of the child protection team;

18 (d) A physician assistant licensed under chapter 458
19 or chapter 459, who may complete the review only when working
20 under the supervision of a physician licensed under chapter
21 458 or chapter 459 who holds board certification in pediatrics
22 and is a member of a child protection team; or

23 (e) A registered nurse licensed under chapter 464, who
24 may complete the review only when working under the direct
25 supervision of a physician licensed under chapter 458 or
26 chapter 459 who holds board certification in pediatrics and is
27 a member of a child protection team.~~a board-certified~~
28 ~~pediatrician or registered nurse practitioner under the~~
29 ~~supervision of such pediatrician for the purpose of~~
30 ~~determining whether a face-to-face medical evaluation by a~~
31 ~~child protection team is necessary.~~

1 (4) ~~A~~ Such face-to-face medical evaluation by a child
2 protection team is not necessary when:~~only if it is~~
3 ~~determined that~~

4 (a) The child was examined by a
5 ~~non-child-protection-team~~ physician for the alleged abuse or
6 neglect, and a consultation between the examining physician
7 and the child protection team board-certified pediatrician,
8 advanced registered ~~or~~ nurse practitioner, physician assistant
9 working under the supervision of a child protection team
10 board-certified pediatrician, or a registered nurse working
11 under the direct supervision of a child protection team
12 board-certified pediatrician ~~and the examining physician~~
13 concludes that a further medical evaluation is unnecessary;
14 ~~or-~~

15 (b)1. The child protective investigator, with
16 supervisory approval has concluded after conducting a child
17 safety assessment, that there are no findings of any of the
18 injuries described in paragraphs (2)(a)-(h) and that there is
19 no history in the child's household of substance abuse,
20 domestic violence, prior reports containing indications or
21 verified findings, prior reports that included a child
22 protection team referral that the family did not keep, or
23 previous law enforcement involvement; and

24 2. The child protection team board-certified
25 pEDIatrician determines, after reviewing the child safety
26 assessment form, that a medical evaluation is not required.

27
28 For any child for whom one of the injuries described in
29 paragraphs (2)(a)-(h) has been alleged, the child safety
30 assessment and supervisory approval must be completed within
31 72 hours after receipt of the report and a copy must then be

1 provided to the child protection team within 24 hours.

2 Notwithstanding paragraphs (a) and (b), a child protection
3 team pediatrician or advanced registered nurse practitioner as
4 authorized in subsection (3) may determine that a face-to-face
5 medical evaluation is necessary.

6 (5)(4) In all instances in which a child protection
7 team is providing certain services to abused, abandoned, or
8 neglected children, other offices and units of the Department
9 of Health, and offices and units of the Department of Children
10 and Family Services, shall avoid duplicating the provision of
11 those services.

12 (6) The child protection team quality assurance
13 program of the Department of Health and the quality assurance
14 program of the Family Safety Program Office of the Department
15 of Children and Family Services shall collaborate to ensure
16 that referrals and responses to child abuse and neglect
17 reports are appropriate. Each quality assurance program shall
18 include a review of records in which there are no findings of
19 abuse or neglect, and the findings of these reviews shall be
20 included in each department's quality assurance reports.

21 Section 7. Subsection (1) of section 39.304, Florida
22 Statutes, is amended to read:

23 39.304 Photographs, medical examinations, X rays, and
24 medical treatment of abused, abandoned, or neglected child.--

25 (1)(a) Any person required to investigate cases of
26 suspected child abuse, abandonment, or neglect may take or
27 cause to be taken photographs of the areas of trauma visible
28 on a child who is the subject of a report. Any child
29 protection team that examines a child who is the subject of a
30 report must take, or cause to be taken, photographs of any
31 areas of trauma visible on the child. ~~Such~~ Photographs of

1 physical abuse injuries, or duplicates thereof, shall be
2 provided to the department for inclusion in the investigative
3 file and shall become part of that file. Photographs of sexual
4 abuse trauma which are taken must be made part of the child
5 protection team medical record only.

6 (b) If the areas of trauma visible on a child indicate
7 a need for a medical examination, or if the child verbally
8 complains or otherwise exhibits distress as a result of injury
9 through suspected child abuse, abandonment, or neglect, or is
10 alleged to have been sexually abused, the person required to
11 investigate may cause the child to be referred for diagnosis
12 to a licensed physician or an emergency department in a
13 hospital without the consent of the child's parents or legal
14 custodian. Such examination may be performed by any licensed
15 physician or an advanced registered nurse practitioner
16 licensed pursuant to chapter 464. Any licensed physician, or
17 advanced registered nurse practitioner licensed pursuant to
18 chapter 464, who has reasonable cause to suspect that an
19 injury was the result of child abuse, abandonment, or neglect
20 may authorize a radiological examination to be performed on
21 the child without the consent of the child's parent or legal
22 custodian.

23 Section 8. Section 39.3065, Florida Statutes, is
24 amended to read:

25 39.3065 Sheriffs of ~~Pasco, Manatee, and Pinellas~~
26 ~~Counties~~ to provide child protective investigative services;
27 procedures; funding.--

28 (1) As described in this section, the Department of
29 Children and Family Services shall, by the end of fiscal year
30 1999-2000, transfer all responsibility for child protective
31 investigations for Pinellas County, Manatee County, and Pasco

1 County to the sheriff of that county in which the child abuse,
2 neglect, or abandonment is alleged to have occurred. Each
3 sheriff is responsible for the provision of all child
4 protective investigations in his or her county. Each
5 individual who provides these services must complete the
6 training provided to and required of protective investigators
7 employed by the Department of Children and Family Services.
8 (2) During fiscal year 1998-1999, the Department of
9 Children and Family Services and each sheriff's office shall
10 enter into a contract for the provision of these services.
11 Funding for the services will be appropriated to the
12 Department of Children and Family Services, and the department
13 shall transfer to the respective sheriffs for the duration of
14 fiscal year 1998-1999, funding for the investigative
15 responsibilities assumed by the sheriffs, including federal
16 funds that the provider is eligible for and agrees to earn and
17 that portion of general revenue funds which is currently
18 associated with the services that are being furnished under
19 contract, and including, but not limited to, funding for all
20 investigative, supervisory, and clerical positions; training;
21 all associated equipment; furnishings; and other fixed capital
22 items. The contract must specify whether the department will
23 continue to perform part or none of the child protective
24 investigations during the initial year. The sheriffs may
25 either conduct the investigations themselves or may, in turn,
26 subcontract with law enforcement officials or with properly
27 trained employees of private agencies to conduct
28 investigations related to neglect cases only. If such a
29 subcontract is awarded, the sheriff must take full
30 responsibility for any safety decision made by the
31 subcontractor and must immediately respond with law

1 enforcement staff to any situation that requires removal of a
2 child due to a condition that poses an immediate threat to the
3 child's life. The contract must specify whether the services
4 are to be performed by departmental employees or by persons
5 determined by the sheriff. During this initial year, the
6 department is responsible for quality assurance, and the
7 department retains the responsibility for the performance of
8 all child protective investigations. The department must
9 identify any barriers to transferring the entire
10 responsibility for child protective services to the sheriffs'
11 offices and must pursue avenues for removing any such barriers
12 by means including, but not limited to, applying for federal
13 waivers. By January 15, 1999, the department shall submit to
14 the President of the Senate, the Speaker of the House of
15 Representatives, and the chairs of the Senate and House
16 committees that oversee departmental activities a report that
17 describes any remaining barriers, including any that pertain
18 to funding and related administrative issues. Unless the
19 Legislature, on the basis of that report or other pertinent
20 information, acts to block a transfer of the entire
21 responsibility for child protective investigations to the
22 sheriffs' offices, the sheriffs of Pasco County, Manatee
23 County, and Pinellas County, beginning in fiscal year
24 1999-2000, shall assume the entire responsibility for such
25 services, as provided in subsection (3).

26 (3)(a) Beginning in fiscal year 1999-2000, the
27 sheriffs of Pasco County, Manatee County, and Pinellas County
28 have the responsibility to provide all child protective
29 investigations in their respective counties. Beginning in
30 fiscal year 2000-2001, the Department of Children and Family
31 Services shall enter into a grant agreement with the sheriff

1 of Seminole County to perform child protective investigations
2 in Seminole County, subject to a specific appropriation.

3 (b) The sheriffs of Pasco County, Manatee County, and
4 Pinellas County shall operate, at a minimum, in accordance
5 with the performance standards established by the Legislature
6 for protective investigations conducted by the Department of
7 Children and Family Services.

8 (c) Funds for providing child protective
9 investigations in Pasco County, Manatee County, and Pinellas
10 County must be identified in the annual appropriation made to
11 the Department of Children and Family Services, which shall
12 award grants for the full amount identified to the respective
13 sheriffs' offices. Funds for the child protective
14 investigations may not be integrated into the sheriffs'
15 regular budgets. Budgetary data and other data relating to the
16 performance of child protective investigations must be
17 maintained separately from all other records of the sheriffs'
18 offices.

19 (d) Program performance evaluation shall be based on
20 criteria mutually agreed upon by the respective sheriffs and a
21 committee of seven persons appointed by the Governor and
22 selected from those persons serving on the Department of
23 Children and Family Services District 5 Health and Human
24 Services Board and District 6 Health and Human Services Board.
25 Two of the Governor's appointees must be residents of Pasco
26 County, two of the Governor's appointees must be residents of
27 Manatee County, and two of the Governor's appointees must be
28 residents of Pinellas County. Such appointees shall serve at
29 the pleasure of the Governor. The individuals appointed must
30 have demonstrated experience in outcome evaluation, social
31 service areas of protective investigation, or child welfare

1 supervision. The committee shall submit an annual report
2 regarding quality performance, outcome-measure attainment, and
3 cost efficiency to the President of the Senate, the Speaker of
4 the House of Representatives, and to the Governor no later
5 than January 31 of each year the sheriffs are receiving
6 general appropriations to provide child protective
7 investigations.

8 (4) For the 1999-2000 fiscal year only, the Sheriff of
9 Broward County shall perform the same child protective
10 investigative services according to the same standards as are
11 performed by the sheriffs of Pinellas County, Manatee County,
12 and Pasco County under this section. This subsection expires
13 July 1, 2000.

14 Section 9. Subsection (3) of section 39.401, Florida
15 Statutes, is amended to read:

16 39.401 Taking a child alleged to be dependent into
17 custody; law enforcement officers and authorized agents of the
18 department.--

19 (3) If the child is taken into custody by, or is
20 delivered to, an authorized agent of the department, the
21 authorized agent shall review the facts supporting the removal
22 with an attorney representing the department. The purpose of
23 this review shall be to determine whether probable cause
24 exists for the filing of a shelter petition. If the facts are
25 not sufficient to support the filing of a shelter petition,
26 the child shall immediately be returned to the custody of the
27 parent or legal custodian. If the facts are sufficient to
28 support the filing of the shelter petition and the child has
29 not been returned to the custody of the parent or legal
30 custodian, the department shall file the petition and schedule
31 a hearing, and the attorney representing the department shall

1 request that a shelter hearing be held as quickly as possible,
2 not to exceed 24 hours after the removal of the child. While
3 awaiting the shelter hearing, the authorized agent of the
4 department may place the child in licensed shelter care or may
5 release the child to a parent or legal custodian or
6 responsible adult relative who shall be given priority
7 consideration over a licensed placement, or a responsible
8 adult approved by the department when this is in the best
9 interests of the child. If the child is not placed with a
10 parent or legal custodian or responsible adult relative, the
11 reasons must be specified in writing and provided to the
12 court. Any placement of a child which is not in a licensed
13 shelter must be preceded by a local and state criminal records
14 check, as well as a search of the department's automated abuse
15 information system, on all members of the household, to assess
16 the child's safety within the home. In addition, the
17 department may authorize placement of a housekeeper/homemaker
18 in the home of a child alleged to be dependent until the
19 parent or legal custodian assumes care of the child.

20 Section 10. Subsection (16) is added to section
21 39.402, Florida Statutes, to read:

22 39.402 Placement in a shelter.--

23 (16) If a child is placed in a shelter pursuant to a
24 court order following a shelter hearing, the department shall
25 provide or cause to be provided an assessment of the child's
26 strengths and needs, and shall use the results of the
27 assessment to develop an initial case plan for the child, to
28 determine the child's ongoing placement, and to arrange for
29 services for the child and for support for the child's
30 caregiver. The initial case plan must be discussed with and
31 provided to the child's foster parent or other caregiver. In

1 each district, the department shall assess the feasibility of
2 deploying its child protective investigators in a manner that
3 focuses a portion of that workforce on the initial response to
4 a report, including the initial determination of risk through
5 the shelter hearing, if one is held, and that focuses another
6 portion of that workforce on the ongoing work of the
7 investigation which occurs after the shelter hearing.

8 Section 11. Paragraph (a) of subsection (1) of section
9 39.504, Florida Statutes, is amended to read:

10 39.504 Injunction pending disposition of petition;
11 penalty.--

12 (1)(a) When a petition for shelter placement or a
13 petition for dependency has been filed, or when a child
14 protective investigator has determined that a child can remain
15 safely in the child's own home only after injunctive relief
16 has been granted, or when a child has been taken into custody
17 and reasonable cause, as defined in paragraph (b), exists, the
18 court, upon the request of the department, a law enforcement
19 officer, the state attorney, or other responsible person, or
20 upon its own motion, shall have the authority to issue an
21 injunction to prevent any act of child abuse or any unlawful
22 sexual offense involving a child.

23 Section 12. Subsection (6) of section 39.507, Florida
24 Statutes, is amended to read:

25 39.507 Adjudicatory hearings; orders of
26 adjudication.--

27 (6) If the court finds that the child named in a
28 petition is dependent, but chooses not to withhold
29 adjudication or is prohibited from withholding adjudication,
30 it shall incorporate that finding in an order of adjudication
31 entered in the case, briefly stating the facts upon which the

1 finding is made, and the court shall thereafter have full
2 authority under this chapter to provide for the child as
3 adjudicated until the child reaches 18 years of age, unless
4 the court, in its discretion, relinquishes jurisdiction upon
5 its own order whether or not the child is under the
6 supervision of the Department of Children and Family Services.

7 Section 13. Paragraph (e) of subsection (1) of section
8 383.011, Florida Statutes, is amended to read:

9 383.011 Administration of maternal and child health
10 programs.--

11 (1) The Department of Health is designated as the
12 state agency for:

13 (e) The department shall establish in each county
14 health department a Healthy Start Care Coordination Program in
15 which a care coordinator is responsible for receiving
16 screening reports and risk assessment reports from the Office
17 of Vital Statistics; conducting assessments as part of a
18 multidisciplinary team, where appropriate; providing technical
19 assistance to the district prenatal and infant care
20 coalitions; directing family outreach efforts; and
21 coordinating the provision of services within and outside the
22 department using the plan developed by the coalition. The care
23 coordination process must include, at a minimum, family
24 outreach workers and health paraprofessionals who will assist
25 in providing the following enhanced services to pregnant
26 women, infants, and their families that are determined to be
27 at potential risk by the department's screening instrument:
28 case finding or outreach; assessment of health, social,
29 environmental, and behavioral risk factors; case management
30 utilizing the family support plan; home visiting to support
31 the delivery of and participation in prenatal and infant

1 primary care services; childbirth and parenting education,
2 including encouragement of breastfeeding; counseling; and
3 social services, as appropriate. Family outreach workers may
4 include social work professionals or nurses with public health
5 education and counseling experience. Paraprofessionals may
6 include resource mothers and fathers, trained health aides,
7 and parent educators. The care coordination program shall be
8 developed in a coordinated, nonduplicative manner with the
9 Developmental Evaluation and Intervention Program of
10 Children's Medical Services, using the local assessment
11 findings and plans of the prenatal and infant care coalitions
12 and the programs and services established in chapter 411, Pub.
13 L. No. 99-457, and this chapter.

14 1. Families determined to be at potential risk based
15 on the thresholds established in the department's screening
16 instrument must be notified by the department of the
17 determination and recommendations for followup services. All
18 Medicaid-eligible families shall receive Early Periodic
19 Screening, Diagnosis and Treatment (EPSDT) Services of the
20 Florida Medicaid Program to help ensure continuity of care.
21 All other families identified at potential risk shall be
22 directed to seek additional health care followup visits as
23 provided under s. 627.6579. A family identified as a family at
24 potential risk is eligible for enhanced services under the
25 care coordination process within the resources allocated, if
26 it is not already receiving services from the Developmental
27 Evaluation and Intervention Program. The department shall
28 adopt rules regulating the assignment of family outreach
29 workers and paraprofessionals based on the thresholds
30 established in the department's risk assessment tool.

31

1 2. As part of the care coordination process, the
2 department must ensure that subsequent screenings are
3 conducted for those families identified as families at
4 potential risk. Procedures for subsequent screenings of all
5 infants and toddlers must be consistent with the established
6 periodicity schedule and the level of risk. Screening programs
7 must be conducted in accessible locations, such as child care
8 centers, local schools, teenage pregnancy programs, community
9 centers, and county health departments. Care coordination must
10 also include initiatives to provide immunizations in
11 accessible locations. Such initiatives must seek ways to
12 ensure that children not currently being served by
13 immunization efforts are reached.

14 3. The provision of services under this section must
15 be consistent with the provisions and plans established under
16 chapter 411, Pub. L. No. 99-457, and this chapter.

17 4. Contingent upon provision of a specific
18 appropriation, the department shall make funding available to
19 Healthy Start Coalitions for the development and
20 implementation of a Pregnant-And-In-Need (PAIN) public
21 awareness campaign targeting pregnant teens who are not
22 seeking prenatal care and may be at high risk of abandoning
23 their babies. The purpose of this campaign is to get prenatal
24 care and care coordination services to pregnant teens to
25 promote healthy newborns and to prevent the abandoning of
26 babies. The department will make funds available to the
27 Healthy Start Coalitions through a grant process. The
28 department will establish a statewide 1-800-PAIN hotline that
29 uses the current hotline for Healthy Start Coalition services.
30 The public awareness campaign funded through these grant funds
31 must include information on the PAIN hotline that pregnant

1 teens can use to receive counseling and access prenatal care
2 while remaining anonymous. The provision of funding for this
3 campaign must include an evaluation component on the impact of
4 each of the campaigns.

5 Section 14. Paragraph (i) of subsection (3), paragraph
6 (a) of subsection (7), and subsection (18) of section 383.402,
7 Florida Statutes, are amended to read:

8 383.402 Child abuse death review; State Child Abuse
9 Death Review Committee; local child abuse death review
10 committees.--

11 (3) The State Child Abuse Death Review Committee
12 shall:

13 (i) Educate the public regarding the provisions of
14 chapter 99-168, Laws of Florida ~~Kayla McKean Child Protection~~
15 ~~Act~~, the incidence and causes of child abuse death, and ways
16 by which such deaths may be prevented.

17 (7) Each local child abuse death review committee
18 shall:

19 (a) Review all deaths resulting from child abuse ~~which~~
20 ~~are reported to the Office of Vital Statistics.~~

21 (18) Each district administrator of the Department of
22 Children and Family Services must appoint a child abuse death
23 review coordinator for the district. The coordinator must have
24 knowledge and expertise in the area of child abuse and
25 neglect. The coordinator's general responsibilities include:

26 (a) Coordinating with the local child abuse death
27 review committee.

28 (b) Ensuring the appropriate implementation of the
29 child abuse death review process and all district activities
30 related to the review of child abuse deaths.

31

1 (c) Working with the committee to ensure that the
2 reviews are thorough and that all issues are appropriately
3 addressed.

4 (d) Maintaining a system of logging child abuse deaths
5 covered by this procedure and tracking cases during the child
6 abuse death review process.

7 (e) Conducting or arranging for a Florida Abuse
8 Hotline Information System (FAHIS) record check on all child
9 abuse deaths covered by this procedure to determine whether
10 there were any prior reports concerning the child or
11 concerning any siblings, other children, or adults in the
12 home.

13 (f) Coordinating child abuse death review activities,
14 as needed, with individuals in the community and the
15 Department of Health.

16 (g) Notifying the district administrator, the
17 Secretary of Children and Family Services, ~~and~~ the Deputy
18 Secretary for of Children's Medical Services, and the
19 Department of Health Child Abuse Death Review Coordinator
20 ~~Assistant Health Officer~~ of all child abuse deaths meeting
21 criteria for review as specified in this section within 1
22 working day after verifying the child's death was due to
23 abuse, neglect, or abandonment ~~learning of the child's death.~~

24 (h) Ensuring that all critical issues identified by
25 the local child abuse death review committee are brought to
26 the attention of the district administrator and the Secretary
27 of Children and Family Services.

28 (i) Providing technical assistance to the local child
29 abuse death review committee during the review of any child
30 abuse death.

31

1 Section 15. Subsection (3) of section 409.1671,
2 Florida Statutes, is amended to read:

3 409.1671 Foster care and related services;
4 privatization.--

5 (3)(a) In order to help ensure a seamless child
6 protection system, the department shall ensure that contracts
7 entered into with community-based agencies pursuant to this
8 section include provisions for a case-transfer process to
9 determine the date that the community-based agency will
10 initiate the appropriate services for a child and family. This
11 case-transfer process must clearly identify the closure of the
12 protective investigation and the initiation of service
13 provision. At the point of case transfer, and at the
14 conclusion of an investigation, the department must provide a
15 complete summary of the findings of the investigation to the
16 community-based agency.

17 (b) The contracts must also ensure that each
18 community-based agency shall furnish regular status reports of
19 its cases to the department as specified in the contract. A
20 provider may not discontinue services without prior written
21 notification to the department. After discontinuing services
22 to a child or a child and family, the community-based agency
23 must provide a written case summary, including its assessment
24 of the child and family, to the department.

25 (c) The annual contract between the department and
26 community-based agencies must include provisions that specify
27 the procedures to be used by the parties to resolve
28 differences in interpreting the contract or to resolve
29 disputes as to the adequacy of the parties' compliance with
30 their respective obligations under the contract.

31

1 Section 16. Present paragraph (c) of subsection (13)
2 of section 409.175, Florida Statutes, is redesignated as
3 paragraph (e) and new paragraphs (c) and (d) are added to that
4 section to read:

5 409.175 Licensure of family foster homes, residential
6 child-caring agencies, and child-placing agencies.--

7 (13)

8 (c) In consultation with foster parents, each district
9 or lead agency shall develop a plan for making the completion
10 of the required training as convenient as possible for
11 potential foster parents and emergency-shelter parents. The
12 plan should include, without limitation, such strategies as
13 providing training in nontraditional locations and at
14 nontraditional times. The plan must be revised at least
15 annually and must be included in the information provided to
16 each person applying to become a foster parent or
17 emergency-shelter parent.

18 (d) Upon a foster home becoming licensed, the
19 department or its agent must provide the foster parent with
20 information regarding the anticipated date of placement of a
21 foster child; and, if a child is not placed in that home
22 within 60 days, the department must provide monthly status
23 reports and explanations to the foster parent regarding
24 placement of children in the home.

25 Section 17. Section 409.1753, Florida Statutes, is
26 created to read:

27 409.1753 Foster care; duties.--

28 (1) The department shall ensure that, within each
29 district, each foster home is given a telephone number for the
30 foster parent to call during normal working hours whenever
31 immediate assistance is needed and the child's caseworker is

1 unavailable. This number must be staffed and answered by
2 individuals possessing the knowledge and authority necessary
3 to assist foster parents.

4 (2) To the extent practicable, the department or its
5 agent shall assign new foster care cases, in ways that
6 minimize the number of caseworkers who must interact with a
7 given foster home. Each district or designated agent of the
8 department shall annually develop a written plan that
9 describes actions that will be taken to minimize the number of
10 caseworkers with whom each foster parent must interact and
11 must provide a copy of the plan to all licensed foster homes.

12 (3) Unless a child's safety is at risk, as documented
13 in the child's case file, the department or its agent shall
14 provide at least 2 weeks' notice to the child and his or her
15 foster parent prior to the child being moved to another
16 placement in order to provide sufficient time for all parties,
17 including the child and the foster parent, to plan for the
18 move.

19 Section 18. Any funds appropriated for the
20 establishment of model dependency court pilot programs for
21 Fiscal Year 2000-2001 in the 5th, 10th, and 17th judicial
22 circuits shall be used for the purpose of hiring general
23 masters to hear cases referred by the presiding judge and for
24 related support for the dependency division pilot project. The
25 Office of the State Courts Administrator shall evaluate the
26 utilization of general masters and related support for the
27 dependency division pilot project in the furtherance of
28 permanency for children. The results of this evaluation shall
29 be reported to the President of the Senate and the Speaker of
30 the House of Representatives by December 1, 2001.

31

1 Section 19. Full-time equivalent positions of the
2 Department of Children and Family Services and of agencies
3 under either a contract or a grant arrangement with the
4 department which are directly involved in the investigation of
5 child abuse and neglect or in the performance of activities
6 directly related to the protection of children who have been
7 or are at risk of abuse or neglect are not subject to
8 position-lapse adjustments included in annual agency operating
9 budgets. Such positions must be promptly filled and delays in
10 hiring must be kept to a minimum.

11 Section 20. (1) A work group is established in the
12 Department of Children and Family Services for the purpose of
13 evaluating child abuse and neglect reports involving children
14 who were referred to child protection teams but for whom the
15 appointments were not kept. The department shall include on
16 the work group members of the child protection team staff of
17 the Children's Medical Services of the Department of Health,
18 child protective investigators, child welfare legal services
19 attorneys, and representatives of appropriate law enforcement
20 agencies, and other persons, as appropriate. The work group is
21 directed to evaluate reports that are made from July 1, 2000
22 through December 31, 2000, which meet the criteria. The
23 evaluation should distinguish among the types of maltreatment
24 reported in analyzing the reasons appointments were not kept;
25 follow-up activities by child protection teams; follow-up
26 activities by the child protection investigators; actions by
27 child welfare legal attorneys; case histories, including
28 previous reports of abuse or neglect, previous dependency
29 actions, any known subsequent reports of abuse or neglect; and
30 any other factors the work group considers pertinent.

31

1 (2) The work group shall report its findings to the
2 Department of Children and Family Services and the Department
3 of Health with recommendations for process improvements and
4 policy changes to reduce the incidence of unkept appointments.
5 The Department of Children and Family Services shall report
6 the findings of the work group, with recommendations for any
7 statutory changes, to the Legislature by November 1, 2001.

8 Section 21. Section 1 of chapter 99-168, Laws of
9 Florida, is repealed.

10 Section 22. This act shall take effect July 1, 2000.

11
12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 CS/SB 730

15 Adds language that requires the safety plan to be developed by
16 the parent or legal custodian with the assistance of the child
17 protective investigator while injunctive relief is being
18 sought.

19 Adds "subject to a specific appropriation" to the language
20 that states that the department will enter into an agreement
21 with Seminole County to perform child protective
22 investigations in FY 2000-01.

23 Adds an additional condition for issuing an injunction
24 circumstances where a child protective investigator has
25 determined that a child can remain safely in the child's own
26 home if the alleged perpetrator is removed from the home.

27 Adds language to clarify that foster parents are to be given a
28 telephone number to call an individual during normal working
29 hours when the caseworker is unavailable.

30 Expands language on the use of funds for model dependency
31 court pilot programs to include related support for the
dependency division in addition to hiring general masters.

Removes the \$25,000 General Revenue appropriation to support
data gathering and analysis of the work group.