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2 An act relating to child welfare; amending s.
3 39.201, F.S.; revising confidentiality of
4 recorded central abuse hotline calls relating
5 to child abuse, neglect, or abandonment;
6 providing clarifying language for
7 community-based care providers of foster care
8 and related services; providing circumstances
9 in which an officer or employee of the judicial
10 branch is not required to report child abuse,
11 abandonment, or neglect; amending s. 39.202,
12 F.S.; providing for the inclusion of the child
13 protection team in the list of those to whom an
14 alleged abuse reporter's name may be released;
15 amending s. 39.205, F.S.; exempting judges from
16 prosecution for failure to report; amending s.
17 39.301, F.S.; clarifying language relating to
18 initiation of protective investigations and
19 criminal investigations; clarifying that the
20 age of parents shall be factored into risk
21 assessments; changing certain time
22 requirements; amending s. 39.303, F.S.;
23 specifying additional supportive services to be
24 provided by child protection teams; requiring
25 certain training for medical personnel
26 participating in a child protection team;
27 revising reports of abuse, abandonment, or
28 neglect that must be referred to the Department
29 of Health for supportive services; revising
30 requirements relating to review of certain
31 cases of abuse, abandonment, or neglect and

1 standards for face-to-face medical evaluations
2 by a child protection team; requiring
3 collaboration between certain state agencies
4 relating to reports of child abuse,
5 abandonment, and neglect; amending s. 39.304,
6 F.S.; providing for disposition of
7 investigative photographs of physical abuse
8 injuries and sexual abuse trauma; amending s.
9 39.402, F.S.; clarifying that the court must be
10 informed of identified case plans at shelter
11 hearings; amending s. 383.402, F.S.; deleting a
12 reference to the Kayla McKean Child Protection
13 Act; revising duties of the local child abuse
14 death review committee and district
15 coordinators; amending s. 409.145, F.S.;
16 authorizing the Department of Children and
17 Family Services to provide additional
18 assistance for certain individuals leaving
19 foster care; amending s. 409.1671, F.S.;
20 prescribing times when summaries of
21 investigations must be provided to the
22 community-based agency; amending s. 409.175,
23 F.S.; requiring a plan for streamlining foster
24 parent training; creating s. 409.1753, F.S.;
25 specifying duties of the Department of Children
26 and Family Services or its agents regarding
27 foster care; repealing s. 1, ch. 99-168, Laws
28 of Florida, which provides a short title naming
29 the Act the Kayla McKean Child Protection Act;
30 providing an effective date.
31

1 Be It Enacted by the Legislature of the State of Florida:

2

3 Section 1. Paragraph (g) of subsection (2) and
4 subsections (7), (8), and (9) of section 39.201, Florida
5 Statutes, are amended to read:

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

9 (2)

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, not withstanding s. 39.202,
15 shall be released in full only 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.~~ Nothing in this
22 paragraph shall prohibit the use of the recordings by hotline
23 staff for quality assurance and training.

24 (7)(a) This section does not require a professional
25 who is hired by or enters into a contract with the department
26 for the purpose of treating or counseling any person, as a
27 result of a report of child abuse, abandonment, or neglect, to
28 again report to the central abuse hotline the abuse,
29 abandonment, or neglect that was the subject of the referral
30 for treatment.

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1 (b) This section does not require an officer or
2 employee of the judicial branch to again provide notice of
3 reasonable cause to suspect child abuse, abandonment, or
4 neglect when that child is currently being investigated by the
5 department, there is an existing dependency case, or the
6 matter has previously been reported to the department,
7 provided there is reasonable cause to believe the information
8 is already known to the department. This paragraph applies
9 only when the information has been provided to the officer or
10 employee in the course of official duties.

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

19 (9) On an ongoing basis, the department's quality
20 assurance program shall review calls ~~reports~~ to the hotline
21 involving three or more unaccepted reports on a single child,
22 where jurisdiction applies, in order to detect such things as
23 harassment and situations that warrant an investigation
24 because of the frequency or variety of the source of the
25 reports. The assistant secretary may refer a case for
26 investigation when it is determined, as a result of this
27 review, that an investigation may be warranted.

28 Section 2. Subsection (4) of section 39.202, Florida
29 Statutes, is amended to read:

30 39.202 Confidentiality of reports and records in cases
31 of child abuse or neglect.--

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

20 Section 3. Subsection (1) of section 39.205, Florida
21 Statutes, is amended to read:

22 39.205 Penalties relating to reporting of child abuse,
23 abandonment, or neglect.--

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

3 Section 4. Subsection (2), paragraph (b) of subsection
4 (8), paragraph (c) of subsection (12), and subsections (14),
5 (17), and (18) of section 39.301, Florida Statutes, are
6 amended to read:

7 39.301 Initiation of protective investigations.--

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

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

18 1. A child is known or suspected to be the victim of
19 child abuse, as defined in s. 827.03, or of neglect of a
20 child, as defined in s. 827.03.

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

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

25 4. A child is known or suspected to be the victim of
26 sexual battery, as defined in s. 827.071, or of sexual abuse,
27 as defined in s. 39.01.

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

31

1 (c) Upon receiving a written report of an allegation
2 of criminal conduct from the department ~~receipt of a report,~~
3 the law enforcement agency shall ~~must~~ review the information
4 in the written report to ~~and~~ determine whether a criminal
5 investigation ~~of the case~~ is warranted. ~~and, If the law~~
6 enforcement agency accepts the case for ~~so, shall conduct the~~
7 criminal investigation that shall be coordinated, ~~it shall~~
8 coordinate its investigative activities with the department,
9 whenever feasible ~~possible, with the child protective~~
10 investigation of the department or its agent. ~~If the law~~
11 enforcement agency does not accept the case for criminal
12 investigation, the agency shall notify the department in
13 writing.

14 (d) The local law enforcement agreement required in s.
15 39.306 shall describe the specific local protocols for
16 implementing this section.

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

29 (b) If it is determined that the child is in need of
30 the protection and supervision of the court, the department
31 shall file a petition for dependency. A petition for

1 dependency shall be filed in all cases classified by the
2 department as high-risk. Factors that the department may
3 consider in determining whether a case is high-risk include,
4 but are not limited to, the young age of the cases, including,
5 ~~but not limited to, cases involving~~ parents or legal
6 custodians ~~of a young age,~~ the use of illegal drugs, or
7 domestic violence.

8 (12)

9 (c) The department, in consultation with the
10 judiciary, shall adopt by rule criteria that are factors
11 requiring that the department take the child into custody,
12 petition the court as provided in this chapter, or, if the
13 child is not taken into custody or a petition is not filed
14 with the court, conduct an administrative review. If after an
15 administrative review the department determines not to take
16 the child into custody or petition the court, the department
17 shall document the reason for its decision in writing and
18 include it in the investigative file. For all cases that were
19 accepted by the local law enforcement agency for criminal
20 investigation pursuant to subsection (2), the department must
21 include in the file written documentation that the
22 administrative review included input from law enforcement. In
23 addition, for all cases that must be referred to child
24 protection teams pursuant to s. 39.303(2) and (3), the file
25 must include written documentation that the administrative
26 review included the results of the team's evaluation ~~medical~~
27 ~~evaluation~~. Factors that must be included in the development
28 of the rule include noncompliance with the case plan developed
29 by the department, or its agent, and the family under this
30 chapter and prior abuse reports with findings that involve the
31 child or caregiver.

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

4 (17) When a law enforcement agency conducts a criminal
5 investigation into allegations of child abuse, neglect, or
6 abandonment, photographs documenting the abuse or neglect will
7 be taken when appropriate ~~is participating in an~~
8 ~~investigation, the agency shall take photographs of the~~
9 ~~child's living environment. Such photographs shall become part~~
10 ~~of the investigative file.~~

11 (18) Within 15 days after the case is ~~completion of~~
12 ~~the investigation of cases~~ reported to him or her pursuant to
13 this chapter, the state attorney shall report his or her
14 findings to the department and shall include in such report a
15 determination of whether or not prosecution is justified and
16 appropriate in view of the circumstances of the specific case.

17 Section 5. Section 39.303, Florida Statutes, is
18 amended to read:

19 39.303 Child protection teams; services; eligible
20 cases.--The Department of Health shall develop, maintain, and
21 coordinate the services of one or more multidisciplinary child
22 protection teams in each of the service districts of the
23 Department of Children and Family Services. Such teams may be
24 composed of appropriate representatives of school districts
25 and appropriate health, mental health, social service, legal
26 service, and law enforcement agencies. The Legislature finds
27 that optimal coordination of child protection teams and sexual
28 abuse treatment programs requires collaboration between the
29 Department of Health and the Department of Children and Family
30 Services. The two departments shall maintain an interagency
31 agreement that establishes protocols for oversight and

1 operations of child protection teams and sexual abuse
2 treatment programs. The Secretary of Health and the Deputy
3 Secretary for ~~director of~~ Children's Medical Services, in
4 consultation with the Secretary of Children and Family
5 Services, shall maintain the responsibility for the screening,
6 employment, and, if necessary, the termination of child
7 protection team medical directors, at headquarters and in the
8 15 districts. Child protection team medical directors shall be
9 responsible for oversight of the teams in the districts.

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

25 (a) Medical diagnosis and evaluation services,
26 including provision or interpretation of X rays and laboratory
27 tests, and related services, as needed, and documentation of
28 findings relative thereto.

29 (b) Telephone consultation services in emergencies and
30 in other situations.

31

1 (c) Medical evaluation related to abuse, abandonment,
2 or neglect, as defined by policy or rule of the Department of
3 Health.

4 (d) Such psychological and psychiatric diagnosis and
5 evaluation services for the child or the child's parent or
6 parents, legal custodian or custodians, or other caregivers,
7 or any other individual involved in a child abuse,
8 abandonment, or neglect case, as the team may determine to be
9 needed.

10 (e) Expert medical, psychological, and related
11 professional testimony in court cases.

12 (f) Case staffings to develop treatment plans for
13 children whose cases have been referred to the team. A child
14 protection team may provide consultation with respect to a
15 child who is alleged or is shown to be abused, abandoned, or
16 neglected, which consultation shall be provided at the request
17 of a representative of the family safety and preservation
18 program or at the request of any other professional involved
19 with a child or the child's parent or parents, legal custodian
20 or custodians, or other caregivers. In every such child
21 protection team case staffing, consultation, or staff activity
22 involving a child, a family safety and preservation program
23 representative shall attend and participate.

24 (g) Case service coordination and assistance,
25 including the location of services available from other public
26 and private agencies in the community.

27 (h) Such training services for program and other
28 employees of the Department of Children and Family Services,
29 employees of the Department of Health, and other medical
30 professionals as is deemed appropriate to enable them to
31

1 develop and maintain their professional skills and abilities
2 in handling child abuse, abandonment, and neglect cases.

3 (i) Educational and community awareness campaigns on
4 child abuse, abandonment, and neglect in an effort to enable
5 citizens more successfully to prevent, identify, and treat
6 child abuse, abandonment, and neglect in the community.

7 (j) Child protection team assessments that include, as
8 appropriate, medical evaluations, medical consultations,
9 family psychosocial interviews, specialized clinical
10 interviews, or forensic interviews.

11
12 All medical personnel participating on a child protection team
13 must successfully complete the required child protection team
14 training curriculum as set forth in protocols determined by
15 the Deputy Secretary for Children's Medical Services and the
16 Statewide Medical Director for Child Protection.

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

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

25 (b) Bruises anywhere on a child 5 years of age or
26 under.

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

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

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

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

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

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

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

14 (3) All abuse and neglect cases transmitted for
15 investigation to a district by the hotline must be
16 simultaneously transmitted to the Department of Health child
17 protection team for review. For the purpose of determining
18 whether face-to-face medical evaluation by a child protection
19 team is necessary, all cases transmitted to the child
20 protection team which meet the criteria in subsection (2) must
21 be timely reviewed by: ~~a board-certified pediatrician or~~
22 ~~registered nurse practitioner under the supervision of such~~
23 ~~pediatrician for the purpose of determining whether a~~
24 ~~face-to-face medical evaluation by a child protection team is~~
25 ~~necessary.~~

26 (a) A physician licensed under chapter 458 or chapter
27 459 who holds board certification in pediatrics and is a
28 member of a child protection team;

29 (b) A physician licensed under chapter 458 or chapter
30 459 who holds board certification in a specialty other than
31 pediatrics, who may complete the review only when working

1 under the direction of a physician licensed under chapter 458
2 or chapter 459 who holds board certification in pediatrics and
3 is a member of a child protection team;

4 (c) An advanced registered nurse practitioner licensed
5 under chapter 464 who has a speciality in pediatrics or family
6 medicine and is a member of a child protection team;

7 (d) A physician assistant licensed under chapter 458
8 or chapter 459, who may complete the review only when working
9 under the supervision of a physician licensed under chapter
10 458 or chapter 459 who holds board certification in pediatrics
11 and is a member of a child protection team; or

12 (e) A registered nurse licensed under chapter 464, who
13 may complete the review only when working under the direct
14 supervision of a physician licensed under chapter 458 or
15 chapter 459 who holds certification in pediatrics and is a
16 member of a child protection team.

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

20 (a) The child was examined ~~by a physician~~ for the
21 alleged abuse or neglect by a physician who is not a member of
22 the child protection team, and a consultation between the
23 child protection team board-certified pediatrician, advanced
24 registered ~~or~~ nurse practitioner, physician assistant working
25 under the supervision of a child protection team
26 board-certified pediatrician, or registered nurse working
27 under the direct supervision of a child protection team
28 board-certified pediatrician, and the examining physician
29 concludes that a further medical evaluation is unnecessary;

30 (b) The child protective investigator, with
31 supervisory approval, has determined, after conducting a child

1 safety assessment, that there are no indications of injuries
2 as described in paragraphs (2)(a)-(h) as reported; or

3 (c) The child protection team board-certified
4 pediatrician, as authorized in subsection (3), determines that
5 a medical evaluation is not required.

6
7 Notwithstanding paragraphs (a), (b), and (c), a child
8 protection team pediatrician, as authorized in subsection (3),
9 may determine that a face-to-face medical evaluation is
10 necessary.

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

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

27 Section 6. Subsection (1) of section 39.304, Florida
28 Statutes, is amended to read:

29 39.304 Photographs, medical examinations, X rays, and
30 medical treatment of abused, abandoned, or neglected child.--

31

1 (1)(a) Any person required to investigate cases of
2 suspected child abuse, abandonment, or neglect may take or
3 cause to be taken photographs of the areas of trauma visible
4 on a child who is the subject of a report. Any child
5 protection team that examines a child who is the subject of a
6 report must take, or cause to be taken, photographs of any
7 areas of trauma visible on the child. ~~Such~~ Photographs of
8 physical abuse injuries, or duplicates thereof, shall be
9 provided to the department for inclusion in the investigative
10 file and shall become part of that file. Photographs of sexual
11 abuse trauma shall be made part of the child protection team
12 medical record.

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

30 Section 7. Paragraph (f) of subsection (8) of section
31 39.402, Florida Statutes, is amended to read:

1 39.402 Placement in a shelter.--

2 (8)

3 (f) At the shelter hearing, the department shall
4 inform the court of:

5 1. Any identified current or previous case plans
6 negotiated in any district with the parents or caregivers
7 under this chapter and problems associated with compliance;

8 2. Any adjudication of the parents or caregivers of
9 delinquency;

10 3. Any past or current injunction for protection from
11 domestic violence; and

12 4. All of the child's places of residence during the
13 prior 12 months.

14 Section 8. Paragraph (i) of subsection (3), subsection
15 (7), and paragraph (g) of subsection (18) of section 383.402,
16 Florida Statutes, are amended to read:

17 383.402 Child abuse death review; State Child Abuse
18 Death Review Committee; local child abuse death review
19 committees.--

20 (3) The State Child Abuse Death Review Committee
21 shall:

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

26 (7) Each local child abuse death review committee
27 shall:

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

30

31

1 (a)(b) Assist the state committee in collecting data
2 on deaths that are the result of child abuse, in accordance
3 with the protocol established by the state committee.

4 (b)(c) Submit written reports at the direction of the
5 state committee. The reports must include nonidentifying
6 information on individual cases and the steps taken by the
7 local committee and private and public agencies to implement
8 necessary changes and improve the coordination of services and
9 reviews.

10 (c)(d) Submit all records requested by the state
11 committee at the conclusion of its review of a death resulting
12 from child abuse.

13 (d)(e) Abide by the standards and protocols developed
14 by the state committee.

15 (e)(f) On a case-by-case basis, request that the state
16 committee review the data of a particular case.

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

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

30 Section 9. Paragraph (b) of subsection (3) of section
31 409.145, Florida Statutes, is amended to read:

1 409.145 Care of children.--

2 (3)

3 (b) The services of the foster care program shall
4 continue for those individuals 18 to 21 years of age only for
5 the period of time the individual is continuously enrolled in
6 high school, in a program leading to a high school equivalency
7 diploma as defined in s. 229.814, or in a full-time career
8 education program. Services shall be terminated upon
9 completion of or withdrawal or permanent expulsion from high
10 school, the program leading to a high school equivalency
11 diploma, or the full-time career education program. In
12 addition, the department may, based upon the availability of
13 funds, provide assistance to those individuals who leave
14 foster care when they attain 18 years of age and subsequently
15 request assistance prior to their 21st birthday. The following
16 are examples of assistance that may be provided: referrals for
17 employment, services for educational or vocational
18 development, and housing assistance.

19 Section 10. Subsection (3) of section 409.1671,
20 Florida Statutes, is amended to read:

21 409.1671 Foster care and related services;
22 privatization.--

23 (3)(a) In order to help ensure a seamless child
24 protection system, the department shall ensure that contracts
25 entered into with community-based agencies pursuant to this
26 section include provisions for a case-transfer process to
27 determine the date that the community-based agency will
28 initiate the appropriate services for a child and family. This
29 case-transfer process must clearly identify the closure of the
30 protective investigation and the initiation of service
31 provision. At the point of case transfer, and at the

1 conclusion of an investigation, the department must provide a
2 complete summary of the findings of the investigation to the
3 community-based agency.

4 (b) The contracts must also ensure that each
5 community-based agency shall furnish regular status reports of
6 its cases to the department as specified in the contract. A
7 provider may not discontinue services without prior written
8 notification to the department. After discontinuing services
9 to a child or a child and family, the community-based agency
10 must provide a written case summary, including its assessment
11 of the child and family, to the department.

12 (c) The annual contract between the department and
13 community-based agencies must include provisions that specify
14 the procedures to be used by the parties to resolve
15 differences in interpreting the contract or to resolve
16 disputes as to the adequacy of the parties' compliance with
17 their respective obligations under the contract.

18 Section 11. Present paragraph (c) of subsection (13)
19 of section 409.175, Florida Statutes, is redesignated as
20 paragraph (d) and a new paragraph (c) is added to that section
21 to read:

22 409.175 Licensure of family foster homes, residential
23 child-caring agencies, and child-placing agencies.--

24 (13)

25 (c) In consultation with foster parents, each district
26 or lead agency shall develop a plan for making the completion
27 of the required training as convenient as possible for
28 potential foster parents and emergency-shelter parents. The
29 plan should include, without limitation, such strategies as
30 providing training in nontraditional locations and at
31 nontraditional times. The plan must be revised at least

1 annually and must be included in the information provided to
2 each person applying to become a foster parent or
3 emergency-shelter parent.

4 Section 12. Section 409.1753, Florida Statutes, is
5 created to read:

6 409.1753 Foster care; duties.--The department shall
7 ensure that, within each district, each foster home is given a
8 telephone number for the foster parent to call during normal
9 working hours whenever immediate assistance is needed and the
10 child's caseworker is unavailable. This number must be staffed
11 and answered by individuals possessing the knowledge and
12 authority necessary to assist foster parents.

13 Section 13. Section 1 of chapter 99-168, Laws of
14 Florida, is repealed.

15 Section 14. This act shall take effect upon becoming a
16 law.

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