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LEGISLATIVE ACTION

Senate

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House

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Floor: 13/AD/2R

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04/25/2014 11:42 AM

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Senator Detert moved the following:

Senate Amendment (with title amendment)

Between lines 2418 and 2419

insert:

Section 27. Paragraphs (b), (d), (h), and (i) of subsection (6) of section 409.175, Florida Statutes, are amended to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.—

(6)

(b) Upon application, the department shall conduct a



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12 licensing study based on its licensing rules; shall inspect the
13 home or the agency and the records, including financial records,
14 of the agency; and shall interview the applicant. The department
15 may authorize a licensed child-placing agency to conduct the
16 licensing study of a family foster home to be used exclusively
17 by that agency and to verify to the department that the home
18 meets the licensing requirements established by the department.
19 Upon certification by a licensed child-placing agency that a
20 family foster home meets the licensing requirements and upon
21 receipt of a letter from a community-based care lead agency in
22 the service area where the home will be licensed which indicates
23 that the family foster home meets the criteria established by
24 the lead agency, the department shall issue the license. A
25 letter from the lead agency is not required if the lead agency
26 where the proposed home is located is directly supervising
27 foster homes in the same service area.

28 (d)1. The department may pursue other remedies provided in
29 this section in addition to denial or revocation of a license
30 for failure to comply with the screening requirements. The
31 disciplinary actions determination to be made by the department
32 and the procedure for hearing for applicants and licensees shall
33 be in accordance with chapter 120.

34 2. When the department has reasonable cause to believe that
35 grounds for denial or termination of employment exist, it shall
36 notify, in writing, the applicant, licensee, or summer or
37 recreation camp, and the personnel affected, stating the
38 specific record that ~~which~~ indicates noncompliance with the
39 screening requirements.

40 3. Procedures established for hearing under chapter 120



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41 shall be available to the applicant, licensee, summer day camp,
42 or summer 24-hour camp, and affected personnel, in order to
43 present evidence relating either to the accuracy of the basis
44 for exclusion or to the denial of an exemption from
45 disqualification. Such procedures may also be used to challenge
46 a decision by a community-based care lead agency's refusal to
47 issue a letter supporting an application for licensure. If the
48 challenge is to the actions of the community-based care lead
49 agency, the respondent to the challenge shall be the lead agency
50 and the department shall be notified of the proceedings.

51 4. Refusal on the part of an applicant to dismiss personnel
52 who have been found not to be in compliance with the
53 requirements for good moral character of personnel shall result
54 in automatic denial or revocation of license in addition to any
55 other remedies provided in this section which may be pursued by
56 the department.

57 (h) Upon determination that the applicant meets the state
58 minimum licensing requirements and has obtained a letter from a
59 community-based care lead agency which indicates that the family
60 foster home meets the criteria established by the lead agency,
61 the department shall issue a license without charge to a
62 specific person or agency at a specific location. A license may
63 be issued if all the screening materials have been timely
64 submitted; however, a license may not be issued or renewed if
65 any person at the home or agency has failed the required
66 screening. The license is nontransferable. A copy of the license
67 shall be displayed in a conspicuous place. Except as provided in
68 paragraph (j), the license is valid for 1 year from the date of
69 issuance, unless the license is suspended or revoked by the



70 department or is voluntarily surrendered by the licensee. The
71 license is the property of the department.

72 (i) The issuance of a license to operate a family foster
73 home or agency does not require a lead agency to place a child
74 with the home or agency. A license issued for the operation of a
75 family foster home or agency, unless sooner suspended, revoked,
76 or voluntarily returned, will expire automatically 1 year from
77 the date of issuance except as provided in paragraph (j). Ninety
78 days prior to the expiration date, an application for renewal
79 shall be submitted to the department by a licensee who wishes to
80 have the license renewed. A license shall be renewed upon the
81 filing of an application on forms furnished by the department if
82 the applicant has first met the requirements established under
83 this section and the rules promulgated hereunder.

84
85 ===== T I T L E A M E N D M E N T =====

86 And the title is amended as follows:

87 Between lines 113 and 114

88 insert:

89 amending s. 409.175, F.S.; revising licensing
90 requirements and procedures for family foster homes,
91 residential child-caring agencies, and child-placing
92 agencies;