

ENROLLED
CS/HB 279

2011 Legislature

1 A bill to be entitled
2 An act relating to the training and certification of child
3 welfare personnel; amending s. 402.40, F.S.; revising
4 legislative intent; defining the terms "child welfare
5 certification," "core competency," "preservice
6 curriculum," and "third-party credentialing entity";
7 providing required criteria for the approval of
8 credentialing entities that develop and administer
9 certification programs for persons who provide child
10 welfare services; revising the use of the Child Welfare
11 Training Trust Fund within the Department of Children and
12 Family Services; revising provisions relating to
13 preservice curricula; requiring persons who provide child
14 welfare services to be certified by a third-party
15 credentialing entity; allowing entities to add to or
16 augment preservice curriculum; allowing entities to
17 contract for training; requiring persons to master core
18 competencies; providing for recognition for currently
19 certified persons; deleting requirements relating to
20 certification and trainer qualifications; deleting
21 provisions relating to training academies; amending s.
22 402.731, F.S.; authorizing approval of third-party
23 credentialing entities; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Section 402.40, Florida Statutes, is amended to
28 read:

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29 402.40 Child welfare training and certification.—
 30 (1) LEGISLATIVE INTENT.—In order to enable the state to
 31 provide a systematic approach to staff development and training
 32 for persons providing child welfare services that will meet the
 33 needs of such staff in their discharge of duties, it is the
 34 intent of the Legislature that the Department of Children and
 35 Family Services work in collaboration with the child welfare
 36 stakeholder community, including department-approved third-party
 37 credentialing entities, to ensure that staff have the knowledge,
 38 skills, and abilities necessary to competently provide child
 39 welfare services ~~establish, maintain, and oversee the operation~~
 40 ~~of child welfare training academies in the state. It is the~~
 41 intent of the Legislature that each person providing child
 42 welfare services in this state earns and maintains a
 43 professional certification from a professional credentialing
 44 entity that is approved by the Department of Children and Family
 45 Services. The Legislature further intends that certification ~~the~~
 46 ~~staff development~~ and training programs ~~that are established~~
 47 will aid in the reduction of poor staff morale and of staff
 48 turnover, will positively impact on the quality of decisions
 49 made regarding children and families who require assistance from
 50 programs providing child welfare services, and will afford
 51 better quality care of children who must be removed from their
 52 families.
 53 (2) DEFINITIONS.—As used in this section, the term:
 54 (a) "Child welfare certification" means a professional
 55 credential awarded by a department-approved third-party
 56 credentialing entity to individuals demonstrating core

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57 competency in any child welfare practice area.

58 (b) ~~(a)~~ "Child welfare services" means any intake,
59 protective investigations, preprotective services, protective
60 services, foster care, shelter and group care, and adoption and
61 related services program, including supportive services and,
62 supervision, ~~and legal services~~, provided to children who are
63 alleged to have been abused, abandoned, or neglected, ~~or who are~~
64 at risk of becoming, are alleged to be, or have been found
65 dependent pursuant to chapter 39.

66 (c) "Core competency" means the minimum knowledge, skills,
67 and abilities necessary to carry out work responsibilities.

68 (d) ~~(b)~~ "Person providing child welfare services" means a
69 person who has a responsibility for supervisory, ~~legal~~, direct
70 care, or support-related ~~support-related~~ work in the provision
71 of child welfare services pursuant to chapter 39.

72 (e) "Preservice curriculum" means the minimum statewide
73 training content based upon the core competencies which is made
74 available to all persons providing child welfare services.

75 (f) "Third-party credentialing entity" means a department-
76 approved nonprofit organization that has met nationally
77 recognized standards for developing and administering
78 professional certification programs.

79 (3) THIRD-PARTY CREDENTIALING ENTITIES CHILD WELFARE
80 TRAINING PROGRAM.—The department shall approve one or more
81 third-party credentialing entities for the purpose of developing
82 and administering child welfare certification programs for
83 persons who provide child welfare services. A third-party
84 credentialing entity shall request such approval in writing from

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85 the department. In order to obtain approval, the third-party
86 credentialing entity must:

87 (a) Establish professional requirements and standards that
88 applicants must achieve in order to obtain a child welfare
89 certification and to maintain such certification.

90 (b) Develop and apply core competencies and examination
91 instruments according to nationally recognized certification and
92 psychometric standards.

93 (c) Maintain a professional code of ethics and a
94 disciplinary process that apply to all persons holding child
95 welfare certification.

96 (d) Maintain a database, accessible to the public, of all
97 persons holding child welfare certification, including any
98 history of ethical violations.

99 (e) Require annual continuing education for persons
100 holding child welfare certification.

101 (f) Administer a continuing education provider program to
102 ensure that only qualified providers offer continuing education
103 opportunities for certificateholders ~~establish a program for~~
104 ~~training pursuant to the provisions of this section, and all~~
105 ~~persons providing child welfare services shall be required to~~
106 ~~participate in and successfully complete the program of training~~
107 ~~pertinent to their areas of responsibility.~~

108 (4) CHILD WELFARE TRAINING TRUST FUND.—

109 (a) There is created within the State Treasury a Child
110 Welfare Training Trust Fund to be used by the Department of
111 Children and Family Services for the purpose of funding the
112 professional development ~~a comprehensive system of child welfare~~

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113 ~~training, including the securing of consultants to develop the~~
114 ~~system and the developing of child welfare training academies~~
115 ~~that include the participation~~ of persons providing child
116 welfare services.

117 (b) One dollar from every noncriminal traffic infraction
118 collected pursuant to s. 318.14(10) (b) or s. 318.18 shall be
119 deposited into the Child Welfare Training Trust Fund.

120 (c) In addition to the funds generated by paragraph (b),
121 the trust fund shall receive funds generated from an additional
122 fee on birth certificates and dissolution of marriage filings,
123 as specified in ss. 382.0255 and 28.101, respectively, and may
124 receive funds from any other public or private source.

125 (d) Funds that are not expended by the end of the budget
126 cycle or through a supplemental budget approved by the
127 department shall revert to the trust fund.

128 (5) CORE COMPETENCIES.—

129 (a) The Department of Children and Family Services shall
130 approve ~~establish~~ the core competencies and related preservice
131 curricula ~~for a single integrated curriculum~~ that ensures that
132 each person delivering child welfare services obtains the
133 knowledge, skills, and abilities to competently carry out his or
134 her work responsibilities. ~~This curriculum may be a compilation~~
135 ~~of different development efforts based on specific subsets of~~
136 ~~core competencies that are integrated for a comprehensive~~
137 ~~curriculum required in the provision of child welfare services~~
138 ~~in this state.~~

139 (b) The identification of these core competencies and
140 development of preservice curricula shall be a collaborative

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141 effort that includes ~~to include~~ professionals who have with
 142 expertise in child welfare services, department-approved third-
 143 party credentialing entities, and providers that will be
 144 affected by the curriculum, including ~~to include,~~ but not be
 145 limited to, representatives from the community-based care lead
 146 agencies, sheriffs' offices conducting child protection
 147 investigations, and child welfare legal services providers.

148 (c) Community-based care agencies, sheriffs' offices, and
 149 the department may contract for the delivery of preservice and
 150 any additional training for persons delivering child welfare
 151 services if the curriculum satisfies the department-approved
 152 core competencies. ~~Notwithstanding s. 287.057(3) and (21), the~~
 153 ~~department shall competitively solicit and contract for the~~
 154 ~~development, validation, and periodic evaluation of the training~~
 155 ~~curricula for the established single integrated curriculum. No~~
 156 ~~more than one training curriculum may be developed for each~~
 157 ~~specific subset of the core competencies.~~

158 (d) Department-approved credentialing entities shall, for
 159 a period of at least 12 months after implementation of the
 160 third-party child welfare certification programs, grant
 161 reciprocity and award a child welfare certification to
 162 individuals who hold current department-issued child welfare
 163 certification in good standing, at no cost to the department or
 164 the certificateholder.

165 (6) ~~ADVANCED TRAINING.~~ ~~The Department of Children and~~
 166 ~~Family Services shall annually examine the advanced training~~
 167 ~~that is needed by persons who deliver child welfare services in~~
 168 ~~the state. This examination shall address whether the current~~

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169 ~~advanced training provided should be continued and shall include~~
170 ~~the development of plans for incorporating any revisions to the~~
171 ~~advanced training determined necessary. This examination shall~~
172 ~~be conducted in collaboration with professionals with expertise~~
173 ~~in child welfare services and providers that will be affected by~~
174 ~~the curriculum, to include, but not be limited to,~~
175 ~~representatives from the community based care lead agencies,~~
176 ~~sheriffs' offices conducting child protection investigations,~~
177 ~~and child welfare legal services providers.~~

178 ~~(7) CERTIFICATION AND TRAINER QUALIFICATIONS. The~~
179 ~~department shall, in collaboration with the professionals and~~
180 ~~providers described in subsection (5), develop minimum standards~~
181 ~~for a certification process that ensures that participants have~~
182 ~~successfully attained the knowledge, skills, and abilities~~
183 ~~necessary to competently carry out their work responsibilities~~
184 ~~and shall develop minimum standards for trainer qualifications~~
185 ~~which must be required of training academies in the offering of~~
186 ~~the training curricula. Any person providing child welfare~~
187 ~~services shall be required to master the components of the~~
188 ~~curriculum that are particular to that person's work~~
189 ~~responsibilities.~~

190 ~~(8) ESTABLISHMENT OF TRAINING ACADEMIES. The department~~
191 ~~shall establish child welfare training academies as part of a~~
192 ~~comprehensive system of child welfare training. In establishing~~
193 ~~a program of training, the department may contract for the~~
194 ~~operation of one or more training academies to perform one or~~
195 ~~more of the following: to offer one or more of the training~~
196 ~~curricula developed under subsection (5); to administer the~~

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197 ~~certification process; to develop, validate, and periodically~~
 198 ~~evaluate additional training curricula determined to be~~
 199 ~~necessary, including advanced training that is specific to a~~
 200 ~~region or contractor, or that meets a particular training need,~~
 201 ~~or to offer the additional training curricula. The number,~~
 202 ~~location, and timeframe for establishment of training academies~~
 203 ~~shall be approved by the Secretary of Children and Family~~
 204 ~~Services who shall ensure that the goals for the core~~
 205 ~~competencies and the single integrated curriculum, the~~
 206 ~~certification process, the trainer qualifications, and the~~
 207 ~~additional training needs are addressed. Notwithstanding s.~~
 208 ~~287.057(3) and (21), the department shall competitively solicit~~
 209 ~~all training academy contracts.~~

210 (6)~~(9)~~ ADOPTION OF RULES.—The Department of Children and
 211 Family Services shall adopt rules necessary to carry out the
 212 provisions of this section.

213 Section 2. Subsection (1) of section 402.731, Florida
 214 Statutes, is amended to read:

215 402.731 Department of Children and Family Services
 216 certification programs for employees and service providers;
 217 employment provisions for transition to community-based care.—

218 (1) The Department of Children and Family Services is
 219 authorized to approve third-party credentialing entities, as
 220 defined in s. 402.40, ~~create certification programs~~ for its
 221 employees and service providers to ensure that only qualified
 222 employees and service providers provide client services. ~~The~~
 223 ~~department is authorized to develop rules that include~~
 224 ~~qualifications for certification, including training and testing~~

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225 ~~requirements, continuing education requirements for ongoing~~
226 ~~certification, and decertification procedures to be used to~~
227 ~~determine when an individual no longer meets the qualifications~~
228 ~~for certification and to implement the decertification of an~~
229 ~~employee or agent.~~

230 Section 3. This act shall take effect October 1, 2011.