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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: SENAT/CA
03/03/2016 11:20 AM	.	03/11/2016 10:13 AM
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Senator Detert moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

39.013 Procedures and jurisdiction; right to counsel.—

(2) The circuit court has exclusive original jurisdiction  
of all proceedings under this chapter, of a child voluntarily  
placed with a licensed child-caring agency, a licensed child-  
placing agency, or the department, and of the adoption of



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12 children whose parental rights have been terminated under this  
13 chapter. Jurisdiction attaches when the initial shelter  
14 petition, dependency petition, or termination of parental rights  
15 petition, or a petition for an injunction to prevent child abuse  
16 issued pursuant to s. 39.504, is filed or when a child is taken  
17 into the custody of the department. The circuit court may assume  
18 jurisdiction over any such proceeding regardless of whether the  
19 child was in the physical custody of both parents, was in the  
20 sole legal or physical custody of only one parent, caregiver, or  
21 some other person, or was not in the physical or legal custody  
22 of any person when the event or condition occurred that brought  
23 the child to the attention of the court. When the court obtains  
24 jurisdiction of any child who has been found to be dependent,  
25 the court shall retain jurisdiction, unless relinquished by its  
26 order, until the child reaches 21 years of age, or 22 years of  
27 age if the child has a disability, with the following  
28 exceptions:

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

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

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



41 provided.

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

56 Section 2. Subsection (11) of section 39.2015, Florida  
57 Statutes, is amended to read:

58 39.2015 Critical incident rapid response team.—

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



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

78 Section 3. Paragraphs (f) and (h) of subsection (8) of  
79 section 39.402, Florida Statutes, are amended to read:

80 39.402 Placement in a shelter.—

81 (8)

82 (f) At the shelter hearing, the department shall inform the  
83 court of:

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

88 2. Any adjudication of the parents or caregivers of  
89 delinquency;

90 3. Any past or current injunction for protection from  
91 domestic violence or any past or current order of no contact;  
92 and

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

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

98 1. That placement in shelter care is necessary based on the



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99 criteria in subsections (1) and (2).

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

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

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

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

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

122 b. The appraisal of the home situation by the department  
123 indicates that the home situation presents a substantial and  
124 immediate danger to the child's physical, mental, or emotional  
125 health or safety which cannot be mitigated by the provision of  
126 safety management ~~preventive~~ services, including issuance of an  
127 injunction against a perpetrator of domestic violence pursuant



128 to s. 39.504;

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

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

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

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

153 8. That the court notified the parents or legal custodians  
154 of their right to counsel to represent them at the shelter  
155 hearing and at each subsequent hearing or proceeding, and the  
156 right of the parents to appointed counsel, pursuant to the



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157 procedures set forth in s. 39.013.

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

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

167 39.521 Disposition hearings; powers of disposition.—

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

176 (a) A written case plan and a predisposition study prepared  
177 by an authorized agent of the department must be approved by  
178 filed with the court. The department must file the case plan and  
179 the predisposition study with the court, serve a copy of the  
180 case plan on, served upon the parents of the child, and provide  
181 a copy of the case plan provided to the representative of the  
182 guardian ad litem program, if the program has been appointed,  
183 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 the 60th day after



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186 the date the child was placed in out-of-home care. All such case  
187 plans 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 before the 60th day  
190 after the date the child was placed in out-of-home care and a  
191 case plan has not been submitted pursuant to this paragraph, or  
192 if the court does not approve the case plan at the disposition  
193 hearing. The case plan acceptance hearing must occur, ~~the court~~  
194 ~~must set a hearing~~ within 30 days after the disposition hearing  
195 to review and approve the case plan.

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

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

203 39.522 Postdisposition change of custody.—The court may  
204 change the temporary legal custody or the conditions of  
205 protective supervision at a postdisposition hearing, without the  
206 necessity of another adjudicatory hearing.

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





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215 ~~of the child is not endangered by the return of the child to the~~  
216 ~~home.~~

217 Section 6. Section 39.6011, Florida Statutes, is amended to  
218 read:

219 (Substantial rewording of section. See  
220 s. 39.6011, F.S., for present text.)

221 39.6011 Case plan purpose; requirements; procedures.-

222 (1) PURPOSE.-The purpose of the case plan is to promote and  
223 facilitate change in parental behavior and to address the  
224 treatment and long-term well-being of children receiving  
225 services under this chapter.

226 (2) GENERAL REQUIREMENTS.-The department shall draft a case  
227 plan for each child receiving services under this chapter. The  
228 case plan must:

229 (a) Document that an assessment of the service needs of the  
230 child and family, and preventive services, if appropriate, have  
231 been provided pursuant to s. 409.143 and that reasonable efforts  
232 to prevent out-of-home placement have been made.

233 (b) Be developed in a face-to-face conference with the  
234 parent of the child, any court-appointed guardian ad litem, the  
235 child's attorney, and, if appropriate, the temporary custodian  
236 of the child. The parent may receive assistance from any person  
237 or social service agency in preparing the case plan. The social  
238 service agency, the department, and the court, when applicable,  
239 shall inform the parent of the right to receive such assistance,  
240 including the right to assistance of counsel.

241 (c) Be written simply and clearly in English and, if  
242 English is not the principal language of the child's parent, in  
243 the parent's principal language, to the extent practicable.



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244 (d) Describe a process for making available to all physical  
245 custodians and family services counselors the information  
246 required by s. 39.6012(2) and for ensuring that this information  
247 follows the child until permanency has been achieved.

248 (e) Specify the period of time for which the case plan is  
249 applicable, which must be as short a period as possible for the  
250 parent to comply with the terms of the plan. The case plan's  
251 compliance period expires no later than 12 months after the date  
252 the child was initially removed from the home, the date the  
253 child is adjudicated dependent, or the date the case plan is  
254 accepted by the court, whichever occurs first.

255 (f) Be signed by all of the parties. Signing the case plan  
256 constitutes an acknowledgment by each of the parties that they  
257 have been involved in the development of the case plan and that  
258 they are in agreement with the terms and conditions contained in  
259 the case plan. The refusal of a parent to sign the case plan  
260 does not preclude the court's acceptance of the case plan if it  
261 is otherwise acceptable to the court. The parent's signing of  
262 the case plan does not constitute an admission to any allegation  
263 of abuse, abandonment, or neglect and does not constitute  
264 consent to a finding of dependency or termination of parental  
265 rights. The department shall explain the provisions of the case  
266 plan to all persons involved in its implementation, before the  
267 signing of the plan.

268 (3) PARTICIPATION BY THE CHILD.—If the child has attained  
269 14 years of age or is otherwise of an appropriate age and  
270 capacity, the child must:

271 (a) Be consulted on the development of the case plan; have  
272 the opportunity to attend a face-to-face conference, if



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273 appropriate; have the opportunity to express a placement  
274 preference; and have the option to choose two members for the  
275 case planning team who are not a foster parent or caseworker for  
276 the child.

277 1. An individual selected by a child to be a member of the  
278 case planning team may be rejected at any time if there is good  
279 cause to believe that the individual would not act in the best  
280 interest of the child. One individual selected by a child to be  
281 a member of the child's case planning team may be designated to  
282 be the child's advisor and, as necessary, advocate with respect  
283 to the application of the reasonable and prudent parent standard  
284 to the child.

285 2. The child may not be included in an aspect of the case  
286 planning process when information will be revealed or discussed  
287 which is of a nature that would best be presented to the child  
288 in a more therapeutic setting.

289 (b) Sign the case plan, unless there is reason to waive the  
290 child's signature.

291 (c) Receive an explanation of the provisions of the case  
292 plan from the department.

293 (d) After the case plan is agreed upon and signed by all of  
294 the parties, and after jurisdiction attaches and the case plan  
295 is filed with the court, be provided a copy of the case plan  
296 within 72 hours before the disposition hearing.

297 (e) Notwithstanding s. 39.202, the department may discuss  
298 confidential information during the case planning conference in  
299 the presence of individuals who participate in the staffing. All  
300 individuals who participate in the staffing shall maintain the  
301 confidentiality of all information shared during the case



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302 planning staffing.

303 (4) NOTICE TO PARENTS.—The case plan must document that  
304 each parent has been advised of the following by written notice:

305 (a) That he or she may not be coerced or threatened with  
306 the loss of custody or parental rights for failing to admit the  
307 abuse, neglect, or abandonment of the child in the case plan.

308 Participation in the development of a case plan is not an  
309 admission to any allegation of abuse, abandonment, or neglect  
310 and does not constitute consent to a finding of dependency or  
311 termination of parental rights.

312 (b) That the department must document a parent's  
313 unwillingness or inability to participate in developing a case  
314 plan and provide such documentation in writing to the parent  
315 when it becomes available for the court record. In such event,  
316 the department shall prepare a case plan that, to the extent  
317 possible, conforms with the requirements of this section. The  
318 parent must also be advised that his or her unwillingness or  
319 inability to participate in developing a case plan does not  
320 preclude the filing of a petition for dependency or for  
321 termination of parental rights. If the parent is available, the  
322 department shall provide a copy of the case plan to the parent  
323 and advise him or her that, at any time before the filing of a  
324 petition for termination of parental rights, he or she may enter  
325 into a case plan and that he or she may request judicial review  
326 of any provision of the case plan with which he or she disagrees  
327 at any court hearing set for the child.

328 (c) That his or her failure to substantially comply with  
329 the case plan may result in the termination of parental rights  
330 and that a material breach of the case plan may result in the



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331 filing of a petition for termination of parental rights before  
332 the scheduled completion date.

333 (5) DISTRIBUTION AND FILING WITH THE COURT.—The department  
334 shall adhere to the following procedural requirements in  
335 developing and distributing a case plan:

336 (a) After the case plan has been agreed upon and signed by  
337 the parties, a copy of the case plan must immediately be given  
338 to the parties and to other persons, as directed by the court.

339 (b) In each case in which a child has been placed in out-  
340 of-home care, a case plan must be prepared within 60 days after  
341 the department removes the child from the home and must be  
342 submitted to the court for review and approval before the  
343 disposition hearing.

344 (c) After jurisdiction attaches, all case plans must be  
345 filed with the court and a copy provided to all of the parties  
346 whose whereabouts are known not less than 72 hours before the  
347 disposition hearing. The department shall file with the court  
348 all case plans prepared before jurisdiction of the court  
349 attaches, and the department shall provide copies of all such  
350 case plans to all of the parties.

351 (d) A case plan must be prepared, but need not be submitted  
352 to the court, for a child who will be in care for 30 days or  
353 less unless that child is placed in out-of-home care for a  
354 second time within a 12-month period.

355 Section 7. Section 39.6012, Florida Statutes, is amended to  
356 read:

357 (Substantial rewording of section. See  
358 s. 39.6012, F.S., for present text.)  
359 39.6012 Services and parental tasks under the case plan;



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360 safety, permanency, and well-being of the child.—The case plan  
361 must include a description of the identified problem that is  
362 being addressed, including the parent's behavior or acts that  
363 have resulted in a threat to the safety of the child and the  
364 reason for the department's intervention. The case plan must be  
365 designed to improve conditions in the child's home to facilitate  
366 the child's safe return and ensure proper care of the child, or  
367 to facilitate the child's permanent placement. The services  
368 offered must be as unobtrusive as possible in the lives of the  
369 parent and the child, must focus on clearly defined objectives,  
370 and must provide the most timely and efficient path to  
371 reunification or permanent placement, given the circumstances of  
372 the case and the child's need for safe and proper care.

373 (1) CASE PLAN SERVICES AND TASKS.—The case plan must be  
374 based upon an assessment of the circumstances that required  
375 intervention by the child welfare system. The case plan must  
376 describe the role of the foster parents or legal custodians and  
377 must be developed in conjunction with the determination of the  
378 services that are to be provided under the case plan to the  
379 child, foster parents, or legal custodians. If a parent's  
380 substantial compliance with the case plan requires the  
381 department to provide services to the parent or the child and  
382 the parent agrees to begin compliance with the case plan before  
383 it is accepted by the court, the department shall make  
384 appropriate referrals for services which will allow the parent  
385 to immediately begin the agreed-upon tasks and services.

386 (a) *Itemization in the case plan.*—The case plan must  
387 describe each of the tasks that the parent must complete and the  
388 services that will be provided to the parent, in the context of



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389 the identified problem, including:  
390 1. The type of services or treatment that will be provided.  
391 2. If the service is being provided by the department or  
392 its agent, the date the department will provide each service or  
393 referral for service.  
394 3. The date by which the parent must complete each task.  
395 4. The frequency of services or treatment to be provided,  
396 which shall be determined by the professionals providing the  
397 services and may be adjusted as needed based on the best  
398 professional judgment of the providers.  
399 5. The location of the delivery of the services.  
400 6. Identification of the staff of the department or of the  
401 service provider who are responsible for the delivery of  
402 services or treatment.  
403 7. A description of measurable outcomes, including the  
404 timeframes specified for achieving the objectives of the case  
405 plan and addressing the identified problem.  
406 (b) Meetings with case manager.—The case plan must include  
407 a schedule of the minimum number of face-to-face meetings to be  
408 held each month between the parent and the case manager to  
409 review the progress of the case plan, eliminate barriers to  
410 completion of the plan, and resolve conflicts or disagreements.  
411 (c) Request for notification from relative.—The case  
412 manager shall advise the attorney for the department of a  
413 relative's request to receive notification of proceedings and  
414 hearings submitted pursuant to s. 39.301(14)(b).  
415 (d) Financial support.—The case plan must specify the  
416 parent's responsibility for the financial support of the child,  
417 including, but not limited to, health insurance and child



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418 support. The case plan must list the costs associated with any  
419 services or treatment that the parent and child are expected to  
420 receive which are the financial responsibility of the parent.  
421 The determination of child support and other financial support  
422 must be made independently of any determination of dependency  
423 under s. 39.013.

424 (2) SAFETY, PERMANENCY, AND WELL-BEING OF THE CHILD.—The  
425 case plan must include all available information that is  
426 relevant to the child's care, including a detailed description  
427 of the identified needs of the child while in care and a  
428 description of the plan for ensuring that the child receives  
429 safe and proper care that is appropriate to his or her needs.  
430 Participation by the child must meet the requirements under s.  
431 39.6011.

432 (a) Placement.—To comply with federal law, the department  
433 must ensure that the placement of a child in foster care is in  
434 the least restrictive, most family-like environment; must review  
435 the family assessment, safety plan, and case plan for the child  
436 to assess the necessity for and the appropriateness of the  
437 placement; must assess the progress that has been made toward  
438 case plan outcomes; and must project a likely date by which the  
439 child may be safely reunified or placed for adoption or legal  
440 guardianship. The family assessment must indicate the type of  
441 placement to which the child has been assigned and must document  
442 the following:

443 1. That the child has undergone the placement assessments  
444 required pursuant to s. 409.143.

445 2. That the child has been placed in the least restrictive  
446 and most family-like setting available consistent with the best





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447 interest and special needs of the child and in as close  
448 proximity as possible to the child's home.

449 3. If the child is placed in a setting that is more  
450 restrictive than recommended by the placement assessments or is  
451 placed more than 50 miles from the child's home, the reasons for  
452 which the placement is necessary and in the best interest of the  
453 child and the steps required to place the child in the placement  
454 recommended by the assessment.

455 4. If residential group care is recommended for the child,  
456 the needs of the child which necessitate such placement, the  
457 plan for transitioning the child to a family setting, and the  
458 projected timeline for the child's transition to a less  
459 restrictive environment.

460 5. If the child is placed in residential group care, that  
461 his or her case plan is reviewed and updated within 90 days  
462 after the child's admission to the residential group care  
463 facility and at least every 60 days thereafter.

464 (b) Permanency.—If reunifying a child with his or her  
465 family is not possible, the department shall make every effort  
466 to provide other forms of permanency, such as adoption or  
467 guardianship. If a child is placed in an out-of-home placement,  
468 the case plan, in addition to any other requirements imposed by  
469 law or department rule, must include:

470 1. If concurrent planning is being used, a description of  
471 the permanency goal of reunification with the parent or legal  
472 custodian and a description of one of the remaining permanency  
473 goals defined in s. 39.01; or, if concurrent case planning is  
474 not being used, an explanation as to why it is not being used.

475 2. If the case plan has as its goal the adoption of the



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476 child or his or her placement in another permanent home, a  
477 statement of the child's wishes regarding his or her permanent  
478 placement plan and an assessment of those stated wishes. The  
479 case plan must also include documentation of the steps the  
480 social service agency is taking to find an adoptive family or  
481 other permanent living arrangements for the child; to place the  
482 child with an adoptive family, an appropriate and willing  
483 relative, or a legal guardian; and to finalize the adoption or  
484 legal guardianship. At a minimum, the documentation must include  
485 child-specific recruitment efforts, such as the use of state,  
486 regional, and national adoption exchanges, including electronic  
487 exchange systems, after he or she has become legally eligible  
488 for adoption.

489 3. If the child has been in out-of-home care for at least  
490 12 months and the permanency goal is not adoptive placement, the  
491 documentation of the compelling reason for a finding that  
492 termination of parental rights is not in the child's best  
493 interest.

494 (c) *Education.*—A case plan must ensure the educational  
495 stability of the child while in foster care. To the extent  
496 available and accessible, the names and addresses of the child's  
497 educational providers, a record of his or her grade level  
498 performance, and his or her school record must be attached to  
499 the case plan and updated throughout the judicial review  
500 process. The case plan must also include documentation that the  
501 placement:

502 1. Takes into account the appropriateness of the current  
503 educational setting and the proximity to the school in which the  
504 child is enrolled at the time of placement.



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505           2. Has been coordinated with appropriate local educational  
506 agencies to ensure that the child remains in the school in which  
507 the child is enrolled at the time of placement or, if remaining  
508 in that school is not in the best interest of the child,  
509 assurances by the department and the local education agency to  
510 provide immediate and appropriate enrollment in a new school and  
511 to provide all of the child's educational records to the new  
512 school.

513           (d) Health care.—To the extent that they are available and  
514 accessible, the names and addresses of the child's health and  
515 behavioral health providers, a record of the child's  
516 immunizations, the child's known medical history, including any  
517 known health issues, the child's medications, and any other  
518 relevant health and behavioral health information must be  
519 attached to the case plan and updated throughout the judicial  
520 review process.

521           (e) Contact with family, extended family, and fictive kin.—  
522 When out-of-home placement is made, the case plan must include  
523 provisions for the development and maintenance of sibling  
524 relationships and visitation, if the child has siblings and is  
525 separated from them, a description of the parent's visitation  
526 rights and obligations, and a description of any visitation  
527 rights with extended family members as defined in s. 751.011. As  
528 used in this paragraph, the term "fictive kin" means individuals  
529 who are unrelated to the child by birth or marriage, but who  
530 have an emotionally significant relationship with the child  
531 which would take on the characteristics of a family  
532 relationship. As soon as possible after a court order is  
533 entered, the following must be provided to the child's out-of-



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534 home caregiver:

535 1. Information regarding any court-ordered visitation  
536 between the child and the parents and the court-ordered terms  
537 and conditions necessary to facilitate the visits and protect  
538 the safety of the child.

539 2. Information regarding the schedule and frequency of the  
540 visits between the child and his or her siblings, as well as any  
541 court-ordered terms and conditions necessary to facilitate the  
542 visits and protect the safety of the child.

543 3. Information regarding the schedule and frequency of the  
544 visits between the child and any extended family member or  
545 fictive kin, as well as any court-ordered terms and conditions  
546 necessary to facilitate the visits and protect the safety of the  
547 child.

548 (f) *Independent living.*—

549 1. When appropriate, the case plan for a child who is 13  
550 years of age or older must include a written description of the  
551 life skills services to be provided by the caregiver which will  
552 assist the child, consistent with his or her best interests, in  
553 preparing for the transition from foster care to independent  
554 living. The case plan must be developed with the child and  
555 individuals identified as important to the child and must  
556 include the steps the social service agency is taking to ensure  
557 that the child has a connection with a caring adult.

558 2. During the 180-day period after a child reaches 17 years  
559 of age, the department and the community-based care provider, in  
560 collaboration with the caregiver and any other individual whom  
561 the child would like to include, shall assist the child in  
562 developing a transition plan pursuant to s. 39.6035, which is in



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563 addition to standard case management requirements. The  
564 transition plan must address specific options that the child may  
565 use in obtaining services, including housing, health insurance,  
566 education, and workforce support and employment services. The  
567 transition plan must also consider establishing and maintaining  
568 naturally occurring mentoring relationships and other personal  
569 support services. The transition plan may be as detailed as the  
570 child chooses and must be attached to the case plan and updated  
571 before each judicial review.

572 Section 8. Subsection (4) of section 39.6035, Florida  
573 Statutes, is amended to read:

574 39.6035 Transition plan.—

575 ~~(4) If a child is planning to leave care upon reaching 18~~  
576 ~~years of age,~~ The transition plan must be approved by the court  
577 before the child attains 18 years of age and must be attached to  
578 the case plan and updated before each judicial review ~~child~~  
579 ~~leaves care and the court terminates jurisdiction.~~

580 Section 9. Subsection (2) of section 39.621, Florida  
581 Statutes, is amended, and present subsections (3) through (11)  
582 of that section are redesignated as subsections (4) through  
583 (12), respectively, to read:

584 39.621 Permanency determination by the court.—

585 (2) The permanency goal of maintaining and strengthening  
586 the placement with a parent may be used in the following  
587 circumstances:

588 (a) If a child has not been removed from a parent but is  
589 found to be dependent, even if adjudication of dependency is  
590 withheld, the court may leave the child in the current placement  
591 with maintaining and strengthening the placement as a permanency



592 option.

593 (b) If a child has been removed from a parent and is placed  
594 with the parent from whom the child was not removed, the court  
595 may leave the child in the placement with the parent from whom  
596 the child was not removed with maintaining and strengthening the  
597 placement as a permanency option.

598 (c) If a child has been removed from a parent and is  
599 subsequently reunified with that parent, the court may leave the  
600 child with that parent with maintaining and strengthening the  
601 placement as a permanency option.

602 (3) Except as provided in subsection (2), the permanency  
603 goals available under this chapter, listed in order of  
604 preference, are:

605 (a) Reunification;

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

608 (c) Permanent guardianship of a dependent child under s.  
609 39.6221;

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

612 (e) Placement in another planned permanent living  
613 arrangement under s. 39.6241.

614 Section 10. Paragraphs (a) and (d) of subsection (2) of  
615 section 39.701, Florida Statutes, are amended to read:

616 39.701 Judicial review.—

617 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF  
618 AGE.—

619 (a) *Social study report for judicial review.*—Before every  
620 judicial review hearing or citizen review panel hearing, the



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621 social service agency shall make an investigation and social  
622 study concerning all pertinent details relating to the child and  
623 shall furnish to the court or citizen review panel a written  
624 report that includes, but is not limited to:

625 1. A description of the type of placement the child is in  
626 at the time of the hearing, including the safety of the child,  
627 ~~and the continuing necessity for and appropriateness of the~~  
628 placement, and that the placement is in the least restrictive  
629 and most family-like setting that meets the assessed needs of  
630 the child, or an explanation of why the placement is not in the  
631 least restrictive and most family-like setting available that  
632 meets the assessed needs of the child.

633 2. Documentation of the diligent efforts made by all  
634 parties to the case plan to comply with each applicable  
635 provision of the case plan.

636 3. The amount of fees assessed and collected during the  
637 period of time being reported.

638 4. The services provided to the foster family or legal  
639 custodian in an effort to address the needs of the child as  
640 indicated in the case plan.

641 5. A statement that either:

642 a. The parent, though able to do so, did not comply  
643 substantially with the case plan, and the agency  
644 recommendations;

645 b. The parent did substantially comply with the case plan;  
646 or

647 c. The parent has partially complied with the case plan,  
648 with a summary of additional progress needed and the agency  
649 recommendations.



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650           6. A statement of whether the circumstances that caused the  
651 out-of-home placement and issues subsequently identified have  
652 been remedied to the extent that the return of the child to the  
653 home with an in-home safety plan will not be detrimental to the  
654 child's safety, well-being, and physical, mental, and emotional  
655 health.

656           ~~7.6.~~ A statement from the foster parent or legal custodian  
657 providing any material evidence concerning the return of the  
658 child to the parent or parents.

659           ~~8.7.~~ A statement concerning the frequency, duration, and  
660 results of the parent-child visitation, if any, and the agency  
661 recommendations for an expansion or restriction of future  
662 visitation.

663           ~~9.8.~~ The number of times a child has been removed from his  
664 or her home and placed elsewhere, the number and types of  
665 placements that have occurred, and the reason for the changes in  
666 placement.

667           ~~10.9.~~ The number of times a child's educational placement  
668 has been changed, the number and types of educational placements  
669 which have occurred, and the reason for any change in placement.

670           ~~11.10.~~ If the child has reached 13 years of age but is not  
671 yet 18 years of age, a statement from the caregiver on the  
672 progress the child has made in acquiring independent living  
673 skills.

674           ~~12.11.~~ Copies of all medical, psychological, and  
675 educational records that support the terms of the case plan and  
676 that have been produced concerning the parents or any caregiver  
677 since the last judicial review hearing.

678           ~~13.12.~~ Copies of the child's current health, mental health,





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679 and education records as identified in s. 39.6012.

680 (d) *Orders.*—

681 1. Based upon the criteria ~~set forth~~ in paragraph (c) and  
682 the recommended order of the citizen review panel, if any, the  
683 court shall determine whether ~~or not~~ the social service agency  
684 shall initiate proceedings to have a child declared a dependent  
685 child, return the child to the parent, continue the child in  
686 out-of-home care for a specified period of time, or initiate  
687 termination of parental rights proceedings for subsequent  
688 placement in an adoptive home. Amendments to the case plan must  
689 be prepared as prescribed in s. 39.6013. If the court finds that  
690 remaining in the home with an in-home safety plan will not be  
691 detrimental to the child's safety, well-being, and physical,  
692 mental, and emotional health ~~the prevention or reunification~~  
693 ~~efforts of the department will allow the child to remain safely~~  
694 ~~at home or be safely returned to the home,~~ the court shall allow  
695 the child to remain in ~~or return to~~ the home after making a  
696 ~~specific finding of fact that the reasons for the creation of~~  
697 ~~the case plan have been remedied to the extent that the child's~~  
698 ~~safety, well-being, and physical, mental, and emotional health~~  
699 ~~will not be endangered.~~

700 2. The court shall return the child to the custody of the  
701 parents at any time it determines that the circumstances that  
702 caused the out-of-home placement and issues subsequently  
703 identified have been remedied to the extent that the return of  
704 the child to the home with an in-home safety plan ~~they have~~  
705 ~~substantially complied with the case plan, if the court is~~  
706 ~~satisfied that reunification will not be detrimental to the~~  
707 ~~child's safety, well-being, and physical, mental, and emotional~~



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708 health.

709           3. If, in the opinion of the court, the social service  
710 agency has not complied with its obligations as specified in the  
711 written case plan, the court may find the social service agency  
712 in contempt, shall order the social service agency to submit its  
713 plans for compliance with the agreement, and shall require the  
714 social service agency to show why the child could not safely be  
715 returned to the home of the parents.

716           4. If possible, the court shall order the department to  
717 file a written notification before a child changes placements or  
718 living arrangements. If such notification is not possible before  
719 the change, the department must file a notification immediately  
720 after a change. A written notification filed with the court must  
721 include assurances from the department that the provisions of s.  
722 409.145 and administrative rule relating to placement changes  
723 have been met.

724           ~~5.4.~~ If, at any judicial review, the court finds that the  
725 parents have failed to substantially comply with the case plan  
726 to the degree that further reunification efforts are without  
727 merit and not in the best interest of the child, on its own  
728 motion, the court may order the filing of a petition for  
729 termination of parental rights, whether or not the time period  
730 as contained in the case plan for substantial compliance has  
731 expired.

732           ~~6.5.~~ Within 6 months after the date that the child was  
733 placed in shelter care, the court shall conduct a judicial  
734 review hearing to review the child's permanency goal as  
735 identified in the case plan. At the hearing the court shall make  
736 findings regarding the likelihood of the child's reunification



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737 with the parent or legal custodian within 12 months after the  
738 removal of the child from the home. If the court makes a written  
739 finding that it is not likely that the child will be reunified  
740 with the parent or legal custodian within 12 months after the  
741 child was removed from the home, the department must file with  
742 the court, and serve on all parties, a motion to amend the case  
743 plan under s. 39.6013 and declare that it will use concurrent  
744 planning for the case plan. The department must file the motion  
745 within 10 business days after receiving the written finding of  
746 the court. The department must attach the proposed amended case  
747 plan to the motion. If concurrent planning is already being  
748 used, the case plan must document the efforts the department is  
749 taking to complete the concurrent goal.

750 ~~7.6.~~ The court may issue a protective order in assistance,  
751 or as a condition, of any other order made under this part. In  
752 addition to the requirements included in the case plan, the  
753 protective order may set forth requirements relating to  
754 reasonable conditions of behavior to be observed for a specified  
755 period of time by a person or agency who is before the court;  
756 and the order may require any person or agency to make periodic  
757 reports to the court containing such information as the court in  
758 its discretion may prescribe.

759 Section 11. Section 409.143, Florida Statutes, is created  
760 to read:

761 409.143 Assessment of children in out-of-home placement.-

762 (1) NEEDS ASSESSMENT.-

763 (a) Each child placed in out-of-home care shall be referred  
764 by the department for a comprehensive behavioral health  
765 assessment within 7 days after the child enters out-of-home



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766 care.

767 (b) The comprehensive assessment shall measure the  
768 strengths and needs of the child and family and provide  
769 recommendations for developing the case plan to ensure that the  
770 child has the services and supports that are necessary to  
771 maintain the child in the least restrictive out-of-home care  
772 setting, promote the child's well-being, accomplish family  
773 preservation and reunification, and facilitate permanency  
774 planning.

775 (c) Completion of the comprehensive assessment must occur  
776 within 30 days after the child enters out-of-home care.

777 (d) Upon receipt of a child's completed comprehensive  
778 assessment, the child's case manager shall review the assessment  
779 and document whether a less restrictive, more family-like  
780 setting for the child is recommended and available. The  
781 department shall document determinations resulting from the  
782 comprehensive assessment in the Florida Safe Families Network  
783 and update the case plan to include identified needs of the  
784 child and specified services and supports to be provided in the  
785 out-of-home care placement setting to meet the assessed needs of  
786 the child. The case manager shall refer the child and family for  
787 all services identified through a comprehensive assessment. The  
788 planned services shall be implemented within 30 days after the  
789 child's needs are identified. If services are not initiated  
790 within 30 days, the case manager shall document reasons in the  
791 case file as to why services were not initiated.

792 (e) The department and the community-based care lead agency  
793 may conduct additional assessments of a child in out-of-home  
794 care if necessary.



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795 (2) CHILDREN IN GROUP CARE WITH A RESIDENTIAL CHILD-CARING  
796 AGENCY.—

797 (a) Within 30 days after a placement of a child in group  
798 care with a residential child-caring agency, a qualified  
799 individual shall make an assessment, using a validated and  
800 evidence-based assessment tool, and determine whether or not the  
801 child's needs can be met with family members or in a family  
802 foster home and if not, which of the approved foster care  
803 placement settings would provide a more effective and  
804 appropriate level of care. The assessment must be done in  
805 conjunction with a permanency team that must be established by  
806 the department or the community-based care lead agency that  
807 places children pursuant to this section. The team must include  
808 a representative from the community-based care lead agency, the  
809 caseworker for the child, the out-of-home care provider, the  
810 guardian ad litem, any provider of services to the child,  
811 teachers, clergy, relatives, and fictive kin.

812 (b) Within 60 days after a placement of a child in group  
813 care with a residential child-caring agency, a court must review  
814 the assessment and approve or disapprove the placement. At each  
815 judicial review and permanency, the department shall demonstrate  
816 why the child cannot be served in a family foster home,  
817 demonstrate why the placement in group care with a residential  
818 child-caring agency continues to be necessary and consistent  
819 with the child's short and long-term goals, and document efforts  
820 to step the child down into a more family-like setting.

821 (c) If it is determined during any assessment that a child  
822 may be suitable for residential treatment as defined in s.  
823 39.407, the procedures in that section must be followed.



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824 (3) ANNUAL REPORT.—By October 1 of each year, the  
825 department shall report to the Governor, the President of the  
826 Senate, and the Speaker of the House of Representatives on the  
827 placement of children in licensed out-of-home care, including  
828 family foster homes and residential group care, during the year.  
829 At a minimum, the report must include:

830 (a) The number of children placed in family foster homes  
831 and residential group care.

832 (b) The number of children placed outside of the county,  
833 outside of the circuit, and outside of the region in which they  
834 were removed from their homes.

835 (c) The number of children who had to change schools as a  
836 result of a placement decision.

837 (d) The use of each type of placement setting on a local,  
838 regional, and statewide level.

839 (e) An inventory of services available, by community-based  
840 care lead agency, which are necessary to maintain children in  
841 the least restrictive settings.

842 (f) An inventory of permanency teams that are created by  
843 each community-based care lead agency and the progress made by  
844 each lead agency to use those teams.

845 Section 12. Section 409.144, Florida Statutes, is created  
846 to read:

847 409.144 Continuum of care for children.—

848 (1) LEGISLATIVE FINDINGS AND INTENT.—

849 (a) The Legislature finds that permanency, well-being, and  
850 safety are critical goals for all children, especially for those  
851 in care, and that children in foster care or at risk of entering  
852 foster care are best supported through a continuum of care that



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853 provides appropriate ongoing services, supports, and a place to  
854 live from entry to exit.

855 (b) The Legislature also finds that federal law requires  
856 that out-of-home placements for children be in the least  
857 restrictive, most family-like setting available which is in  
858 close proximity to the home of their parents and consistent with  
859 the best interests and needs of the child, and that children be  
860 transitioned from out-of-home care to a permanent home in a  
861 timely manner.

862 (c) The Legislature further finds that permanency can be  
863 achieved through preservation of the family, through  
864 reunification with the birth family, or through legal  
865 guardianship or adoption by relatives or other caring and  
866 committed adults. Planning for permanency should begin at entry  
867 into care and should be child-driven, family-focused, culturally  
868 appropriate, and continuous and approached with the highest  
869 degree of urgency.

870 (d) It is, therefore, the intent of the Legislature that  
871 the department and the larger child welfare community establish  
872 and maintain a continuum of care that affords every child the  
873 opportunity to benefit from the most appropriate and least  
874 restrictive interventions, both in or out of the home, while  
875 ensuring that well-being and safety are addressed.

876 (2) DEFINITIONS.-As used in this section, the term:

877 (a) "Continuum of care" means the complete range of  
878 programs, services, and placement options for children served  
879 by, or at risk of being served by, the dependency system.

880 (b) "Family foster care" means a family foster home as  
881 defined in s. 409.175.



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882        (c) "Level of care" means a tiered approach to the type of  
883 placements used and the acuity and intensity of intervention  
884 services provided to meet the severity of a dependent child's  
885 specific physical, emotional, psychological, and social needs.

886        (d) "Out-of-home care" means the placement of a child in  
887 licensed and nonlicensed settings, arranged and supervised by  
888 the department or contracted service provider, outside the home  
889 of the parent.

890        (e) "Residential group care" means a 24-hour, live-in  
891 environment that provides supervision, care, and services to  
892 meet the physical, emotional, social, and life skills needs of  
893 children served by the dependency system. Services may be  
894 provided by residential group care staff who are qualified to  
895 perform the needed services or by a community-based service  
896 provider with clinical expertise, credentials, and training to  
897 provide services to the children being served.

898        (3) DEVELOPMENT OF CONTINUUM OF CARE.—The department, in  
899 collaboration with the Florida Institute for Child Welfare and  
900 other stakeholders, shall develop a continuum of care for the  
901 placement of children in care, including, but not limited to,  
902 both family foster care and residential group care. Stakeholders  
903 involved in the development of the continuum of care must  
904 include representatives from providers, child advocates,  
905 children who are currently in care, and young adults who have  
906 aged out of care. To implement the continuum of care, the  
907 department shall, by December 31, 2017:

908        (a) Establish levels of care in the continuum of care which  
909 are clearly and concisely defined with the qualifying criteria  
910 for placement for each level of care identified.





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911           (b) Revise licensure standards and rules to reflect the  
912 supports and services provided by a placement at each level of  
913 care and the complexity of the needs of the children served.  
914 Revisions must include attention to the need for a particular  
915 category of provider in a community before licensure may be  
916 considered, the quality standards of operation which must be met  
917 by all licensed providers, the numbers and qualifications of  
918 staff which are adequate to effectively address the issues and  
919 meet the needs of the children that the staff's facility seeks  
920 to serve, and a well-defined process tied to specific criteria  
921 which leads to licensure suspension or revocation.

922           (c) Develop policies and procedures necessary to ensure  
923 that placement in any level of care is appropriate for each  
924 specific child, is determined by the required assessments and  
925 staffing, and lasts only as long as necessary to resolve the  
926 issue that required the placement.

927           (d) Develop a plan to recruit and retain specialized  
928 placements that may be appropriate and necessary for the  
929 following:

930           1. Placements for pregnant and parenting children and young  
931 adults must include family foster homes that are designed to  
932 provide an out-of-home placement option for young parents and  
933 their children to enable them to live in the same family foster  
934 home while caring for their children and working toward  
935 independent care of the child.

936           2. Placements for sibling groups must be family foster  
937 homes or residential group homes designed to keep sibling groups  
938 together unless such placements are not in the best interest of  
939 each child.



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940 3. Young adults who have chosen to remain in foster care  
941 after the age of 18 and need independent living arrangements  
942 that provide services and case management.

943 4. Children who are involved in both the dependency and the  
944 juvenile justice systems. A plan for living arrangements and  
945 access to services for these children shall be developed by the  
946 department, in collaboration with the Department of Juvenile  
947 Justice.

948 (4) QUALITY RATING SYSTEM.—By June 30, 2017, the department  
949 shall develop, in collaboration with lead agencies, service  
950 providers, and other community stakeholders, a statewide quality  
951 rating system for providers of residential group care. This  
952 system must promote high quality in services and accommodations  
953 by creating measurable minimum quality standards. Domains  
954 addressed by a quality rating system for residential group care  
955 may include, but are not limited to, admissions, service  
956 planning and treatment planning, living environment, and program  
957 and service requirements. The system must be implemented by July  
958 1, 2018, and must include:

959 (a) Delineated levels of quality which are clearly and  
960 concisely defined, including the domains measured and criteria  
961 that must be met to be placed in each level of quality.

962 (b) A well-defined process for notice, inspection,  
963 remediation, appeal, and enforcement.

964 (5) REPORTING REQUIREMENT.—The department shall submit a  
965 report to the Governor, the President of the Senate, and the  
966 Speaker of the House of Representatives by October 1 of each  
967 year, with the first report due October 1, 2016. At a minimum,  
968 the report must include the following:



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969           (a) An update on the development of the continuum of care  
970 required by this section.

971           (b) An inventory of existing placements for children by  
972 type and by community-based care lead agency.

973           (c) An inventory of existing services available by  
974 community-based care lead agency and a plan for filling any  
975 identified gap, as well as a determination of what services are  
976 available that can be provided to children in family foster care  
977 without having to move the child to a more restrictive  
978 placement.

979           (d) The strategies being used by community-based care lead  
980 agencies to recruit, train, and support an adequate number of  
981 families to provide home-based family care.

982           (e) For every placement of a child made which is contrary  
983 to an appropriate placement as determined by the assessment  
984 process in s. 409.143, an explanation from the community-based  
985 care lead agency as to why the placement was made.

986           (f) The strategies being used by the community-based care  
987 lead agencies to reduce the high percentage of turnover in  
988 caseworkers.

989           (g) A plan for oversight by the department over the  
990 implementation of the continuum of care by the community-based  
991 care lead agencies.

992           (h) An update on the development of a statewide quality  
993 rating system for residential group care and family foster  
994 homes, and in 2018 and subsequent years, a list of providers  
995 meeting minimum quality standards and their quality ratings, the  
996 percentage of children placed in residential group care with  
997 highly rated providers, any negative action taken against



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998 contracted providers for not meeting minimum quality standards,  
999 and a plan for department oversight of the implementation of the  
1000 statewide quality rating system for residential group care by  
1001 the community-based lead agencies.

1002 (6) RULEMAKING.—The department shall adopt rules to  
1003 implement this section.

1004 Section 13. Paragraph (a) of subsection (3) of section  
1005 409.1451, Florida Statutes, is amended to read:

1006 409.1451 The Road-to-Independence Program.—

1007 (3) AFTERCARE SERVICES.—

1008 (a) Aftercare services are available to a young adult who  
1009 was living in licensed care on his or her 18th birthday, who ~~has~~  
1010 ~~reached 18 years of age but~~ is not yet 23 years of age, and who  
1011 is:

1012 1. Not in foster care.

1013 2. Temporarily not receiving financial assistance under  
1014 subsection (2) to pursue postsecondary education.

1015 Section 14. Paragraph (a) of subsection (3) of section  
1016 409.986, Florida Statutes, is amended to read:

1017 409.986 Legislative findings and intent; child protection  
1018 and child welfare outcomes; definitions.—

1019 (3) DEFINITIONS.—As used in this part, except as otherwise  
1020 provided, the term:

1021 (a) "Care" means services of any kind which are designed to  
1022 facilitate a child remaining safely in his or her own home,  
1023 returning safely to his or her own home if he or she is removed  
1024 from the home, or obtaining an alternative permanent home if he  
1025 or she cannot remain at home or be returned home. The term  
1026 includes, but is not limited to, prevention, intervention,



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1027 diversion, and related services.

1028 Section 15. Subsection (3) of section 409.988, Florida  
1029 Statutes, is amended to read:

1030 409.988 Lead agency duties; general provisions.-

1031 (3) SERVICES.-

1032 (a) General services.-

1033 1. A lead agency must provide dependent children with  
1034 services that are supported by research or that are recognized  
1035 as best practices in the child welfare field. The agency shall  
1036 give priority to the use of services that are evidence-based and  
1037 trauma-informed and may also provide other innovative services,  
1038 including, but not limited to, family-centered and cognitive-  
1039 behavioral interventions designed to mitigate out-of-home  
1040 placements.

1041 2. A lead agency must ensure the availability of a full  
1042 array of services to address the complex needs of all children,  
1043 adolescents, parents, and caregivers served within its local  
1044 system of care and that sufficient flexibility exists within the  
1045 service array to adequately match services to the unique  
1046 characteristics of families served, including the ages of the  
1047 children, cultural considerations, and parental choice.

1048 3. The department shall annually complete an evaluation of  
1049 the adequacy of the lead agencies service array, their use of  
1050 trauma-informed and evidence-based programming, and the impact  
1051 of available services on outcomes for the children served by the  
1052 lead agencies and any subcontracted providers of lead agencies.  
1053 The evaluation report shall be submitted to the Governor, the  
1054 President of the Senate, and the Speaker of the House of  
1055 Representatives by October 1 of each year.



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1056           (b) Intervention services.-  
1057           1. Intervention services and supports shall be made  
1058 available to a child and the parent of a child who is unsafe but  
1059 can, with services, remain in his or her home or to a child who  
1060 is placed in out-of-home care and the nonmaltreating parent or  
1061 relative or nonrelative caregivers with whom an unsafe child is  
1062 placed. Intervention services and supports must include:  
1063           a. Safety management services provided to an unsafe child  
1064 as part of a safety plan that immediately and actively protects  
1065 the child from dangerous threats if the parent or other  
1066 caregiver cannot protect the child, including, but not limited  
1067 to, behavior management, crisis management, social connection,  
1068 resource support, and separation;  
1069           b. Treatment services provided to a parent or caregiver  
1070 which are used to achieve a fundamental change in behavioral,  
1071 cognitive, and emotional functioning associated with the reason  
1072 that the child is unsafe, including, but not limited to,  
1073 parenting skills training, support groups, counseling, substance  
1074 abuse treatment, mental and behavioral health services,  
1075 certified domestic violence center services for survivors of  
1076 domestic violence and their children, and batterers'  
1077 intervention programs that comply with s. 741.325 and other  
1078 intervention services for perpetrators of domestic violence;  
1079           c. Child well-being services provided to an unsafe child  
1080 which address a child's physical, emotional, developmental, and  
1081 educational needs, including, but not limited to, behavioral  
1082 health services, substance abuse treatment, tutoring,  
1083 counseling, and peer support; and  
1084           d. Services provided to nonmaltreating parents or relative



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1085 or nonrelative caregivers to stabilize the child's placement,  
1086 including, but not limited to, transportation, clothing,  
1087 household goods, assistance with housing and utility payments,  
1088 child care, respite care, and assistance connecting families  
1089 with other community-based services.

1090 2. A lead agency shall prepare a case plan for each child  
1091 and his or her family receiving services and support under this  
1092 section. The plan must identify the permanency goal for the  
1093 child and list the services and supports provided. Services must  
1094 be tied to the placement and permanency goal and must be  
1095 specified in advance of delivery. Priority must be given to  
1096 services that are evidence-based and trauma-informed.

1097 3. By October 1, 2016, each community-based care lead  
1098 agency shall submit a monitoring plan to the department  
1099 describing how the lead agency will monitor and oversee the  
1100 safety of children who receive intervention services and  
1101 supports. The monitoring plan must include a description of  
1102 training and support for caseworkers handling intervention  
1103 cases, including how caseload size and type will be determined,  
1104 managed, and overseen.

1105 4. Beginning October 1, 2016, each community-based care  
1106 lead agency shall collect and report annually to the department,  
1107 as part of the child welfare results-oriented accountability  
1108 program required under s. 409.997, the following with respect to  
1109 each child for whom, or on whose behalf, intervention services  
1110 and supports are provided:

1111 a. The number of children and families served;

1112 b. The specific services provided and the total  
1113 expenditures for each such service;



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1114 c. The child's placement status at the beginning and at the  
1115 end of service provision; and

1116 d. The child's placement status 1 year after the end of  
1117 service provision.

1118 5. Outcomes for this subsection shall be included in the  
1119 annual report required under s. 409.997.

1120 6. The department shall use programmatic characteristics  
1121 and research and evaluation characteristics for well-supported,  
1122 promising, and emerging programs and practices to inventory  
1123 intervention services and supports by type and by lead agency.  
1124 The inventory shall be submitted to the Governor, the President  
1125 of the Senate, and the Speaker of the House of Representatives  
1126 by October 1 of each year.

1127 7. The department may adopt rules to implement this  
1128 subsection.

1129 Section 16. Section 409.996, Florida Statutes, is amended  
1130 to read:

1131 409.996 Duties of the Department of Children and Families.—  
1132 The department shall contract for the delivery, administration,  
1133 or management of care for children in the child protection and  
1134 child welfare system. In doing so, the department retains  
1135 responsibility to ensure ~~for~~ the quality of contracted services  
1136 and programs and ~~shall ensure~~ that an adequate array of services  
1137 are available to be delivered in accordance with applicable  
1138 federal and state statutes and regulations.

1139 Section 17. Paragraph (s) of subsection (2) of section  
1140 39.202, Florida Statutes, is amended to read:

1141 39.202 Confidentiality of reports and records in cases of  
1142 child abuse or neglect.—





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1143 (2) Except as provided in subsection (4), access to such  
1144 records, excluding the name of the reporter which shall be  
1145 released only as provided in subsection (5), shall be granted  
1146 only to the following persons, officials, and agencies:

1147 (s) Persons with whom the department is seeking to place  
1148 the child or to whom placement has been granted, including  
1149 foster parents for whom an approved home study has been  
1150 conducted, the designee of a licensed residential child-caring  
1151 agency defined ~~group home described~~ in s. 409.175 ~~s. 39.523~~, an  
1152 approved relative or nonrelative with whom a child is placed  
1153 pursuant to s. 39.402, preadoptive parents for whom a favorable  
1154 preliminary adoptive home study has been conducted, adoptive  
1155 parents, or an adoption entity acting on behalf of preadoptive  
1156 or adoptive parents.

1157 Section 18. Paragraph (a) of subsection (2) of section  
1158 39.5085, Florida Statutes, is amended to read:

1159 39.5085 Relative Caregiver Program.—

1160 (2) (a) The Department of Children and Families shall  
1161 establish and operate the Relative Caregiver Program pursuant to  
1162 eligibility guidelines established in this section as further  
1163 implemented by rule of the department. The Relative Caregiver  
1164 Program shall, within the limits of available funding, provide  
1165 financial assistance to:

1166 1. Relatives who are within the fifth degree by blood or  
1167 marriage to the parent or stepparent of a child and who are  
1168 caring full-time for that dependent child in the role of  
1169 substitute parent as a result of a court's determination of  
1170 child abuse, neglect, or abandonment and subsequent placement  
1171 with the relative under this chapter.



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1172           2. Relatives who are within the fifth degree by blood or  
1173 marriage to the parent or stepparent of a child and who are  
1174 caring full-time for that dependent child, and a dependent half-  
1175 brother or half-sister of that dependent child, in the role of  
1176 substitute parent as a result of a court's determination of  
1177 child abuse, neglect, or abandonment and subsequent placement  
1178 with the relative under this chapter.

1179           3. Nonrelatives who are willing to assume custody and care  
1180 of a dependent child in the role of substitute parent as a  
1181 result of a court's determination of child abuse, neglect, or  
1182 abandonment and subsequent placement with the nonrelative  
1183 caregiver under this chapter. The court must find that a  
1184 proposed placement under this subparagraph is in the best  
1185 interest of the child.

1186  
1187 The placement may be court-ordered temporary legal custody to  
1188 the relative or nonrelative under protective supervision of the  
1189 department pursuant to s. 39.521(1)(c)3. ~~s. 39.521(1)(b)3.~~, or  
1190 court-ordered placement in the home of a relative or nonrelative  
1191 as a permanency option under s. 39.6221 or s. 39.6231 or under  
1192 former s. 39.622 if the placement was made before July 1, 2006.  
1193 The Relative Caregiver Program shall offer financial assistance  
1194 to caregivers who would be unable to serve in that capacity  
1195 without the caregiver payment because of financial burden, thus  
1196 exposing the child to the trauma of placement in a shelter or in  
1197 foster care.

1198           Section 19. Subsection (11) of section 1002.3305, Florida  
1199 Statutes, is amended to read:

1200           1002.3305 College-Preparatory Boarding Academy Pilot



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1201 Program for at-risk students.-

1202 (11) STUDENT HOUSING.-Notwithstanding s. 409.176 ~~ss.~~  
1203 ~~409.1677(3)(d)~~ and ~~409.176~~ or any other ~~provision of law~~, an  
1204 operator may house and educate dependent, at-risk youth in its  
1205 residential school for the purpose of facilitating the mission  
1206 of the program and encouraging innovative practices.

1207 Section 20. Section 39.523, Florida Statutes, is repealed.

1208 Section 21. Section 409.141, Florida Statutes, is repealed.

1209 Section 22. Section 409.1676, Florida Statutes, is  
1210 repealed.

1211 Section 23. Section 409.1677, Florida Statutes, is  
1212 repealed.

1213 Section 24. Section 409.1679, Florida Statutes, is  
1214 repealed.

1215 Section 25. This act shall take effect July 1, 2016.

1216

1217 ===== T I T L E A M E N D M E N T =====

1218 And the title is amended as follows:

1219 Delete everything before the enacting clause  
1220 and insert:

1221 A bill to be entitled

1222 An act relating to child welfare; amending s. 39.013,  
1223 F.S.; extending court jurisdiction to age 22 for young  
1224 adults with disabilities in foster care; amending s.  
1225 39.2015, F.S.; revising requirements of the quarterly  
1226 report submitted by the critical incident response  
1227 team advisory committee; amending s. 39.402, F.S.;  
1228 revising information that the Department of Children  
1229 and Families is required to inform the court at



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1230 shelter hearings; revising the written findings  
1231 required to be included in an order for placement of a  
1232 child in shelter care; amending s. 39.521, F.S.;  
1233 revising timelines and distribution requirements for  
1234 case plans and predisposition studies; amending s.  
1235 39.522, F.S.; providing conditions under which a child  
1236 may be returned home with an in-home safety plan;  
1237 amending s. 39.6011, F.S.; providing the purpose of a  
1238 case plan; requiring a case plan to document that a  
1239 preplacement plan has been provided and reasonable  
1240 efforts have been made to prevent out-of-home  
1241 placement; removing the prohibition of threatening or  
1242 coercing a parent with the loss of custody or parental  
1243 rights for failing to admit certain actions in a case  
1244 plan; providing that a child must be given the  
1245 opportunity to review, sign, and receive a copy of his  
1246 or her case plan; providing additional requirements  
1247 when the child attains a certain age; requiring the  
1248 case plan to document that each parent has received  
1249 additional written notices; amending s. 39.6012, F.S.;  
1250 providing additional requirements for the department  
1251 and criteria for a case plan, with regard to  
1252 placement, permanency, education, health care, contact  
1253 with family, extended family, and fictive kin, and  
1254 independent living; amending s. 39.6035, F.S.;  
1255 requiring court approval of a transition plan before  
1256 the child attains 18 years of age; amending s. 39.621,  
1257 F.S.; creating an exception to the order of preference  
1258 for permanency goals under ch. 39, F.S., for



1259 maintaining and strengthening the placement;  
1260 authorizing the new permanency goal to be used in  
1261 specified circumstances; amending s. 39.701, F.S.;  
1262 revising the information that must be included in a  
1263 specified written report under certain circumstances;  
1264 requiring a court, if possible, to order the  
1265 department to file a written notification; creating s.  
1266 409.143, F.S.; requiring every child placed in out-of-  
1267 home care to be referred within a certain time for a  
1268 comprehensive behavioral health assessment; providing  
1269 requirements and procedures for such assessment;  
1270 requiring the department or the community-based care  
1271 lead agency to establish permanency teams; requiring  
1272 an assessment within a certain timeframe from the  
1273 beginning of a new placement in group care; providing  
1274 for judicial review of certain placements; requiring  
1275 the department to submit an annual report to the  
1276 Governor and the Legislature on the placement of  
1277 children in licensed out-of-home care; creating s.  
1278 409.144, F.S.; providing legislative findings and  
1279 intent; defining terms; requiring the department to  
1280 develop a continuum of care for the placement of  
1281 children in care settings; requiring a plan to recruit  
1282 and retain specialized placements for specific  
1283 children and young adults; requiring the department to  
1284 develop a quality rating system for group home and  
1285 foster homes; providing requirements for the rating  
1286 system; requiring the department to submit a report  
1287 annually to the Governor and the Legislature;



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1288 requiring the department to adopt rules; amending s.  
1289 409.1451, F.S.; requiring that a child be living in  
1290 licensed care on or after his or her 18th birthday as  
1291 a condition for receiving aftercare services; amending  
1292 s. 409.986, F.S., revising the definition of the term  
1293 "care"; amending s. 409.988, F.S.; requiring lead  
1294 agencies to ensure the availability of a full array of  
1295 services; requiring specified intervention services;  
1296 requiring the department to submit annually to the  
1297 Governor and the Legislature a report that evaluates  
1298 the adequacy of intervention services; requiring the  
1299 department to adopt rules; amending s. 409.996, F.S.;  
1300 requiring the department to ensure quality and  
1301 availability of services; amending s. 39.202, F.S.;  
1302 conforming provisions to changes made by the act;  
1303 amending ss. 39.5085 and 1002.3305, F.S.; conforming  
1304 cross-references; repealing s. 39.523, F.S., relating  
1305 to the placement of children in residential group  
1306 care; repealing s. 409.141, F.S., relating to  
1307 equitable reimbursement methodology; repealing s.  
1308 409.1676, F.S., relating to comprehensive residential  
1309 group care services to children who have extraordinary  
1310 needs; repealing s. 409.1677, F.S., relating to model  
1311 comprehensive residential services programs; repealing  
1312 s. 409.1679, F.S., relating to program requirements  
1313 and reimbursement methodology; providing an effective  
1314 date.