



1 or any other decisions by a private adoption agency or a state  
2 agency or its contracted providers.

3 Section 2. Subsection (7) is added to section 39.302,  
4 Florida Statutes, to read:

5 39.302 Protective investigations of institutional  
6 child abuse, abandonment, or neglect.--

7 (7) When an investigation of institutional abuse,  
8 neglect, or abandonment is closed and a person is not  
9 identified as a caregiver responsible for the abuse, neglect,  
10 or abandonment alleged in the report, the fact that the person  
11 is named in some capacity in the report may not be used in any  
12 way to adversely affect the interests of that person. This  
13 prohibition applies to any use of the information in  
14 employment screening, licensing, child placement, adoption, or  
15 any other decisions by a private adoption agency or a state  
16 agency or its contracted providers. If such a person is a  
17 licensee of the department and is named in any capacity in  
18 three or more reports within a 5-year period, the department  
19 may review those reports and determine whether the information  
20 contained in the reports is relevant for purposes of  
21 determining whether the person's license should be renewed or  
22 revoked. If the information is relevant to the decision to  
23 renew or revoke the license, the department may rely on the  
24 information contained in the report in making that decision.

25 Section 3. This act shall take effect upon becoming a  
26 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 758

Removes the requirement that administrative hearings be granted to subjects of reports of child abuse when the state attorney declines to prosecute related charges.

Removes the prohibition against entering the name of the subject of a report into the statewide database until the time for requesting a hearing has expired or the hearing has been held and the department has prevailed.

Prohibits the use of information in any way to adversely affect the interests of a person named in a report of abuse, neglect, or abandonment unless the person is identified as the person responsible for causing the abuse, neglect or abandonment. Applies this prohibition to both individual investigations and institutional investigations, but allows the information to be used if relevant in institutional licensing if at least three instances have been reported within a five-year period.