

A bill to be entitled

An act relating to child welfare training and certification; amending s. 402.40, F.S.; revising the definition of the term "person providing child welfare services"; requiring a third-party credentialing entity seeking approval from the Department of Children and Families to administer a field internship program for certain students; requiring the department to budget certain federal matching funds to provide educational financial support for specified persons; requiring the department to establish policies governing supervision of certain persons delivering child welfare services by a child protective investigator; providing an effective date.

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

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 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
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
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.

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
 92 holding 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 Family Services for the purpose of funding the
 104 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
 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
 124 budget 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~~
 128 ~~Services~~ shall approve the core competencies and related
 129 preservice curricula that ensures that each person delivering
 130 child welfare services obtains the knowledge, skills, and

131 abilities to competently carry out his or her work
132 responsibilities. The department shall, no later than October 1,
133 2014, establish policies governing the maximum number of child
134 protective investigators that a child protective investigator
135 supervisor may supervise as well as the maximum number of
136 persons delivering child welfare services that may be supervised
137 by the same person at one time. The policies may consider
138 regional variations and other factors. In the absence of such
139 policies, neither the ratio of supervisors to investigators nor
140 the ratio of supervisors to persons delivering child welfare
141 services may exceed 1 to 5.

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
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

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157 a period of at least 12 months after implementation of the
158 third-party child welfare certification programs, grant
159 reciprocity and award a child welfare certification to
160 individuals who hold current department-issued child welfare
161 certification in good standing, at no cost to the department or
162 the certificateholder.

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

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