

Bill No. CS for SB 1388

Barcode 531772

CHAMBER ACTION

Senate

House

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The Committee on Health and Human Services Appropriations  
(Peaden) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 9, line 28, through  
page 16, line 29, delete those lines

and insert:

6. Each district of the department shall develop a  
local plan of action for its specific geographical area. The  
plan ~~developed at the district level~~ shall be submitted to the  
advisory council for utilization in preparing the state plan.  
The ~~district~~ local plan of action shall be prepared with the  
involvement and assistance of the local agencies and  
organizations listed in this paragraph, as well as  
representatives from those departmental district offices  
participating in the promotion of adoption, support of  
adoptive families, and treatment and prevention of child  
abuse, abandonment, and neglect. In order to accomplish this,  
the office shall establish a task force on the promotion of  
adoption, support of adoptive families, and prevention of

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1 child abuse, abandonment, and neglect. The office shall  
 2 appoint the members of the task force in accordance with the  
 3 membership requirements of this section. The office shall  
 4 ensure that individuals from both urban and rural areas and an  
 5 adoptive parent who has adopted a child from within the child  
 6 welfare system are represented on the task force. The task  
 7 force shall develop a written statement clearly identifying  
 8 its operating procedures, purpose, overall responsibilities,  
 9 and method of meeting responsibilities. The local district  
 10 plan of action to be prepared by the task force must shall  
 11 include, but ~~shall~~ not be limited to:

12       a. Documentation of the magnitude of the problems of  
 13 child abuse, including sexual abuse, physical abuse, and  
 14 emotional abuse, and child abandonment and neglect in its  
 15 geographical area.

16       b. A description of programs currently serving abused,  
 17 abandoned, and neglected children and their families and a  
 18 description of programs for the prevention of child abuse,  
 19 abandonment, and neglect, including information on the impact,  
 20 cost-effectiveness, and sources of funding of such programs.

21       c. Information concerning the number of children  
 22 within the child welfare system who are available for adoption  
 23 and who need child-specific adoption promotion efforts.

24       d. A description of programs currently promoting and  
 25 supporting adoptive families, including information concerning  
 26 the results, cost-effectiveness, and sources of funding of  
 27 such programs.

28       e. A description of a comprehensive strategy for  
 29 providing postadoption services. The continuum of services  
 30 must include, but need not be limited to, sufficient and  
 31 accessible parent and teen support groups; case management,

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1 information, and referral services; and educational advocacy.

2 f.c. A continuum of programs and services necessary  
3 for providing a comprehensive approach to the promotion of  
4 adoption and the prevention of all types of child abuse,  
5 abandonment, and neglect as well as a brief description of  
6 such programs and services.

7 g.d. A description, documentation, and priority  
8 ranking of local needs related to the promotion of adoption,  
9 support of adoptive parents, and prevention of child abuse,  
10 abandonment, and neglect ~~prevention~~ based upon the continuum  
11 of programs and services.

12 h.e. A plan for steps to be taken in meeting  
13 identified needs, including the coordination and integration  
14 of services to avoid unnecessary duplication and cost, and for  
15 alternative funding strategies for meeting needs through the  
16 reallocation of existing resources, utilization of volunteers,  
17 contracting with local universities for services, and local  
18 government or private agency funding.

19 i.f. A description of barriers to the accomplishment  
20 of a comprehensive approach to the promotion of adoption,  
21 support of adoptive families, and prevention of child abuse,  
22 abandonment, and neglect.

23 j.g. Recommendations for changes that can be  
24 accomplished only at the state program level or by legislative  
25 action.

26 (9) FUNDING AND SUBSEQUENT PLANS.--

27 (a) All budget requests submitted by the office, the  
28 department, the Department of Health, the Department of  
29 Education, the Department of Juvenile Justice, the Department  
30 of Corrections, the Agency for Persons with Disabilities, the  
31 Agency for Workforce Innovation, or any other agency to the

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1 Legislature for funding of efforts for the promotion of  
2 adoption, support of adoptive families, and prevention of  
3 child abuse, abandonment, and neglect ~~must~~ shall be based on  
4 the state plan developed pursuant to this section.

5 (b) The office and the other agencies and  
6 organizations listed in paragraph (8)(a) shall readdress the  
7 state plan and make necessary revisions every 5 years, at a  
8 minimum. Such revisions shall be submitted to the Speaker of  
9 the House of Representatives and the President of the Senate  
10 no later than June 30 of each year divisible by 5. At least  
11 biennially, the office shall review the state plan and make  
12 any necessary revisions based on changing needs and program  
13 evaluation results. An annual progress report shall be  
14 submitted to update the state plan in the years between the  
15 5-year intervals. In order to avoid duplication of effort,  
16 these ~~required~~ plans may be made a part of or merged with  
17 other plans required by either the state or Federal  
18 Government, so long as the portions of the other state or  
19 Federal Government plan that constitute the state plan for the  
20 promotion of adoption, support of adoptive families, and  
21 prevention of child abuse, abandonment, and neglect are  
22 clearly identified as such and are provided to the Speaker of  
23 the House of Representatives and the President of the Senate  
24 as required above.

25 Section 2. Section 39.0011, Florida Statutes, is  
26 created to read:

27 39.0011 Direct-support organization.--

28 (1) The Office of Adoption and Child Protection,  
29 established under s. 39.001, may establish a direct-support  
30 organization to assist the state in carrying out its purposes  
31 and responsibilities regarding the promotion of adoption,

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1 support of adoptive families, and prevention of child abuse,  
 2 abandonment, and neglect by raising money; submitting requests  
 3 for and receiving grants from the Federal Government, the  
 4 state or its political subdivisions, private foundations, and  
 5 individuals; and making expenditures to or for the benefit of  
 6 the office. The sole purpose for the direct-support  
 7 organization is to support the office. The direct-support  
 8 organization must be:

9       (a) Incorporated under chapter 617 and approved by the  
 10 Department of State as a Florida not-for-profit corporation;

11       (b) Organized and operated to make expenditures to or  
 12 for the benefit of the office; and

13       (c) Approved by the office to be operating for the  
 14 benefit of and in a manner consistent with the goals of the  
 15 office and in the best interest of the state.

16       (2) The number of members on the board of directors of  
 17 the direct-support organization shall be determined by the  
 18 Chief Child Advocate. Membership on the board of directors of  
 19 the direct-support organization shall include, but need not be  
 20 limited to, a guardian ad litem; a member of a local advocacy  
 21 council; a representative from a community-based care lead  
 22 agency; a representative from a private or public organization  
 23 or program having recognized expertise in working with child  
 24 abuse prevention programs for children and families; a  
 25 representative of a private or public organization or program  
 26 with recognized expertise in working with children who are  
 27 sexually abused, physically abused, emotionally abused,  
 28 abandoned, or neglected and having expertise in working with  
 29 the families of such children; an individual working at a  
 30 state adoption agency; and the parent of a child adopted from  
 31 within the child welfare system.

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1       (3) The direct-support organization shall operate  
2 under written contract with the office.

3       (4) All moneys received by the direct-support  
4 organization must be deposited into an account of the  
5 direct-support organization and be used by the organization in  
6 a manner consistent with the goals of the office.

7           Section 3. Section 39.0014, Florida Statutes, is  
8 amended to read:

9           39.0014 Responsibilities of public agencies.--All  
10 state, county, and local agencies shall cooperate, assist, and  
11 provide information to the Office of Adoption and Child  
12 Protection ~~Abuse Prevention~~ and the department as will enable  
13 them to fulfill their responsibilities under this chapter.

14           Section 4. Subsection (45) of section 39.01, Florida  
15 Statutes, is amended to read:

16           39.01 Definitions.--When used in this chapter, unless  
17 the context otherwise requires:

18           (45) "Office" means the Office of Adoption and Child  
19 Protection ~~Abuse Prevention~~ within the Executive Office of the  
20 Governor.

21           Section 5. Section 409.1661, Florida Statutes, is  
22 created to read:

23           409.1661 Subsidized adoption program.--

24           (1) LEGISLATIVE INTENT.--It is the intent of the  
25 Legislature to protect and promote every child's right to the  
26 security and stability of a permanent family home. The  
27 Legislature intends to make available to prospective adoptive  
28 parents financial aid that will enable them to adopt a child.  
29 It is also the intent of the Legislature that the best  
30 interest of the child shall be the deciding factor in every  
31 case.

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1           (2) DEFINITIONS.--As used in this section, the term:

2           (a) "Child within the child welfare system" means a  
3 special needs child as defined in s. 409.166 and any other  
4 child who was removed from the child's caregiver due to abuse  
5 or neglect and whose permanent custody has been awarded to the  
6 department or to a licensed child-placing agency.

7           (b) "Subsidy" means money payments.

8           (3) ADMINISTRATION OF PROGRAM.--

9           (a) The department shall pay for the support and  
10 maintenance of a child within the child welfare system until  
11 the 18th birthday of the child, a payment in an amount of  
12 \$5,000 annually or an amount less than \$5,000 annually as  
13 determined by the adoptive parents and memorialized in a  
14 written agreement with the department. However, the amount of  
15 the adoption subsidy payment shall only exceed \$5,000 annually  
16 when the secretary approves a higher enhanced rate due to  
17 circumstances such as, but not limited to, a child's need for  
18 extensive care and supervision.

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21 ===== T I T L E   A M E N D M E N T =====

22 And the title is amended as follows:

23           On page 1, lines 14-20, delete those lines

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25 and insert:

26           for its composition; providing additional  
27           purposes for

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