

By Senator Sobel

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1 A bill to be entitled
2 An act relating to child welfare training and
3 certification; amending s. 402.40, F.S.; revising the
4 definition of the term "person providing child welfare
5 services"; requiring a third-party credentialing
6 entity seeking approval from the Department of
7 Children and Families to administer a field internship
8 program for certain students; requiring the department
9 to budget certain federal matching funds to provide
10 educational financial support for specified persons;
11 requiring the department to establish policies
12 governing supervision of certain persons delivering
13 child welfare services by a child protective
14 investigator; providing an effective date.

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

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

20 402.40 Child welfare training and certification.—

21 (1) LEGISLATIVE INTENT.—In order to enable the state to
22 provide a systematic approach to staff development and training
23 for persons providing child welfare services that will meet the
24 needs of such staff in their discharge of duties, it is the
25 intent of the Legislature that the Department of Children and
26 Families ~~Family Services~~ work in collaboration with the child
27 welfare stakeholder community, including department-approved
28 third-party credentialing entities, to ensure that staff have
29 the knowledge, skills, and abilities necessary to competently

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30 provide child welfare services. It is the intent of the
31 Legislature that each person providing child welfare services in
32 this state earns and maintains a professional certification from
33 a professional credentialing entity that is approved by the
34 Department of Children and Families ~~Family Services~~. The
35 Legislature further intends that certification and training
36 programs will aid in the reduction of poor staff morale and of
37 staff turnover, will positively impact on the quality of
38 decisions made regarding children and families who require
39 assistance from programs providing child welfare services, and
40 will afford better quality care of children who must be removed
41 from their families.

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

43 (a) "Child welfare certification" means a professional
44 credential awarded by a department-approved third-party
45 credentialing entity to individuals demonstrating core
46 competency in any child welfare practice area.

47 (b) "Child welfare services" means any intake, protective
48 investigations, preprotective services, protective services,
49 foster care, shelter and group care, and adoption and related
50 services program, including supportive services and supervision
51 provided to children who are alleged to have been abused,
52 abandoned, or neglected or who are at risk of becoming, are
53 alleged to be, or have been found dependent pursuant to chapter
54 39.

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

57 (d) "Person providing child welfare services" means a
58 person who has a responsibility for supervisory, direct care, or

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59 support-related work in the provision of child welfare services
60 pursuant to chapter 39. The term includes a student enrolled in
61 a Bachelor of Social Work or Master of Social Work degree
62 program and providing services under the direction of
63 supervisory-level personnel as part of a field internship
64 program.

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

68 (f) "Third-party credentialing entity" means a department-
69 approved nonprofit organization that has met nationally
70 recognized standards for developing and administering
71 professional certification programs.

72 (3) THIRD-PARTY CREDENTIALING ENTITIES.—The department
73 shall approve one or more third-party credentialing entities for
74 the purpose of developing and administering child welfare
75 certification programs for persons who provide child welfare
76 services. A third-party credentialing entity shall request such
77 approval in writing from the department. In order to obtain
78 approval, the third-party credentialing entity must:

79 (a) Establish professional requirements and standards that
80 applicants must achieve in order to obtain a child welfare
81 certification and to maintain such certification.

82 (b) Develop and apply core competencies and examination
83 instruments according to nationally recognized certification and
84 psychometric standards.

85 (c) Maintain a professional code of ethics and a
86 disciplinary process that apply to all persons holding child
87 welfare certification.

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

91 (e) Require annual continuing education for persons holding
92 child welfare certification.

93 (f) Administer a continuing education provider program to
94 ensure that only qualified providers offer continuing education
95 opportunities for certificateholders.

96 (g) Administer a field internship program for the
97 certification of students enrolled in a Bachelor of Social Work
98 or Master of Social Work degree program under the direction of
99 supervisory-level personnel.

100 (4) CHILD WELFARE TRAINING TRUST FUND.—

101 (a) There is created within the State Treasury a Child
102 Welfare Training Trust Fund to be used by the Department of
103 Children and Families ~~Family Services~~ for the purpose of funding
104 the professional development of persons providing child welfare
105 services.

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

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

114 (d) The department shall determine the amount of federal
115 funds available under Title IV-E for child welfare workforce
116 training and education and, in accordance with s. 409.26731 and

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117 applicable federal requirements, shall, to the maximum extent
118 feasible, budget sufficient funds for matching purposes to
119 provide educational financial support, including tuition
120 assistance and stipends, for child protective investigators,
121 persons providing child welfare services in the state, or
122 persons otherwise meeting program requirements.

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

126 (5) CORE COMPETENCIES.—

127 (a) The Department of Children and Families ~~Family Services~~
128 shall approve the core competencies and related preservice
129 curricula that ensures that each person delivering child welfare
130 services obtains the knowledge, skills, and abilities to
131 competently carry out his or her work responsibilities. The
132 department shall, by no later than October 1, 2014, establish
133 policies governing the maximum number of child protective
134 investigators that a child protective investigator supervisor
135 may supervise as well as the maximum number of persons
136 delivering child welfare services that may be supervised by the
137 same person at one time. The policies may consider regional
138 variations and other factors. In the absence of such policies,
139 neither the ratio of supervisors to investigators nor the ratio
140 of supervisors to persons delivering child welfare services may
141 exceed 1 to 12.

142 (b) The identification of these core competencies and
143 development of preservice curricula shall be a collaborative
144 effort that includes professionals who have expertise in child
145 welfare services, department-approved third-party credentialing

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146 entities, and providers that will be affected by the curriculum,
147 including, but not limited to, representatives from the
148 community-based care lead agencies, sheriffs' offices conducting
149 child protection investigations, and child welfare legal
150 services providers.

151 (c) Community-based care agencies, sheriffs' offices, and
152 the department may contract for the delivery of preservice and
153 any additional training for persons delivering child welfare
154 services if the curriculum satisfies the department-approved
155 core competencies.

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

162 (6) ADOPTION OF RULES.—The Department of Children and
163 Families ~~Family Services~~ shall adopt rules necessary to carry
164 out the provisions of this section.

165 Section 2. This act shall take effect July 1, 2014.