



331020

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2011	.	
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	.	

The Committee on Children, Families, and Elder Affairs (Detert) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

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

402.40 Child welfare training and certification.—

(1) LEGISLATIVE INTENT.—In order to enable the state to provide a systematic approach to staff development and training for persons providing child welfare services that will meet the needs of such staff in their discharge of duties, it is the intent of the Legislature that the Department of Children and



331020

13 Family Services work in collaboration with the child welfare
14 stakeholder community including department approved third party
15 credentialing entities to ensure that staff have the knowledge,
16 skills, and abilities necessary to competently provide child
17 welfare services establish, maintain, and oversee the operation
18 of child welfare training academies in the state. The
19 Legislature further intends that ~~the staff development and~~
20 certification and training programs that are established will
21 aid in the reduction of poor staff morale and of staff turnover,
22 will positively impact on the quality of decisions made
23 regarding children and families who require assistance from
24 programs providing child welfare services, and will afford
25 better quality care of children who must be removed from their
26 families.

27 (2) DEFINITIONS.—As used in this section, the term:

28 (a) "Child welfare certification" means a professional
29 credential awarded by a department approved third-party
30 credentialing entity, to individuals demonstrating core
31 competency in any child welfare practice area.

32 (b) ~~(a)~~ "Child welfare services" means any intake,
33 protective investigations, preprotective services, protective
34 services, foster care, shelter and group care, and adoption and
35 related services program, including supportive services, and
36 supervision, and legal services, provided to children who are
37 alleged to have been abused, abandoned, or neglected, or who are
38 at risk of becoming, are alleged to be, or have been found
39 dependent pursuant to chapter 39.

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



331020

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

46 (e) "Pre-service curriculum" means the minimum statewide
47 training content based upon the core competencies that is to be
48 made available to all persons providing child welfare services.

49 (f) "Third-party credentialing entity" means a department
50 approved nonprofit organization that has met nationally
51 recognized standards for developing and administering
52 professional certification programs.

53 (3) THIRD-PARTY CREDENTIALING ENTITIES.—The department
54 shall approve one or more third-party credentialing entities for
55 the purpose of developing and administering child welfare
56 certification programs for persons who provide child welfare
57 services. A third-party credentialing entity shall request such
58 approval in writing from the department. In order to obtain
59 approval, the third-party credentialing entity must:

60 (a) Establish professional requirements and standards that
61 applicants must achieve in order to obtain a child welfare
62 certification and to maintain such certification;

63 (b) Develop and apply core competencies and examination
64 instruments according to nationally recognized certification and
65 psychometric standards;

66 (c) Maintain a professional code of ethics and a
67 disciplinary process that apply to all persons holding child
68 welfare certification;

69 (d) Maintain a database, accessible to the public, of all
70 persons holding child welfare certification, including any



331020

71 history of ethical violations;

72 (e) Require annual continuing education requirements for
73 persons holding child welfare certification; and

74 (f) Administer a continuing education provider program to
75 ensure only qualified providers offer continuing education
76 opportunities for the certified population.

77 ~~(3) CHILD WELFARE TRAINING PROGRAM. The department shall~~
78 ~~establish a program for training pursuant to the provisions of~~
79 ~~this section, and all persons providing child welfare services~~
80 ~~shall be required to participate in and successfully complete~~
81 ~~the program of training pertinent to their areas of~~
82 ~~responsibility.~~

83 (4) CHILD WELFARE TRAINING TRUST FUND.—

84 (a) There is created within the State Treasury a Child
85 Welfare Training Trust Fund to be used by the Department of
86 Children and Family Services for the purpose of funding the
87 professional development ~~a comprehensive system of child welfare~~
88 ~~training, including the securing of consultants to develop the~~
89 ~~system and the developing of child welfare training academies~~
90 ~~that include the participation of persons providing child~~
91 ~~welfare services.~~

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

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



331020

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

103 (5) CORE COMPETENCIES.-

104 (a) The Department of Children and Family Services shall
105 approve ~~establish~~ the core competencies and related pre-service
106 curricula ~~for a single integrated curriculum~~ that ensures that
107 each person delivering child welfare services obtains the
108 knowledge, skills, and abilities to competently carry out his or
109 her work responsibilities. ~~This curriculum may be a compilation~~
110 ~~of different development efforts based on specific subsets of~~
111 ~~core competencies that are integrated for a comprehensive~~
112 ~~curriculum required in the provision of child welfare services~~
113 ~~in this state.~~

114 (b) The identification of these core competencies and
115 development of pre-service curricula shall be a collaborative
116 effort to include professionals with expertise in child welfare
117 services, department approved third-party credentialing
118 entities, and providers that will be affected by the curriculum,
119 to include, but not be limited to, representatives from the
120 community-based care lead agencies, sheriffs' offices conducting
121 child protection investigations, and child welfare legal
122 services providers.

123 (c) ~~Notwithstanding s. 287.057(3) and (21), the department~~
124 ~~shall competitively solicit and contract for the development,~~
125 ~~validation, and periodic evaluation of the training curricula~~
126 ~~for the established single integrated curriculum. No more than~~
127 ~~one training curriculum may be developed for each specific~~
128 ~~subset of the core competencies, Community-based care agencies,~~



331020

129 sheriff's offices, and the department may contract for the
130 delivery of both pre-service and any additional training for
131 persons delivering child welfare services as long as any
132 curriculum satisfies the department approved core competencies.

133 (d) Department approved credentialing entities shall, for a
134 period of no less than 12-months from the implementation of
135 third-party child welfare certification programs, grant
136 reciprocity and award a child welfare certification to
137 individuals who hold current department issued child welfare
138 certification in good standing, at no cost to the state or the
139 certificant.

140 ~~(6) ADVANCED TRAINING.—The Department of Children and~~
141 ~~Family Services shall annually examine the advanced training~~
142 ~~that is needed by persons who deliver child welfare services in~~
143 ~~the state. This examination shall address whether the current~~
144 ~~advanced training provided should be continued and shall include~~
145 ~~the development of plans for incorporating any revisions to the~~
146 ~~advanced training determined necessary. This examination shall~~
147 ~~be conducted in collaboration with professionals with expertise~~
148 ~~in child welfare services and providers that will be affected by~~
149 ~~the curriculum, to include, but not be limited to,~~
150 ~~representatives from the community based care lead agencies,~~
151 ~~sheriffs' offices conducting child protection investigations,~~
152 ~~and child welfare legal services providers.~~

153 ~~(7) CERTIFICATION AND TRAINER QUALIFICATIONS.— The~~
154 ~~department shall, in collaboration with the professionals and~~
155 ~~providers described in subsection (5), develop minimum standards~~
156 ~~for a certification process that ensures that participants have~~
157 ~~successfully attained the knowledge, skills, and abilities~~



331020

158 ~~necessary to competently carry out their work responsibilities~~
159 ~~and shall develop minimum standards for trainer qualifications~~
160 ~~which must be required of training academies in the offering of~~
161 ~~the training curricula. Any person providing child welfare~~
162 ~~services shall be required to master the components of the~~
163 ~~curriculum that are particular to that person's work~~
164 ~~responsibilities.~~

165 ~~(8) ESTABLISHMENT OF TRAINING ACADEMIES.— The department~~
166 ~~shall establish child welfare training academies as part of a~~
167 ~~comprehensive system of child welfare training. In establishing~~
168 ~~a program of training, the department may contract for the~~
169 ~~operation of one or more training academies to perform one or~~
170 ~~more of the following: to offer one or more of the training~~
171 ~~curricula developed under subsection (5); to administer the~~
172 ~~certification process; to develop, validate, and periodically~~
173 ~~evaluate additional training curricula determined to be~~
174 ~~necessary, including advanced training that is specific to a~~
175 ~~region or contractor, or that meets a particular training need;~~
176 ~~or to offer the additional training curricula. The number,~~
177 ~~location, and timeframe for establishment of training academies~~
178 ~~shall be approved by the Secretary of Children and Family~~
179 ~~Services who shall ensure that the goals for the core~~
180 ~~competencies and the single integrated curriculum, the~~
181 ~~certification process, the trainer qualifications, and the~~
182 ~~additional training needs are addressed. Notwithstanding s.~~
183 ~~287.057(3) and (21), the department shall competitively solicit~~
184 ~~all training academy contracts.~~

185 ~~(9) ADOPTION OF RULES.—The Department of Children and~~
186 ~~Family Services shall adopt rules necessary to carry out the~~



331020

187 provisions of this section.

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

190 402.731 Department of Children and Family Services
191 certification programs for employees and service providers;
192 employment provisions for transition to community-based care.-

193 (1) The Department of Children and Family Services is
194 authorized to ~~create certification programs~~ approve third party
195 credentialing entities as defined in s. 402.40, for its
196 employees and service providers to ensure that only qualified
197 employees and service providers provide client services. ~~The~~
198 ~~department is authorized to develop rules that include~~
199 ~~qualifications for certification, including training and testing~~
200 ~~requirements, continuing education requirements for ongoing~~
201 ~~certification, and decertification procedures to be used to~~
202 ~~determine when an individual no longer meets the qualifications~~
203 ~~for certification and to implement the decertification of an~~
204 ~~employee or agent.~~

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

206
207 ===== T I T L E A M E N D M E N T =====

208 And the title is amended as follows:

209 Delete everything before the enacting clause
210 and insert:

211 A bill to be entitled
212 An act relating to the training and certification of
213 child welfare personnel; amending s. 402.40, F.S.;
214 revising legislative intent; defining the terms "child
215 welfare certification", "core competency", "pre-



331020

216 service curriculum" and "third-party credentialing
217 entity"; providing required criteria for approval of
218 credentialing entities; revising the use of a
219 department trust fund; revising provisions relating to
220 pre-service curricula; requiring persons who provide
221 child welfare services to be certified by a third-
222 party credentialing entity; allowing entities to add
223 to or augment pre-service curriculum; allowing
224 entities to contract for training; requiring persons
225 to master core competencies; providing for recognition
226 for currently certified persons; deleting requirements
227 relating to certification and trainer qualifications;
228 deleting provisions relating to training academies;
229 amending s. 402.731, F.S.; authorizing approval of
230 third party credentialing entities; providing an
231 effective date.