

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Children, Families &  
 2 Seniors Subcommittee  
 3 Representative Harrell offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (2) of section 39.013, Florida  
 8 Statutes, is amended to read:

9 39.013 Procedures and jurisdiction; right to counsel.—

10 (2) The circuit court has exclusive original jurisdiction  
 11 of all proceedings under this chapter, of a child voluntarily  
 12 placed with a licensed child-caring agency, a licensed child-  
 13 placing agency, or the department, and of the adoption of  
 14 children whose parental rights have been terminated under this  
 15 chapter. Jurisdiction attaches when the initial shelter  
 16 petition, dependency petition, or termination of parental rights  
 17 petition, or a petition for an injunction to prevent child abuse  
 18 issued pursuant to s. 39.504, is filed or when a child is taken

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19 into the custody of the department. The circuit court may assume  
20 jurisdiction over any such proceeding regardless of whether the  
21 child was in the physical custody of both parents, was in the  
22 sole legal or physical custody of only one parent, caregiver, or  
23 some other person, or was not in the physical or legal custody  
24 of any person when the event or condition occurred that brought  
25 the child to the attention of the court. When the court obtains  
26 jurisdiction of any child who has been found to be dependent,  
27 the court shall retain jurisdiction, unless relinquished by its  
28 order, until the child reaches 21 years of age, or 22 years of  
29 age if the child has a disability, with the following

30 exceptions:

31 (a) If a young adult chooses to leave foster care upon  
32 reaching 18 years of age.

33 (b) If a young adult does not meet the eligibility  
34 requirements to remain in foster care under s. 39.6251 or  
35 chooses to leave care under that section.

36 (c) If a young adult petitions the court at any time before  
37 his or her 19th birthday requesting the court's continued  
38 jurisdiction, the juvenile court may retain jurisdiction under  
39 this chapter for a period not to exceed 1 year following the  
40 young adult's 18th birthday for the purpose of determining  
41 whether appropriate services that were required to be provided  
42 to the young adult before reaching 18 years of age have been  
43 provided.

44 (d) If a petition for special immigrant juvenile status and  
45 an application for adjustment of status have been filed on

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46 | behalf of a foster child and the petition and application have  
47 | not been granted by the time the child reaches 18 years of age,  
48 | the court may retain jurisdiction over the dependency case  
49 | solely for the purpose of allowing the continued consideration  
50 | of the petition and application by federal authorities. Review  
51 | hearings for the child shall be set solely for the purpose of  
52 | determining the status of the petition and application. The  
53 | court's jurisdiction terminates upon the final decision of the  
54 | federal authorities. Retention of jurisdiction in this instance  
55 | does not affect the services available to a young adult under s.  
56 | 409.1451. The court may not retain jurisdiction of the case  
57 | after the immigrant child's 22nd birthday.

58 |       Section 2. Subsection (11) of section 39.2015, Florida  
59 | Statutes, is amended to read:

60 |       39.2015 Critical incident rapid response team.-

61 |       (11) The secretary shall appoint an advisory committee  
62 | made up of experts in child protection and child welfare,  
63 | including the Statewide Medical Director for Child Protection  
64 | under the Department of Health, a representative from the  
65 | institute established pursuant to s. 1004.615, an expert in  
66 | organizational management, and an attorney with experience in  
67 | child welfare, to conduct an independent review of investigative  
68 | reports from the critical incident rapid response teams and to  
69 | make recommendations to improve policies and practices related  
70 | to child protection and child welfare services. The advisory  
71 | committee shall meet at least once each quarter and shall submit  
72 | quarterly reports to the secretary. The quarterly reports shall

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73 ~~which~~ include findings and recommendations- and shall describe  
74 the implementation status of all recommendations contained  
75 within the advisory committee reports, including an entity's  
76 reason for not implementing a recommendation, if applicable. The  
77 secretary shall submit each report to the Governor, the  
78 President of the Senate, and the Speaker of the House of  
79 Representatives.

80 Section 3. Paragraph (f) and (h) of subsection (8) of  
81 section 39.402, Florida Statutes, are amended to read:

82 39.402 Placement in a shelter.-

83 (8)

84 (f) At the shelter hearing, the department shall inform  
85 the court of:

86 1. Any identified current or previous case plans  
87 negotiated under this chapter in any judicial circuit district  
88 with the parents or caregivers ~~under this chapter~~ and problems  
89 associated with compliance;

90 2. Any adjudication of the parents or caregivers of  
91 delinquency;

92 3. Any past or current injunction for protection from  
93 domestic violence or an order of no contact; and

94 4. All of the child's places of residence during the prior  
95 12 months.

96 (h) The order for placement of a child in shelter care  
97 must identify the parties present at the hearing and must  
98 contain written findings:

99 1. That placement in shelter care is necessary based on

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100 the criteria in subsections (1) and (2).

101 2. That placement in shelter care is in the best interest  
102 of the child.

103 3. That continuation of the child in the home is contrary  
104 to the welfare of the child because the home situation presents  
105 a substantial and immediate danger to the child's physical,  
106 mental, or emotional health or safety which cannot be mitigated  
107 by the provision of ~~preventive~~ safety management services.

108 4. That based upon the allegations of the petition for  
109 placement in shelter care, there is probable cause to believe  
110 that the child is dependent or that the court needs additional  
111 time, which may not exceed 72 hours, in which to obtain and  
112 review documents pertaining to the family in order to  
113 appropriately determine ~~the risk to the child~~ whether placement  
114 in shelter care is necessary to ensure the child's safety.

115 5. That the department has made reasonable efforts to  
116 prevent or eliminate the need for removal of the child from the  
117 home. A finding of reasonable effort by the department to  
118 prevent or eliminate the need for removal may be made and the  
119 department is deemed to have made reasonable efforts to prevent  
120 or eliminate the need for removal if:

121 a. The first contact of the department with the family  
122 occurs during an emergency;

123 b. The appraisal of the home situation by the department  
124 indicates that the home situation presents a substantial and  
125 immediate danger to the child's physical, mental, or emotional  
126 health or safety which cannot be mitigated by the provision of

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127 preventive services including issuance of an injunction against  
128 a perpetrator of domestic violence pursuant to s. 39.504;

129 c. The child cannot safely remain at home, either because  
130 there are no ~~preventive~~ safety management services, under s.  
131 409.988(3)(b), that can ensure the health and safety of the  
132 child or because, even with appropriate and available services  
133 being provided, the health and safety of the child cannot be  
134 ensured; or

135 d. The parent or legal custodian is alleged to have  
136 committed any of the acts listed as grounds for expedited  
137 termination of parental rights in s. 39.806(1)(f)-(i).

138 6. That the department has made reasonable efforts to keep  
139 siblings together if they are removed and placed in out-of-home  
140 care unless such placement is not in the best interest of each  
141 child. It is preferred that siblings be kept together in a  
142 foster home, if available. Other reasonable efforts shall  
143 include short-term placement in a group home with the ability to  
144 accommodate sibling groups if such a placement is available. The  
145 department shall report to the court its efforts to place  
146 siblings together unless the court finds that such placement is  
147 not in the best interest of a child or his or her sibling.

148 7. That the court notified the parents, relatives that are  
149 providing out-of-home care for the child, or legal custodians of  
150 the time, date, and location of the next dependency hearing and  
151 of the importance of the active participation of the parents,  
152 relatives that are providing out-of-home care for the child, or  
153 legal custodians in all proceedings and hearings.

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154 8. That the court notified the parents or legal custodians  
155 of their right to counsel to represent them at the shelter  
156 hearing and at each subsequent hearing or proceeding, and the  
157 right of the parents to appointed counsel, pursuant to the  
158 procedures set forth in s. 39.013.

159 9. That the court notified relatives who are providing  
160 out-of-home care for a child as a result of the shelter petition  
161 being granted that they have the right to attend all subsequent  
162 hearings, to submit reports to the court, and to speak to the  
163 court regarding the child, if they so desire.

164 Section 4. Paragraphs (b) through (f) of subsection (1) of  
165 section 39.521, Florida Statutes, are redesignated as paragraphs  
166 (c) through (g), respectively, a new paragraph (b) is added, and  
167 paragraph (a) of that subsection is amended to read:

168 39.521 Disposition hearings; powers of disposition.—

169 (1) A disposition hearing shall be conducted by the court,  
170 if the court finds that the facts alleged in the petition for  
171 dependency were proven in the adjudicatory hearing, or if the  
172 parents or legal custodians have consented to the finding of  
173 dependency or admitted the allegations in the petition, have  
174 failed to appear for the arraignment hearing after proper  
175 notice, or have not been located despite a diligent search  
176 having been conducted.

177 (a) A written case plan and a predisposition study prepared  
178 by an authorized agent of the department must be ~~filed~~ approved  
179 by the court. The department must file the case plan and pre-  
180 disposition study with the court, ~~served~~ serve it upon the

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181 parents of the child, ~~provided~~ provide it to the representative  
182 of the guardian ad litem program, if the program has been  
183 appointed, and provided to all other parties:

184 1. not less than 72 hours before the disposition hearing,  
185 if the disposition hearing occurs on or after 60 days from when  
186 the child was placed in out-of-home care. All such case plans  
187 must be approved by the court.

188 2. not less than 72 hours before the case plan acceptance  
189 hearing, if the disposition hearing occurs prior to 60 days from  
190 when the child was placed in out-of-home care and a case plan  
191 was not submitted pursuant to paragraph (a) or ~~If the court does~~  
192 ~~not approve the case plan at the disposition hearing.~~ The case  
193 plan acceptance hearing must occur within 30 days of the  
194 disposition hearing ~~the court must set a hearing within 30 days~~  
195 ~~after the disposition hearing to review and approve the case~~  
196 ~~plan.~~

197 (b) The court may grant an exception to the requirement  
198 for a predisposition study by separate order or within the  
199 judge's order of disposition upon finding that all the family  
200 and child information required by subsection (2) is available in  
201 other documents filed with the court.

202 Section 5. Subsection (2) of section 39.522, Florida  
203 Statutes, is amended to read:

204 39.522 Postdisposition change of custody.—The court may  
205 change the temporary legal custody or the conditions of  
206 protective supervision at a postdisposition hearing, without the  
207 necessity of another adjudicatory hearing.

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208 (2) In cases where the issue before the court is whether a  
209 child should be reunited with a parent, the court shall  
210 determine whether the circumstances that caused the out-of-home  
211 placement and issues subsequently identified have been remedied  
212 ~~parent has substantially complied with the terms of the case~~  
213 ~~plan~~ to the extent that the return of the child to the home with  
214 an in-home safety plan will not be detrimental to the child's  
215 safety, well-being, and physical, mental, and emotional health  
216 ~~of the child is not endangered by the return of the child to the~~  
217 ~~home.~~

218 Section 6. Paragraphs (b) and (c) of subsection (1) of  
219 section 39.6011, Florida Statutes, are redesignated as  
220 paragraphs (c) and (d), respectively, and paragraph (b) is added  
221 to that subsection, to read:

222 39.6011 Case plan development.—

223 (1) The department shall prepare a draft of the case plan  
224 for each child receiving services under this chapter. A parent  
225 of a child may not be threatened or coerced with the loss of  
226 custody or parental rights for failing to admit in the case plan  
227 of abusing, neglecting, or abandoning a child. Participating in  
228 the development of a case plan is not an admission to any  
229 allegation of abuse, abandonment, or neglect, and it is not a  
230 consent to a finding of dependency or termination of parental  
231 rights. The case plan shall be developed subject to the  
232 following requirements:

233 (b) If the child has attained 14 years of age or is  
234 otherwise of an appropriate age and capacity, the child must:

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235 1. Be consulted on the development of the case plan; have  
236 the opportunity to attend a face-to-face conference, if  
237 appropriate; express a placement preference; and have the option  
238 to choose two members of the case planning team who are not a  
239 foster parent or caseworker for the child.

240 a. An individual selected by a child to be a member of the  
241 case planning team may be rejected at any time if there is good  
242 cause to believe that the individual would not act in the best  
243 interests of the child. One individual selected by a child to be  
244 a member of the child's case planning team may be designated to  
245 be the child's advisor and, as necessary, advocate, with respect  
246 to the application of the reasonable and prudent parent standard  
247 to the child.

248 b. The child may not be included in any aspect of the case  
249 planning process when information will be revealed or discussed  
250 that is of a nature that would best be presented to the child in  
251 a more therapeutic setting.

252 2. Sign the case plan, unless there is reason to waive the  
253 child's signature.

254 3. Receive an explanation of the provisions of the case  
255 plan from the department.

256 4. Be provided a copy of the case plan after the case plan  
257 has been agreed upon and signed and within 72 hours before the  
258 disposition hearing after jurisdiction attaches and the plan has  
259 been filed with the court.

260 Section 7. Subsection (4) of section 39.6035, Florida  
261 Statutes, is amended to read:

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262 39.6035 Transition plan.—

263 ~~(4) If a child is planning to leave care upon reaching 18~~  
264 ~~years of age,~~ The transition plan must be approved by the court  
265 before the child's 18th birthday and must be attached to the  
266 case plan and updated before each judicial review child leaves  
267 ~~care and the court terminates jurisdiction.~~

268 Section 8. Subsections (2) through (11) of section 39.621,  
269 Florida Statutes, are renumbered as subsections (3) through  
270 (12), respectively, subsection (2) is added to that section, and  
271 present subsection (2) is amended, to read:

272 39.621 Permanency determination by the court.—

273 (2) The permanency goal of maintaining and strengthening  
274 the placement with a parent may be used in the following  
275 circumstances:

276 (a) If a child has not been removed from a parent, even if  
277 adjudication of dependency is withheld, the court may leave the  
278 child in the current placement with maintaining and  
279 strengthening the placement as a permanency option.

280 (b) If a child has been removed from a parent and is  
281 placed with the parent from whom the child was not removed, the  
282 court may leave the child in the placement with the parent from  
283 whom the child was not removed with maintaining and  
284 strengthening the placement as a permanency option.

285 (c) If a child has been removed from a parent and is  
286 subsequently reunified with that parent, the court may leave the  
287 child with that parent with maintaining and strengthening the  
288 placement as a permanency option.

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289 (2) Except as provided in subsection (2), the permanency  
290 goals available under this chapter, listed in order of  
291 preference, are:

292 (a) Reunification;

293 (b) Adoption, if a petition for termination of parental  
294 rights has been or will be filed;

295 (c) Permanent guardianship of a dependent child under s.  
296 39.6221;

297 (d) Permanent placement with a fit and willing relative  
298 under s. 39.6231; or

299 (e) Placement in another planned permanent living  
300 arrangement under s. 39.6241.

301 Section 9. Paragraphs (a) and (d) of subsection (2) of  
302 section 39.701, Florida Statutes, are amended to read:

303 39.701 Judicial review.—

304 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF  
305 AGE.—

306 (a) Social study report for judicial review.—Before every  
307 judicial review hearing or citizen review panel hearing, the  
308 social service agency shall make an investigation and social  
309 study concerning all pertinent details relating to the child and  
310 shall furnish to the court or citizen review panel a written  
311 report that includes, but is not limited to:

312 1. A description of the type of placement the child is in  
313 at the time of the hearing, including the safety of the child,  
314 ~~and the continuing necessity for and appropriateness of the~~  
315 placement, and that the placement is the least restrictive and

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316 family-like setting available that meets the needs of the child,  
317 or an explanation as to why the placement is not the least  
318 restrictive and family-like setting available that meets the  
319 needs of the child.

320 2. Documentation of the diligent efforts made by all  
321 parties to the case plan to comply with each applicable  
322 provision of the plan.

323 3. The amount of fees assessed and collected during the  
324 period of time being reported.

325 4. The services provided to the foster family or legal  
326 custodian in an effort to address the needs of the child as  
327 indicated in the case plan.

328 5. A statement that either:

329 a. The parent, though able to do so, did not comply  
330 substantially with the case plan, and the agency  
331 recommendations;

332 b. The parent did substantially comply with the case plan;  
333 or

334 c. The parent has partially complied with the case plan,  
335 with a summary of additional progress needed and the agency  
336 recommendations.

337 6. A statement concerning whether the circumstances that  
338 caused the out-of-home placement and issues subsequently  
339 identified have been remedied to the extent that the return of  
340 the child to the home with an in-home safety plan will not be  
341 detrimental to the child's safety, well-being, and physical,  
342 mental, and emotional health.

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343       ~~6~~ 7. A statement from the foster parent or legal custodian  
344 providing any material evidence concerning the return of the  
345 child to the parent or parents.

346       ~~7~~ 8. A statement concerning the frequency, duration, and  
347 results of the parent-child visitation, if any, and the agency  
348 recommendations for an expansion or restriction of future  
349 visitation.

350       ~~8~~ 9. The number of times a child has been removed from his  
351 or her home and placed elsewhere, the number and types of  
352 placements that have occurred, and the reason for the changes in  
353 placement.

354       ~~9~~ 10. The number of times a child's educational placement  
355 has been changed, the number and types of educational placements  
356 which have occurred, and the reason for any change in placement.

357       ~~10~~ 11. If the child has reached 13 years of age but is not  
358 yet 18 years of age, a statement from the caregiver on the  
359 progress the child has made in acquiring independent living  
360 skills.

361       ~~11~~ 12. Copies of all medical, psychological, and  
362 educational records that support the terms of the case plan and  
363 that have been produced concerning the parents or any caregiver  
364 since the last judicial review hearing.

365       ~~12~~ 13. Copies of the child's current health, mental  
366 health, and education records as identified in s. 39.6012.

367       (d) Orders.—

368       1.

369       Based upon the criteria ~~set forth~~ in paragraph (c) and the

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370 recommended order of the citizen review panel, if any, the court  
371 shall determine whether ~~or not~~ the social service agency shall  
372 initiate proceedings to have a child declared a dependent child,  
373 return the child to the parent, continue the child in out-of-  
374 home care for a specified period of time, or initiate  
375 termination of parental rights proceedings for subsequent  
376 placement in an adoptive home. Amendments to the case plan must  
377 be prepared as prescribed in s. 39.6013. If the court finds that  
378 ~~the prevention or reunification efforts of the department will~~  
379 ~~allow the child to remain safely at home or be safely returned~~  
380 ~~to the home~~ remaining in the home with an in-home safety plan  
381 will not be detrimental to the child's safety, well-being, and  
382 physical, mental, and emotional health, the court shall allow  
383 the child to remain in ~~or return to~~ the home after ~~making a~~  
384 ~~specific finding of fact that the reasons for the creation of~~  
385 ~~the case plan have been remedied to the extent that the child's~~  
386 ~~safety, well-being, and physical, mental, and emotional health~~  
387 ~~will not be endangered.~~

388 2. The court shall return the child to the custody of the  
389 parents at any time it determines that ~~they have substantially~~  
390 ~~complied with the case plan, if the court is satisfied that~~  
391 ~~reunification will not be detrimental to the child's safety,~~  
392 ~~well-being, and physical, mental, and emotional health.~~ the  
393 circumstances that caused the out-of-home placement and issues  
394 subsequently identified have been remedied to the extent that  
395 the return of the child to the home with an in-home safety plan  
396 will not be detrimental to the child's safety, well-being, and

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397 physical, mental, and emotional health.

398 3. If, in the opinion of the court, the social service  
399 agency has not complied with its obligations as specified in the  
400 written case plan, the court may find the social service agency  
401 in contempt, shall order the social service agency to submit its  
402 plans for compliance with the agreement, and shall require the  
403 social service agency to show why the child could not safely be  
404 returned to the home of the parents.

405 4. If, at any judicial review, the court finds that the  
406 parents have failed to ~~substantially comply with the case plan~~  
407 demonstrate behavior change to the degree that further  
408 reunification efforts are without merit and not in the best  
409 interest of the child, on its own motion, the court may order  
410 the filing of a petition for termination of parental rights,  
411 whether or not the time period as contained in the case plan for  
412 substantial compliance has expired.

413 5. Within 6 months after the date that the child was  
414 placed in shelter care, the court shall conduct a judicial  
415 review hearing to review the child's permanency goal as  
416 identified in the case plan. At the hearing the court shall make  
417 findings regarding the likelihood of the child's reunification  
418 with the parent or legal custodian within 12 months after the  
419 removal of the child from the home. If the court makes a written  
420 finding that it is not likely that the child will be reunified  
421 with the parent or legal custodian within 12 months after the  
422 child was removed from the home, the department must file with  
423 the court, and serve on all parties, a motion to amend the case

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424 plan under s. 39.6013 and declare that it will use concurrent  
425 planning for the case plan. The department must file the motion  
426 within 10 business days after receiving the written finding of  
427 the court. The department must attach the proposed amended case  
428 plan to the motion. If concurrent planning is already being  
429 used, the case plan must document the efforts the department is  
430 taking to complete the concurrent goal.

431 6. The court may issue a protective order in assistance,  
432 or as a condition, of any other order made under this part. In  
433 addition to the requirements included in the case plan, the  
434 protective order may set forth requirements relating to  
435 reasonable conditions of behavior to be observed for a specified  
436 period of time by a person or agency who is before the court;  
437 and the order may require any person or agency to make periodic  
438 reports to the court containing such information as the court in  
439 its discretion may prescribe.

440 Section 10. Subsection (5) of section 409.145, Florida  
441 Statutes, is renumbered as subsection (6), respectively, and  
442 subsection (5) is added to that section, to read:

443 409.145 Care of children; quality parenting; "reasonable  
444 and prudent parent" standard.—The child welfare system of the  
445 department shall operate as a coordinated community-based system  
446 of care which empowers all caregivers for children in foster  
447 care to provide quality parenting, including approving or  
448 disapproving a child's participation in activities based on the  
449 caregiver's assessment using the "reasonable and prudent parent"  
450 standard.

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451 (5) Initial Assessment.—The department in partnership with  
452 the community-based care lead agencies shall convene a workgroup  
453 to study the feasibility of the development, validation,  
454 adoption, and use of one or more statewide initial assessment  
455 tools to determine the appropriate placement, needs of, and  
456 initial services for all children placed in out-of-home care.  
457 “Out-of-home care” means a licensed or non-licensed setting,  
458 arranged and supervised by the department or contracted service  
459 provider, outside the home of the parent. The workgroup shall  
460 have representatives from the department, community-based care  
461 lead agencies, foster parents, the Florida Institute for Child  
462 Welfare, service providers, and other appropriate organizations  
463 and shall consider, at a minimum, the following factors:

464 (a) The traumatic and emergent nature of a removal and  
465 subsequent out-of-home placement;

466 (b) The frequent lack of immediate information available  
467 during a removal and subsequent out-of-home placement;

468 (c) Reasonable timelines for the collection of actionable  
469 information and history on the child and family;

470 (d) Tools and processes being used in this state, other  
471 states, and nationally;

472 (e) The specific behaviors and needs of the child,  
473 including, but not limited to, any current behaviors exhibited  
474 by the child which interfere with or limit the child's ability  
475 to function in less restrictive, family-like settings;

476 (f) The level of intervention services necessary to meet  
477 the child's specific physical, emotional, psychological,

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478 educational, and social needs, including any developmental or  
479 other disability;

480 (g) Information about previous out-of-home placements,  
481 including circumstances necessitating any moves between  
482 placements and the recommendations of the former foster families  
483 or other caregivers, if available;

484 (h) Information related to the placement of any siblings  
485 of the child;

486 (i) The range of placement options currently available by  
487 community-based care lead agency, types of children served, and  
488 the type of information needed to determine whether placement of  
489 a child is appropriate; and

490 (j) Any service gaps within community-based care lead  
491 agency service areas for children in out-of-home care.

492 (2) REPORTING REQUIREMENT.—The department shall submit a  
493 report to the Governor, the President of the Senate, and the  
494 Speaker of the House of Representatives by October 1, 2017,  
495 addressing at a minimum:

496 (a) The types of information needed to make an initial  
497 assessment for placement and services and methods to collect  
498 that information;

499 (b) Recommended procedures and practices best suited for  
500 an initial assessment;

501 (c) The assessment tools and procedures currently used to  
502 make the initial assessment of a child's placement and service  
503 needs;

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504 (d) Recommendations regarding the development, validation,  
505 adoption, and use of a statewide initial assessment for  
506 placement and services; and

507 (f) If the workgroup finds that an initial assessment for  
508 placement and services is feasible, action steps and a timeframe  
509 for development, validation, adoption, and implementation.

510 Section 11. Paragraph (a) of subsection (3) of section  
511 409.1451, Florida Statutes, is amended to read:

512 409.1451 The Road-to-Independence Program.—

513 (3) AFTERCARE SERVICES.—

514 (a) Aftercare services are available to a young adult who  
515 was living in licensed care on his or her 18th birthday, who has  
516 reached 18 years of age but is not yet 23 years of age, and is:

517 1. Not in foster care.

518 2. Temporarily not receiving financial assistance under  
519 subsection (2) to pursue postsecondary education.

520 Section 12. Paragraph (a) of subsection (3) of section  
521 409.986, Florida Statutes, is amended to read:

522 409.986 Legislative findings and intent; child protection  
523 and child welfare outcomes; definitions.—

524 (3) DEFINITIONS.—As used in this part, except as otherwise  
525 provided, the term:

526 (a) "Care" means services of any kind which are designed  
527 to facilitate a child remaining safely in his or her own home,  
528 returning safely to his or her own home if he or she is removed  
529 from the home, or obtaining an alternative permanent home if he  
530 or she cannot remain at home or be returned home. The term

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531 includes, but is not limited to, prevention, intervention,  
532 diversion, and related services.

533 Section 13. Subsection (3) of section 409.988, Florida  
534 Statutes, is amended to read:

535 409.988 Lead agency duties; general provisions.—

536 (3) SERVICES.—Lead agencies shall make available a  
537 continuum of care, meaning a range of services, programs, and  
538 placement options meeting the varied needs of children served  
539 by, or at risk of being served by, the dependency system. Such  
540 services may be provided by the lead agency or its  
541 subcontractors, through referral to another organization, or  
542 through other effective means. The department shall specify the  
543 minimum services that must be available in a lead agency's  
544 continuum of care through contract.

545 (a) A lead agency must provide dependent children with  
546 services that are supported by research or that are recognized  
547 as best practices in the child welfare field. The agency shall  
548 give priority to the use of services that are evidence-based and  
549 trauma-informed and may also provide other innovative services,  
550 including, but not limited to, family-centered and cognitive-  
551 behavioral interventions designed to mitigate out-of-home  
552 placements.

553 (b) Intervention services shall be made available to a  
554 child and the parent of a child who is unsafe but can, with  
555 services, remain in his or her home, or a child who is placed  
556 out-of-home and to the non-maltreating parent or relative or  
557 non-relative caregivers with whom an unsafe child is placed.

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558 Intervention services and supports include:

559 1. Safety management services provided to an unsafe child  
560 as part of a safety plan which immediately and actively protects  
561 the child from dangerous threats if the parent or other  
562 caregiver cannot, including but not limited to behavior  
563 management, crisis management, social connection, resource  
564 support, and separation;

565 2. Treatment services provided to a parent or caregiver  
566 that are used to achieve fundamental change in behavioral,  
567 cognitive and emotional functioning associated with the reason  
568 that the child is unsafe, including but not limited to parenting  
569 skills training, support groups, counseling, substance abuse  
570 treatment, mental and behavioral health services, and certified  
571 domestic violence center services for survivors of domestic  
572 violence and their children, and batterers' intervention  
573 programs that comply with s. 741.325 and other intervention  
574 services for perpetrators of domestic violence.

575 3. Child well-being services provided to an unsafe child  
576 that address a child's physical, emotional, developmental, and  
577 educational needs, including but not limited to behavioral  
578 health services, substance abuse treatment, tutoring,  
579 counseling, and peer support; and

580 4. Services provided to non-maltreating parents or  
581 relative or non-relative caregivers to stabilize the child's  
582 placement, including but not limited to transportation,  
583 clothing, household goods, assistance with housing and utility  
584 payments, child care, respite care, and assistance connecting

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585 families with other community-based services.

586 (d) The department or community-based care lead agency  
587 that places children pursuant to this section shall establish  
588 permanency teams dedicated to permanency for children placed in  
589 residential group care. The permanency team shall convene a  
590 multidisciplinary staffing every 180 calendar days, to coincide  
591 with the judicial review, to reassess the appropriateness of the  
592 child's current placement and services. At a minimum, the  
593 staffing shall be attended by the community-based care lead  
594 agency, the caseworker for the child, guardian ad litem, any  
595 other agency or provider of services to the child, and a  
596 representative of the residential group care provider. The  
597 multidisciplinary staffing shall consider, at a minimum, the  
598 current level of the child's functioning, whether recommended  
599 services are being provided effectively, any services that would  
600 enable transition to a less restrictive family-like setting, and  
601 diligent search efforts to find other permanent living  
602 arrangements for the child.

603 (e)1. By January 1, 2017, the lead agencies shall develop  
604 plans for the management of residential group care utilization  
605 within their service areas. The plans shall include strategies,  
606 action steps, timeframes, and performance measures, and for lead  
607 agencies whose group home utilization averaged 8% or above the  
608 preceding fiscal year, list specific percentage targets by  
609 fiscal year through June 30, 2020, for reduction in use of  
610 residential group care to that percentage. The department may  
611 allow for a different group home utilization target for a lead

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612 agency with extraordinary barriers to achievement of a 8% group  
613 home utilization, such as significant challenges in developing  
614 an adequate supply of high-quality foster homes or a high number  
615 of children whose needs are best met in residential group care.  
616 Strategies may include but not be limited to increased  
617 recruitment of family foster homes, including homes for children  
618 with specific or extraordinary needs for which an adequate  
619 supply of homes is lacking; increased use of in-home services  
620 which avoid removal; and policies and procedures for identifying  
621 the least restrictive, most appropriate placements for children  
622 and transitioning them into such placements, when appropriate.  
623 However, such strategies must ensure that appropriate  
624 residential group care placements be available, particularly in  
625 family-style homes, for those children for whom it is the best  
626 option. These plans shall be updated annually through January 1,  
627 2022, and submitted to the department.

628 2. The department shall track and report the community-  
629 based care lead agencies' achievement of the targets and  
630 implementation of the strategies in their individual plans, and  
631 annually by October 1, beginning in 2017 and continuing through  
632 2022, shall provide a report on such to the Governor, the  
633 President of the Senate, and the Speaker of the House of  
634 Representatives.

635 (f) The department may adopt rules to implement this  
636 section.

637 Section 14. Paragraph (b) of subsection (18) of section  
638 409.996, Florida Statutes, is amended, and subsection (22) is

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639 added to that section to read:

640 409.996 Duties of the Department of Children and  
641 Families.—The department shall contract for the delivery,  
642 administration, or management of care for children in the child  
643 protection and child welfare system. In doing so, the department  
644 retains responsibility to ensure ~~for~~ the quality of contracted  
645 services and programs and ~~shall ensure that~~ an adequate array of  
646 services are available to be delivered in accordance with  
647 applicable federal and state statutes and regulations.

648 (18) The department, in consultation with lead agencies,  
649 shall establish a quality assurance program for contracted  
650 services to dependent children. The quality assurance program  
651 shall be based on standards established by federal and state law  
652 and national accrediting organizations.

653 (b) The department and each lead agency shall monitor out-  
654 of-home placements, including:

655 1. The extent to which sibling groups are placed together  
656 or provisions to provide visitation and other contacts if  
657 siblings are separated. The data shall identify reasons for  
658 sibling separation. Information related to sibling placement  
659 shall be incorporated into the results-oriented accountability  
660 system required pursuant to s. 409.997 and into the evaluation  
661 of the outcome specified in s. 409.986(2)(e). The information  
662 related to sibling placement shall also be made available to the  
663 institute established pursuant s. 1004.615 for use in assessing  
664 the performance of child welfare services in relation to the  
665 outcome specified in s. 409.986(2)(e).

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666 2. The extent to which residential group care is used as a  
667 placement option, the data shall differentiate between the use  
668 of shift-model group care and family-style group care  
669 placements, reasons for placement in residential group care as  
670 well as strategies to transition children into less restrictive  
671 family-like settings. Information related to residential group  
672 care shall be incorporated into the results-oriented  
673 accountability system required pursuant to s. 409.997 and shall  
674 be made available to the institute established pursuant to s.  
675 1004.615.

676 (22) By June 30, 2017, the department shall develop, in  
677 collaboration with lead agencies, service providers, and other  
678 community stakeholders, a statewide quality rating system for  
679 providers of residential group care and foster homes. This  
680 system must promote high quality in services and accommodations  
681 by creating measureable minimum quality standards that providers  
682 must meet to contract with the lead agencies, and foster homes  
683 must meet to receive placements. Domains addressed by a quality  
684 rating system for residential group care may include but not be  
685 limited to admissions, service planning and treatment planning,  
686 living environment, and program and service requirements. The  
687 system must be implemented by July 1, 2018.

688 (a) The rating system should include:

689 1. Delineated levels of quality that are clearly and  
690 concisely defined, including the domains measured and criteria  
691 that must be met to be placed in each level;

692 2. The number of residential group care staff and foster

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693 home parents who have received child welfare certification  
694 pursuant to s. 402.40;

695 2. Contractual incentives for achieving and maintaining  
696 higher levels of quality; and

697 3. A well-defined process for notice, inspection,  
698 remediation, appeal, and enforcement.

699 (b) REPORTING REQUIREMENT.—The department shall submit a  
700 report to the Governor, the President of the Senate, and the  
701 Speaker of the House of Representatives by October 1 of each  
702 year, with the first report due October 1, 2016. The report must  
703 include an update on the development of a statewide quality  
704 rating system for residential group care, and in 2018 and  
705 subsequent years, a list of providers meeting minimum quality  
706 standards and their quality ratings, the percentage of children  
707 placed in residential group care with highly rated providers,  
708 and any negative actions taken against contracted providers for  
709 not meeting minimum quality standards; and a plan for department  
710 oversight of the implementation of the statewide quality rating  
711 system for residential group care by the community-based lead  
712 agencies.

713 Section 15. Subsection (52) of section 39.01, Florida  
714 Statutes, is amended to read:

715 39.01 Definitions.—When used in this chapter, unless the  
716 context otherwise requires:

717 (52) "Permanency goal" means the living arrangement  
718 identified for the child to return to or identified as the  
719 permanent living arrangement of the child. ~~Permanency goals~~

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720 ~~applicable under this chapter, listed in order of preference,~~  
721 ~~are:~~

722 ~~— (a) Reunification;~~

723 ~~— (b) Adoption when a petition for termination of parental~~  
724 ~~rights has been or will be filed;~~

725 ~~— (c) Permanent guardianship of a dependent child under s.~~  
726 ~~39.6221;~~

727 ~~— (d) Permanent placement with a fit and willing relative~~  
728 ~~under s. 39.6231; or~~

729 ~~— (e) Placement in another planned permanent living~~  
730 ~~arrangement under s. 39.6241. The permanency goal is also the~~  
731 ~~case plan goal. If concurrent case planning is being used,~~  
732 ~~reunification may be pursued at the same time that another~~  
733 ~~permanency goal is pursued.~~

734 Section 16. Paragraph (s) of subsection (2) of section  
735 39.202, Florida Statutes, is amended to read:

736 39.202 Confidentiality of reports and records in cases of  
737 child abuse or neglect.—

738 (2) Except as provided in subsection (4), access to such  
739 records, excluding the name of the reporter which shall be  
740 released only as provided in subsection (5), shall be granted  
741 only to the following persons, officials, and agencies:

742 (s) Persons with whom the department is seeking to place  
743 the child or to whom placement has been granted, including  
744 foster parents for whom an approved home study has been  
745 conducted, the designee of a licensed residential child-caring  
746 agency defined group home described in s. 409.175 ~~s. 39.523~~, an

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747 approved relative or nonrelative with whom a child is placed  
748 pursuant to s. 39.402, preadoptive parents for whom a favorable  
749 preliminary adoptive home study has been conducted, adoptive  
750 parents, or an adoption entity acting on behalf of preadoptive  
751 or adoptive parents.

752 Section 17. Subsection (11) of section 1002.3305, Florida  
753 Statutes, is amended to read:

754 1002.3305 College-Preparatory Boarding Academy Pilot  
755 Program for at-risk students.—

756 (11) STUDENT HOUSING.—Notwithstanding s. 409.176 ~~ss.~~  
757 ~~409.1677(3)(d)~~ and ~~409.176~~ or any other provision of law, an  
758 operator may house and educate dependent, at-risk youth in its  
759 residential school for the purpose of facilitating the mission  
760 of the program and encouraging innovative practices.

761 Section 18. Section 39.523, Florida Statutes, is repealed.

762 Section 19. Section 409.141, Florida Statutes, is  
763 repealed.

764 Section 20. Section 409.1676, Florida Statutes, is  
765 repealed.

766 Section 21. Section 409.1677, Florida Statutes, is  
767 repealed.

768 Section 22. Section 409.1679, Florida Statutes, is  
769 repealed.

770 Section 23. This act shall take effect July 1, 2016.

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773 **T I T L E A M E N D M E N T**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 599 (2016)

Amendment No.

774 Remove everything before the enacting clause and insert:  
775 A bill to be entitled  
776 An act relating to child welfare; amending s. 39.013, F.S.;  
777 extending court jurisdiction to age 22 for young adults with  
778 disabilities in foster care; amending s. 39.2015, F.S.; revising  
779 requirements of the quarterly report submitted by the critical  
780 incident rapid response team advisory committee; amending s.  
781 39.402, F.S.; revising information that the Department of  
782 Children and Families is required to inform the court of at  
783 shelter hearings; amending s. 39.521, F.S.; revising timelines  
784 and distribution requirements for case plans; amending s.  
785 39.522, F.S.; providing conditions under which a child may be  
786 returned home with an in-home safety plan; amending s. 39.6011,  
787 F.S.; providing that a child of a certain age must be given the  
788 opportunity to be consulted on the creation of the case plan;  
789 providing the opportunity to choose two people to be part of the  
790 case planning team; providing for the opportunity to review,  
791 sign, and receive a copy of his or her case plan; amending s.  
792 39.6035, F.S.; requiring court approval of a transition plan  
793 before the child's 18th birthday; amending s. 39.621, F.S.;  
794 creating an exception to the order of preference for permanency  
795 goals under ch. 39, F.S., for maintaining and strengthening the  
796 placement; authorizing the new permanency goal to be used in  
797 specified circumstances; amending s. 39.701, F.S.; revising the  
798 information which must be included in a specified written report  
799 under certain circumstances; revising what must be found to  
800 maintain or return a child to his or her home; amending s.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 599 (2016)

Amendment No.

801 409.145, F.S.; requiring a workgroup to study the feasibility of  
802 a statewide initial assessment for placement and services;  
803 requiring a report; amending s. 409.1451, F.S.; requiring that a  
804 child be living in licensed care on or after his or her 18th  
805 birthday as a condition for receiving aftercare services;  
806 amending s. 409.986, F.S.; adding intervention to list of  
807 services to definition of care; amending s. 409.988, F.S.;  
808 requiring a continuum of care; requiring specified intervention  
809 services; requiring the establishment of permanency teams for  
810 certain children; allowing the department to adopt rules;  
811 requiring residential group care utilization plans by lead  
812 agencies; requiring department tracking of lead agency plans;  
813 requiring a report; amending 409.996, F.S., requiring the  
814 department to ensure an adequate array of services; requiring  
815 the department to develop an adequate array of services;  
816 requiring the monitoring of residential group care placements;  
817 requiring the development of a statewide quality rating system;  
818 requiring a report; amending s. 39.01, F.S.; revising definition  
819 of permanency goal; amending s. 39.202, F.S.; changing the  
820 designation of an entity; amending s. 1002.3305, F.S.;  
821 conforming cross-references; repealing s. 39.523, F.S., relating  
822 to the placement of children in residential group care;  
823 repealing s. 409.141, F.S., relating to equitable reimbursement  
824 methodology; repealing s. 409.1676, F.S., relating to  
825 comprehensive residential group care services to children who  
826 have extraordinary needs; repealing s. 409.1677, F.S., relating  
827 to model comprehensive residential services programs; repealing

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 599 (2016)

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828 s. 409.1679, F.S., relating to program requirements and  
829 reimbursement methodology; providing an effective date.