



CHAMBER ACTION

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The Committee on Future of Florida's Families recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to adult protective services; amending s. 415.1045, F.S.; requiring the Department of Children and Family Services to enter into certain working agreements with local law enforcement agencies; requiring a review of the efficacy of such agreements by the Office of Program Policy Analysis and Government Accountability; requiring a report by the department regarding its compliance with certain recommendations made by the Office of Program Policy Analysis and Government Accountability; providing an effective date.

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

Section 1. Subsection (6) of section 415.1045, Florida Statutes, is amended to read:



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27 | 415.1045 Photographs, videotapes, and medical
28 | examinations; abrogation of privileged communications;
29 | confidential records and documents.--

30 | (6) WORKING AGREEMENTS.--By March 1, 2004, the department
31 | shall enter into working agreements with the jurisdictionally
32 | responsible county sheriffs' office or local police department
33 | that will be the lead agency when conducting any criminal
34 | investigation arising from an allegation of abuse, neglect, or
35 | exploitation of a vulnerable adult. The working agreement must
36 | specify how the requirements of this chapter will be met. The
37 | Office of Program Policy Analysis and Government Accountability
38 | shall conduct a review of the efficacy of the agreements by
39 | March 1, 2005. For the purposes of such agreement, the
40 | jurisdictionally responsible law enforcement entity is
41 | authorized to share Florida criminal history and local criminal
42 | history information that is not otherwise exempt from s.
43 | 119.07(1) with the district personnel. A law enforcement entity
44 | entering into such agreement must comply with s. 943.0525.
45 | Criminal justice information provided by such law enforcement
46 | entity shall be used only for the purposes specified in the
47 | agreement and shall be provided at no charge. Notwithstanding
48 | any other provision of law, the Department of Law Enforcement
49 | shall provide to the department electronic access to Florida
50 | criminal justice information which is lawfully available and not
51 | exempt from s. 119.07(1), only for the purpose of protective
52 | investigations and emergency placement. As a condition of access
53 | to such information, the department shall be required to execute
54 | an appropriate user agreement addressing the access, use,



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55 dissemination, and destruction of such information and to comply
56 with all applicable laws and rules of the Department of Law
57 Enforcement.

58 Section 2. Given the serious and growing problem of elder
59 abuse, by December 1, 2003, the Department of Children and
60 Family Services is directed to report to the Legislature on the
61 status of the department's compliance with all of the
62 recommendations for improvement of the Adult Services Program
63 included in Report No. 03-08 from the Office of Program Policy
64 Analysis and Government Accountability. The department is also
65 directed to analyze and include as part of this report a plan
66 for implementing at least one multidisciplinary adult protection
67 team, as defined in s. 415.1102, Florida Statutes, in each of
68 the department's districts.

69 Section 3. This act shall take effect July 1, 2003.