

1 A bill to be entitled
2 An act relating to child welfare; amending s. 39.01,
3 F.S.; defining a term; amending s. 39.013, F.S.;
4 extending court jurisdiction to age 22 for young
5 adults with disabilities in foster care; amending s.
6 39.402, F.S.; revising information that the Department
7 of Children and Families is required to inform the
8 court of at shelter hearings; revising the written
9 findings required to be included in an order for
10 placement of a child in shelter care; amending s.
11 39.521, F.S.; revising the required information a
12 court must include in its written orders of
13 disposition; amending s. 39.522, F.S.; providing
14 conditions under which a child may be returned home
15 with an in-home safety plan; amending s. 39.6011,
16 F.S.; providing the purpose of a case plan; requiring
17 a case plan to document that a preplacement plan has
18 been provided and reasonable efforts have been made to
19 prevent out-of-home placement; removing the
20 prohibition of threatening or coercing a parent with
21 the loss of custody or parental rights for failing to
22 admit certain actions in a case plan; providing that a
23 child must be given the opportunity to review, sign,
24 and receive a copy of his or her case plan; providing
25 additional requirements when the child attains a
26 certain age; requiring the case plan to document that

27 | each parent has received additional written notices;
28 | amending s. 39.6012, F.S.; providing additional
29 | requirements for the department and criteria for a
30 | case plan, with regard to placement, permanency,
31 | education, health care, contact with family, extended
32 | family, and fictive kin, and independent living;
33 | amending s. 39.6035, F.S.; requiring court approval of
34 | a transition plan before the child's 18th birthday;
35 | amending s. 39.621, F.S.; creating an exception to the
36 | order of preference for permanency goals under ch. 39,
37 | F.S., for maintaining and strengthening the placement;
38 | authorizing the new permanency goal to be used in
39 | specified circumstances; amending s. 39.701, F.S.;
40 | revising the information which must be included in a
41 | specified written report under certain circumstances;
42 | requiring a court, if possible, to order the
43 | department to file a written notification; creating s.
44 | 409.142, F.S.; providing legislative findings and
45 | intent; defining the term "intervention services and
46 | supports"; requiring specified intervention services
47 | and supports; providing eligibility for such services
48 | and supports; providing requirements for the provision
49 | of services and supports; requiring community-based
50 | care lead agencies to submit a monitoring plan to the
51 | department by a certain date; requiring community-
52 | based care lead agencies to annually collect and

53 | report specified information for each child to whom
54 | intervention services and supports are provided;
55 | requiring the department to adopt rules; creating s.
56 | 409.143, F.S.; providing legislative findings and
57 | intent; defining terms; requiring an initial placement
58 | assessment for certain children under specified
59 | circumstances; requiring every child placed in out-of-
60 | home care to be referred within a certain time for a
61 | comprehensive behavioral health assessment; requiring
62 | the department or the community-based care lead agency
63 | to establish special permanency teams to assist
64 | children in adjusting to home placement; requiring the
65 | department to submit an annual report to the Governor
66 | and the Legislature on the placement of children in
67 | licensed out-of-home care; creating s. 409.144, F.S.;
68 | providing legislative findings and intent; defining
69 | terms; requiring the department to develop a continuum
70 | of care for the placement of children in care
71 | settings; requiring the department to submit a report
72 | annually to the Governor and the Legislature;
73 | requiring the department to adopt rules; amending s.
74 | 409.1451, F.S.; requiring that a child be living in
75 | licensed care on or after his or her 18th birthday as
76 | a condition for receiving aftercare services;
77 | requiring the department to provide education training
78 | vouchers; providing eligibility requirements;

79 prohibiting vouchers from exceeding a certain amount;
80 providing rulemaking authority; amending s. 409.988,
81 F.S.; requiring lead agencies to ensure the
82 availability of a full array of family support
83 services; requiring the department to submit annually
84 to the Governor and Legislature a report that
85 evaluates the adequacy of family support services;
86 requiring the department to adopt rules; amending s.
87 39.202, F.S.; revising the designation of an agency
88 with access to records; amending ss. 39.302, 39.524,
89 39.6013, 394.495, 409.1678, 960.065, and 1002.3305,
90 F.S.; conforming cross-references; repealing s.
91 39.523, F.S., relating to the placement of children in
92 residential group care; repealing s. 409.141, F.S.,
93 relating to equitable reimbursement methodology;
94 repealing s. 409.1676, F.S., relating to comprehensive
95 residential group care services to children who have
96 extraordinary needs; repealing s. 409.1677, F.S.,
97 relating to model comprehensive residential services
98 programs; repealing s. 409.1679, F.S., relating to
99 program requirements and reimbursement methodology;
100 providing an effective date.

101
102 Be It Enacted by the Legislature of the State of Florida:

103
104 Section 1. Subsection (10) of section 39.01, Florida

105 Statutes, is amended, present subsections (20) through (79) of
 106 that section are redesignated as subsections (21) through (80),
 107 respectively, a new subsection (20) is added to that section,
 108 and present subsection (32) of that section is amended, to read:

109 39.01 Definitions.—When used in this chapter, unless the
 110 context otherwise requires:

111 (10) "Caregiver" means the parent, legal custodian,
 112 permanent guardian, adult household member, or other person
 113 responsible for a child's welfare as defined in subsection (48)
 114 ~~subsection (47)~~.

115 (20) "Conditions for return" means the circumstances that
 116 caused the out-of-home placement have been remedied to the
 117 extent that the return of the child to the home with an in-home
 118 safety plan will not be detrimental to the child's safety, well-
 119 being, and physical, mental, and emotional health.

120 (32) "Institutional child abuse or neglect" means
 121 situations of known or suspected child abuse or neglect in which
 122 the person allegedly perpetrating the child abuse or neglect is
 123 an employee of a private school, public or private day care
 124 center, residential home, institution, facility, or agency or
 125 any other person at such institution responsible for the child's
 126 care as defined in subsection (48) ~~subsection (47)~~.

127 Section 2. Paragraph (e) is added to subsection (2) of
 128 section 39.013, Florida Statutes, to read:

129 39.013 Procedures and jurisdiction; right to counsel.—

130 (2) The circuit court has exclusive original jurisdiction

131 of all proceedings under this chapter, of a child voluntarily
132 placed with a licensed child-caring agency, a licensed child-
133 placing agency, or the department, and of the adoption of
134 children whose parental rights have been terminated under this
135 chapter. Jurisdiction attaches when the initial shelter
136 petition, dependency petition, or termination of parental rights
137 petition, or a petition for an injunction to prevent child abuse
138 issued pursuant to s. 39.504, is filed or when a child is taken
139 into the custody of the department. The circuit court may assume
140 jurisdiction over any such proceeding regardless of whether the
141 child was in the physical custody of both parents, was in the
142 sole legal or physical custody of only one parent, caregiver, or
143 some other person, or was not in the physical or legal custody
144 of any person when the event or condition occurred that brought
145 the child to the attention of the court. When the court obtains
146 jurisdiction of any child who has been found to be dependent,
147 the court shall retain jurisdiction, unless relinquished by its
148 order, until the child reaches 21 years of age, with the
149 following exceptions:

150 (e) If a young adult with a disability remains in foster
151 care, jurisdiction shall continue until the young adult chooses
152 to leave foster care or upon the young adult reaching 22 years
153 of age, whichever occurs first.

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

156 39.402 Placement in a shelter.—

157 (8)

158 (f) At the shelter hearing, the department shall inform
 159 the court of:

160 1. Any identified current or previous case plans
 161 negotiated under this chapter in any judicial circuit district
 162 with the parents or caregivers ~~under this chapter~~ and problems
 163 associated with compliance;

164 2. Any adjudication of the parents or caregivers of
 165 delinquency;

166 3. Any past or current injunction for protection from
 167 domestic violence; and

168 4. All of the child's places of residence during the prior
 169 12 months.

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

173 1. That placement in shelter care is necessary based on
 174 the criteria in subsections (1) and (2).

175 2. That placement in shelter care is in the best interest
 176 of the child.

177 3. That the placement proposed by the department is in the
 178 least restrictive and most family-like setting that meets the
 179 needs of the child, unless it is otherwise documented that the
 180 identified type of placement needed is not available.

181 ~~4.3.~~ That continuation of the child in the home is
 182 contrary to the welfare of the child because the home situation

183 presents a substantial and immediate danger to the child's
184 physical, mental, or emotional health or safety which cannot be
185 mitigated by the provision of preventive services.

186 ~~5.4.~~ That based upon the allegations of the petition for
187 placement in shelter care, there is probable cause to believe
188 that the child is dependent or that the court needs additional
189 time, which may not exceed 72 hours, in which to obtain and
190 review documents pertaining to the family in order to
191 appropriately determine the risk to the child.

192 ~~6.5.~~ That the department has made reasonable efforts to
193 prevent or eliminate the need for removal of the child from the
194 home. A finding of reasonable effort by the department to
195 prevent or eliminate the need for removal may be made and the
196 department is deemed to have made reasonable efforts to prevent
197 or eliminate the need for removal if:

198 a. The first contact of the department with the family
199 occurs during an emergency;

200 b. The appraisal of the home situation by the department
201 indicates that the home situation presents a substantial and
202 immediate danger to the child's physical, mental, or emotional
203 health or safety which cannot be mitigated by the provision of
204 preventive services;

205 c. The child cannot safely remain at home, either because
206 there are no preventive services that can ensure the health and
207 safety of the child or because, even with appropriate and
208 available services being provided, the health and safety of the

209 child cannot be ensured; or

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

213 ~~7.6.~~ That the department has made reasonable efforts to
214 keep siblings together if they are removed and placed in out-of-
215 home care unless such placement is not in the best interest of
216 each child. It is preferred that siblings be kept together in a
217 foster home, if available. Other reasonable efforts shall
218 include short-term placement in a group home with the ability to
219 accommodate sibling groups if such a placement is available. The
220 department shall report to the court its efforts to place
221 siblings together unless the court finds that such placement is
222 not in the best interest of a child or his or her sibling.

223 ~~8.7.~~ That the court notified the parents, relatives that
224 are providing out-of-home care for the child, or legal
225 custodians of the time, date, and location of the next
226 dependency hearing and of the importance of the active
227 participation of the parents, relatives that are providing out-
228 of-home care for the child, or legal custodians in all
229 proceedings and hearings.

230 ~~9.8.~~ That the court notified the parents or legal
231 custodians of their right to counsel to represent them at the
232 shelter hearing and at each subsequent hearing or proceeding,
233 and the right of the parents to appointed counsel, pursuant to
234 the procedures set forth in s. 39.013.

235 ~~10.9.~~ That the court notified relatives who are providing
 236 out-of-home care for a child as a result of the shelter petition
 237 being granted that they have the right to attend all subsequent
 238 hearings, to submit reports to the court, and to speak to the
 239 court regarding the child, if they so desire.

240 Section 4. Paragraph (d) of subsection (1) of section
 241 39.521, Florida Statutes, is amended to read:

242 39.521 Disposition hearings; powers of disposition.—

243 (1) A disposition hearing shall be conducted by the court,
 244 if the court finds that the facts alleged in the petition for
 245 dependency were proven in the adjudicatory hearing, or if the
 246 parents or legal custodians have consented to the finding of
 247 dependency or admitted the allegations in the petition, have
 248 failed to appear for the arraignment hearing after proper
 249 notice, or have not been located despite a diligent search
 250 having been conducted.

251 (d) The court shall, in its written order of disposition,
 252 include all of the following:

253 1. The placement or custody of the child, including
 254 whether the placement is in the least restrictive and most
 255 family-like setting that meets the needs of the child, as
 256 determined by assessments completed pursuant to s. 409.143.

257 2. Special conditions of placement and visitation.

258 3. Evaluation, counseling, treatment activities, and other
 259 actions to be taken by the parties, if ordered.

260 4. The persons or entities responsible for supervising or

261 monitoring services to the child and parent.

262 5. Continuation or discharge of the guardian ad litem, as
263 appropriate.

264 6. The date, time, and location of the next scheduled
265 review hearing, which must occur within the earlier of:

- 266 a. Ninety days after the disposition hearing;
- 267 b. Ninety days after the court accepts the case plan;
- 268 c. Six months after the date of the last review hearing;

269 or

270 d. Six months after the date of the child's removal from
271 his or her home, if no review hearing has been held since the
272 child's removal from the home.

273 7. If the child is in an out-of-home placement, child
274 support to be paid by the parents, or the guardian of the
275 child's estate if possessed of assets which under law may be
276 disbursed for the care, support, and maintenance of the child.
277 The court may exercise jurisdiction over all child support
278 matters, shall adjudicate the financial obligation, including
279 health insurance, of the child's parents or guardian, and shall
280 enforce the financial obligation as provided in chapter 61. The
281 state's child support enforcement agency shall enforce child
282 support orders under this section in the same manner as child
283 support orders under chapter 61. Placement of the child shall
284 not be contingent upon issuance of a support order.

285 8.a. If the court does not commit the child to the
286 temporary legal custody of an adult relative, legal custodian,

287 or other adult approved by the court, the disposition order
288 shall include the reasons for such a decision and shall include
289 a determination as to whether diligent efforts were made by the
290 department to locate an adult relative, legal custodian, or
291 other adult willing to care for the child in order to present
292 that placement option to the court instead of placement with the
293 department.

294 b. If no suitable relative is found and the child is
295 placed with the department or a legal custodian or other adult
296 approved by the court, both the department and the court shall
297 consider transferring temporary legal custody to an adult
298 relative approved by the court at a later date, but neither the
299 department nor the court is obligated to so place the child if
300 it is in the child's best interest to remain in the current
301 placement.

302
303 For the purposes of this section, "diligent efforts to locate an
304 adult relative" means a search similar to the diligent search
305 for a parent, but without the continuing obligation to search
306 after an initial adequate search is completed.

307 9. Other requirements necessary to protect the health,
308 safety, and well-being of the child, to preserve the stability
309 of the child's educational placement, and to promote family
310 preservation or reunification whenever possible.

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

313 39.522 Postdisposition change of custody.—The court may
 314 change the temporary legal custody or the conditions of
 315 protective supervision at a postdisposition hearing, without the
 316 necessity of another adjudicatory hearing.

317 (2) In cases where the issue before the court is whether a
 318 child should be reunited with a parent, the court shall
 319 determine whether the circumstances that caused the out-of-home
 320 placement have been remedied ~~parent has substantially complied~~
 321 ~~with the terms of the case plan~~ to the extent that the return of
 322 the child to the home with an in-home safety plan will not be
 323 detrimental to the child's safety, well-being, and physical,
 324 mental, and emotional health ~~of the child is not endangered by~~
 325 ~~the return of the child to the home.~~

326 Section 6. Section 39.6011, Florida Statutes, is amended
 327 to read:

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

330 39.6011 Case plan purpose; requirements; procedures.—

331 (1) PURPOSE.—The purpose of the case plan is to promote
 332 and facilitate change in parental behavior and to address the
 333 treatment and long-term well-being of children receiving
 334 services under this chapter.

335 (2) GENERAL REQUIREMENTS.—The department shall draft a
 336 case plan for each child receiving services under this chapter.
 337 The case plan must:

338 (a) Document that a preplacement assessment of the service

339 needs of the child and family, and preplacement preventive
340 services, if appropriate, have been provided pursuant to s.
341 409.142, and that reasonable efforts to prevent out-of-home
342 placement have been made.

343 (b) Be developed in a face-to-face conference with the
344 parent of the child, any court-appointed guardian ad litem, the
345 child's attorney, and, if appropriate, the temporary custodian
346 of the child. The parent may receive assistance from any person
347 or social service agency in preparing the case plan. The social
348 service agency, the department, and the court, when applicable,
349 shall inform the parent of the right to receive such assistance,
350 including the right to assistance of counsel.

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

354 (d) Describe a process for making available to all
355 physical custodians and family services counselors the
356 information required by s. 39.6012(2) and for ensuring that this
357 information follows the child until permanency has been
358 achieved.

359 (e) Specify the period of time for which the case plan is
360 applicable, which must be as short a period as possible for the
361 parent to comply with the terms of the plan. The case plan's
362 compliance period expires no later than 12 months after the date
363 the child was initially removed from the home, the date the
364 child is adjudicated dependent, or the date the case plan is

365 accepted by the court, whichever occurs first.

366 (f) Be signed by all of the parties. Signing the case plan
367 constitutes an acknowledgment by each of the parties that they
368 have been involved in the development of the case plan and that
369 they are in agreement with the terms and conditions contained in
370 the case plan. The refusal of a parent to sign the case plan
371 does not preclude the court's acceptance of the case plan if it
372 is otherwise acceptable to the court. The parent's signing of
373 the case plan does not constitute an admission to any allegation
374 of abuse, abandonment, or neglect and does not constitute
375 consent to a finding of dependency or termination of parental
376 rights. The department shall explain the provisions of the case
377 plan to all persons involved in its implementation, before the
378 signing of the plan.

379 (3) PARTICIPATION BY THE CHILD.—It is important that the
380 child be involved in all aspects of the case planning process,
381 including development of the plan, as well as the opportunity to
382 review, sign, and receive a copy of the case plan. The child may
383 not be included in any aspect of the case planning process when
384 information will be revealed or discussed that is of a nature
385 that would best be presented to the child in a more therapeutic
386 setting. The child, when the child has attained 14 years of age
387 or the child is otherwise at the appropriate age and capacity,
388 must:

389 (a) Be included in the face-to-face conference to develop
390 the plan under this section, have the opportunity to express a

391 placement preference, and have the option to choose two members
392 of the case planning team who are not a foster parent or
393 caseworker for the child.

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

396 (c) Receive an explanation of the provisions of the case
397 plan from the department.

398 (d) Be provided a copy of the case plan:

399 1. After the case plan has been agreed upon and signed;

400 and

401 2. Within 3 business days before the disposition hearing
402 after jurisdiction attaches and the plan has been filed with the
403 court.

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

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

409 Participation in the development of a case plan is not an
410 admission to any allegation of abuse, abandonment, or neglect
411 and does not constitute consent to a finding of dependency or
412 termination of parental rights.

413 (b) That the department must document a parent's
414 unwillingness or inability to participate in developing a case
415 plan and provide such documentation in writing to the parent
416 when it becomes available for the court record. In such event,

417 the department will prepare a case plan that, to the extent
418 possible, conforms with the requirements of this section. The
419 parent must also be advised that his or her unwillingness or
420 inability to participate in developing a case plan does not
421 preclude the filing of a petition for dependency or for
422 termination of parental rights. If the parent is available, the
423 department shall provide a copy of the case plan to the parent
424 and advise him or her that, at any time before the filing of a
425 petition for termination of parental rights, he or she may enter
426 into a case plan and that he or she may request judicial review
427 of any provision of the case plan with which he or she disagrees
428 at any court hearing set for the child.

429 (c) That his or her failure to substantially comply with
430 the case plan may result in the termination of parental rights,
431 and that a material breach of the case plan may result in the
432 filing of a petition for termination of parental rights before
433 the scheduled completion date.

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

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

440 (b) In each case in which a child has been placed in out-
441 of-home care, a case plan must be prepared within 60 days after
442 the department removes the child from the home and must be

443 submitted to the court for review and approval before the
444 disposition hearing.

445 (c) After jurisdiction attaches, all case plans must be
446 filed with the court, and a copy provided to all of the parties
447 whose whereabouts are known not less than 3 business days before
448 the disposition hearing. The department shall file with the
449 court and provide copies of such to all of the parties, all case
450 plans prepared before jurisdiction of the court attached.

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

455 Section 7. Section 39.6012, Florida Statutes, is amended
456 to read:

457 (Substantial rewording of section. See
458 s. 39.6012, F.S., for present text.)

459 39.6012 Services and parental tasks under the case plan;
460 safety, permanency, and well-being of the child.—The case plan
461 must include a description of the identified problem that is
462 being addressed, including the parent's behavior or acts that
463 have resulted in a threat to the safety of the child and the
464 reason for the department's intervention. The case plan must be
465 designed to improve conditions in the child's home to facilitate
466 the child's safe return and ensure proper care of the child, or
467 to facilitate the child's permanent placement. The services
468 offered must be as unobtrusive as possible in the lives of the

469 parent and the child, must focus on clearly defined objectives,
470 and must provide the most timely and efficient path to
471 reunification or permanent placement, given the circumstances of
472 the case and the child's need for safe and proper care.

473 (1) CASE PLAN SERVICES AND TASKS.—The case plan must be
474 based upon an assessment of the circumstances that required
475 intervention by the child welfare system. The case plan must
476 describe the role of the foster parents or legal custodians, and
477 must be developed in conjunction with the determination of the
478 services that are to be provided under the case plan to the
479 child, foster parents, or legal custodians. If a parent's
480 substantial compliance with the case plan requires the
481 department to provide services to the parent or the child and
482 the parent agrees to begin compliance with the case plan before
483 it is accepted by the court, the department shall make
484 appropriate referrals for services which will allow the parent
485 to immediately begin the agreed-upon tasks and services.

486 (a) Itemization in the case plan.—The case plan must
487 describe each of the tasks which the parent must complete and
488 the services that will be provided to the parent, in the context
489 of the identified problem, including:

490 1. The type of services or treatment which will be
491 provided.

492 2. If the service is being provided by the department or
493 its agent, the date the department will provide each service or
494 referral for service.

495 3. The date by which the parent must complete each task.

496 4. The frequency of services or treatment to be provided,
497 which shall be determined by the professionals providing the
498 services and may be adjusted as needed based on the best
499 professional judgment of the provider.

500 5. The location of the delivery of the services.

501 6. Identification of the staff of the department or the
502 service provider who are responsible for the delivery of
503 services or treatment.

504 7. A description of measurable outcomes, including the
505 timeframes specified for achieving the objectives of the case
506 plan and addressing the identified problem.

507 (b) Meetings with case manager.—The case plan must include
508 a schedule of the minimum number of face-to-face meetings to be
509 held each month between the parent and the case manager to
510 review the progress of the case plan, eliminate barriers to
511 completion of the plan, and resolve conflicts or disagreements.

512 (c) Request for notification from relative.—The case
513 manager shall advise the attorney for the department of a
514 relative's request to receive notification of proceedings and
515 hearings submitted pursuant to s. 39.301(14)(b).

516 (d) Financial support.—The case plan must specify the
517 parent's responsibility for the financial support of the child,
518 including, but not limited to, health insurance and child
519 support. The case plan must list the costs associated with any
520 services or treatment that the parent and child are expected to

521 receive which are the financial responsibility of the parent.
522 The determination of child support and other financial support
523 must be made independently of any determination of dependency
524 under s. 39.013.

525 (2) SAFETY, PERMANENCY, AND WELL-BEING OF THE CHILD.—The
526 case plan must include all available information that is
527 relevant to the child's care, including a detailed description
528 of the identified needs of the child while in care and a
529 description of the plan for ensuring that the child receives
530 safe and proper care that is appropriate to his or her needs.
531 Participation by the child must meet the requirements under s.
532 39.6011.

533 (a) Placement.—To comply with federal law, the department
534 must ensure that the placement of a child in foster care be in
535 the least restrictive, most family-like environment; must review
536 the family assessment, safety plan, and case plan for the child
537 to assess the necessity for and the appropriateness of the
538 placement; must assess the progress that has been made toward
539 case plan outcomes; and must project a likely date by which the
540 child can be safely reunified or placed for adoption or legal
541 guardianship. The family assessment must indicate the type of
542 placement to which the child has been assigned and must document
543 the following:

544 1. That the child has undergone the placement assessments
545 required pursuant to s. 409.143.

546 2. That the child has been placed in the least restrictive

547 and most family-like setting available consistent with the best
548 interest and special needs of the child, and in as close
549 proximity as possible to the child's home.

550 3. If the child is placed in a setting that is more
551 restrictive than recommended by the placement assessments or is
552 placed more than 50 miles from the child's home, the reasons why
553 the placement is necessary and in the best interest of the child
554 and the steps required to place the child in the placement
555 recommended by the assessment.

556 4. If residential group care is recommended for the child,
557 the needs of the child which necessitate such placement, the
558 plan for transitioning the child to a family setting, and the
559 projected timeline for the child's transition to a less
560 restrictive environment. If the child is placed in residential
561 group care, his or her case plan shall be reviewed and updated
562 within 90 days after the child's admission to the residential
563 group care facility and at least every 60 days thereafter.

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

570 1. If concurrent planning is being used, a description of
571 the permanency goal of reunification with the parent or legal
572 custodian and a description of one of the remaining permanency

573 goals defined in s. 39.01; or, if concurrent case planning is
574 not being used, an explanation as to why it is not being used.

575 2. If the case plan has as its goal the adoption of the
576 child or his or her placement in another permanent home, a
577 statement of the child's wishes regarding his or her permanent
578 placement plan and an assessment of those stated wishes. The
579 case plan must also include documentation of the steps the
580 agency is taking to find an adoptive family or other permanent
581 living arrangements for the child; to place the child with an
582 adoptive family, an appropriate and willing relative, or a legal
583 guardian; and to finalize the adoption or legal guardianship. At
584 a minimum, the documentation must include child-specific
585 recruitment efforts, such as the use of state, regional, and
586 national adoption exchanges, including electronic exchange
587 systems, after he or she has become legally eligible for
588 adoption.

589 3. If the child has been in out-of-home care for at least
590 12 months and the permanency goal is not adoptive placement, the
591 documentation of the compelling reason for a finding that
592 termination of parental rights is not in the child's best
593 interest.

594 (c) Education.—A case plan must ensure the educational
595 stability of the child while in foster care. To the extent
596 available and accessible, the names and addresses of the child's
597 educational providers, a record of his or her grade level
598 performance, and his or her school record must be attached to

599 the case plan and updated throughout the judicial review
600 process. The case plan must also include documentation that the
601 placement:

602 1. Takes into account the appropriateness of the current
603 educational setting and the proximity to the school in which the
604 child is enrolled at the time of placement.

605 2. Has been coordinated with appropriate local educational
606 agencies to ensure that the child remains in the school in which
607 the child is enrolled at the time of placement, or, if remaining
608 in that school is not in the best interest of the child,
609 assurances by the department and the local education agency to
610 provide immediate and appropriate enrollment in a new school and
611 to provide all of the child's educational records to the new
612 school.

613 (d) Health care.—To the extent that they are available and
614 accessible, the names and addresses of the child's health and
615 behavioral health providers, a record of the child's
616 immunizations, the child's known medical history, including any
617 known health issues, the child's medications, and any other
618 relevant health and behavioral health information must be
619 attached to the case plan and updated throughout the judicial
620 review process.

621 (e) Contact with family, extended family, and fictive
622 kin.—When out-of-home placement is made, the case plan must
623 include provisions for the development and maintenance of
624 sibling relationships and visitation, if the child has siblings

625 and is separated from them, a description of the parent's
626 visitation rights and obligations, and a description of any
627 visitation rights with extended family members as defined in s.
628 751.011. As used in this paragraph, the term "fictive kin" means
629 individuals who are unrelated to the child by either birth or
630 marriage, but who have an emotionally significant relationship
631 with the child that would take on the characteristics of a
632 family relationship. As soon as possible after a court order is
633 entered, the following must be provided to the child's out-of-
634 home caregiver:

635 1. Information regarding any court-ordered visitation
636 between the child and the parents, and the terms and conditions
637 necessary to facilitate such visits and protect the safety of
638 the child.

639 2. Information regarding the schedule and frequency of the
640 visits between the child and his or her siblings, as well as any
641 court-ordered terms and conditions necessary to facilitate the
642 visits and protect the safety of the child.

643 3. Information regarding the schedule and frequency of the
644 visits between the child and any extended family member or
645 fictive kin, as well as any court-ordered terms and conditions
646 necessary to facilitate the visits and protect the safety of the
647 child.

648 (f) Independent living.—

649 1. When appropriate, the case plan for a child who is 13
650 years of age or older, must include a written description of the

651 life skills services to be provided by the caregiver which will
652 assist the child, consistent with his or her best interests, in
653 preparing for the transition from foster care to independent
654 living. The case plan must be developed with the child and
655 individuals identified as important to the child, and must
656 include the steps the agency is taking to ensure that the child
657 has a connection with a caring adult.

658 2. During the 180-day period after a child reaches 17
659 years of age, the department and the community-based care
660 provider, in collaboration with the caregiver and any other
661 individual whom the child would like to include, shall assist
662 the child in developing a transition plan pursuant to s.
663 39.6035, which is in addition to standard case management
664 requirements. The transition plan must address specific options
665 that the child may use in obtaining services, including housing,
666 health insurance, education, and workforce support and
667 employment services. The transition plan must also consider
668 establishing and maintaining naturally occurring mentoring
669 relationships and other personal support services. The
670 transition plan may be as detailed as the child chooses and must
671 be attached to the case plan and updated before each judicial
672 review.

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

675 39.6035 Transition plan.—

676 (4) ~~If a child is planning to leave care upon reaching 18~~

677 ~~years of age,~~ The transition plan must be approved by the court
678 before the child's 18th birthday ~~child leaves care and the court~~
679 ~~terminates jurisdiction.~~

680 Section 9. Subsection (2) of section 39.621, Florida
681 Statutes, is amended, present subsections (3) through (11) of
682 that section are redesignated as subsections (4) through (12),
683 respectively, and a new subsection (3) is added to that section,
684 to read:

685 39.621 Permanency determination by the court.—

686 (2) Except as provided in subsection (3), the permanency
687 goals available under this chapter, listed in order of
688 preference, are:

689 (a) Reunification;

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

692 (c) Permanent guardianship of a dependent child under s.
693 39.6221; or

694 ~~(d) Permanent placement with a fit and willing relative~~
695 ~~under s. 39.6231; or~~

696 (d)(e) Placement in another planned permanent living
697 arrangement under s. 39.6241.

698 (3) The permanency goal of maintaining and strengthening
699 the placement with a parent may be used in the following
700 circumstances:

701 (a) If a child has not been removed from a parent but is
702 found to be dependent, even if adjudication of dependency is

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703 withheld, the court may leave the child in the current placement
704 with maintaining and strengthening the placement as a permanency
705 option.

706 (b) If a child has been removed from a parent and is
707 placed with the parent from whom the child was not removed, the
708 court may leave the child in the placement with the parent from
709 whom the child was not removed with maintaining and
710 strengthening the placement as a permanency option.

711 (c) If a child has been removed from a parent and is
712 subsequently reunified with that parent, the court may leave the
713 child with that parent with maintaining and strengthening the
714 placement as a permanency option.

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

717 39.701 Judicial review.—

718 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
719 AGE.—

720 (a) Social study report for judicial review.—Before every
721 judicial review hearing or citizen review panel hearing, the
722 social service agency shall make an investigation and social
723 study concerning all pertinent details relating to the child and
724 shall furnish to the court or citizen review panel a written
725 report that includes, but is not limited to:

726 1. A description of the type of placement the child is in
727 at the time of the hearing, including the safety of the child,
728 ~~and the continuing necessity for and appropriateness of the~~

729 placement, and that the placement is in the least restrictive
730 and most family-like setting that meets the needs of the child
731 as determined by the assessment completed pursuant to s.
732 409.143.

733 2. Documentation of the diligent efforts made by all
734 parties to the case plan to comply with each applicable
735 provision of the case plan.

736 3. The amount of fees assessed and collected during the
737 period of time being reported.

738 4. The services provided to the foster family or legal
739 custodian in an effort to address the needs of the child as
740 indicated in the case plan.

741 5. A statement that either:

742 a. The parent, though able to do so, did not comply
743 substantially with the case plan, and the agency
744 recommendations;

745 b. The parent did substantially comply with the case plan;
746 or

747 c. The parent has partially complied with the case plan,
748 with a summary of additional progress needed and the agency
749 recommendations.

750 6. A statement from the foster parent or legal custodian
751 providing any material evidence concerning the return of the
752 child to the parent or parents.

753 7. A statement concerning the frequency, duration, and
754 results of the parent-child visitation, if any, and the agency

755 recommendations for an expansion or restriction of future
756 visitation.

757 8. The number of times a child has been removed from his
758 or her home and placed elsewhere, the number and types of
759 placements that have occurred, and the reason for the changes in
760 placement.

761 9. The number of times a child's educational placement has
762 been changed, the number and types of educational placements
763 which have occurred, and the reason for any change in placement.

764 10. If the child has reached 13 years of age but is not
765 yet 18 years of age, a statement from the caregiver on the
766 progress the child has made in acquiring independent living
767 skills.

768 11. Copies of all medical, psychological, and educational
769 records that support the terms of the case plan and that have
770 been produced concerning the parents or any caregiver since the
771 last judicial review hearing.

772 12. Copies of the child's current health, mental health,
773 and education records as identified in s. 39.6012.

774 (d) Orders.—

775 1. Based upon the criteria ~~set forth~~ in paragraph (c) and
776 the recommended order of the citizen review panel, if any, the
777 court shall determine whether ~~or not~~ the social service agency
778 shall initiate proceedings to have a child declared a dependent
779 child, return the child to the parent, continue the child in
780 out-of-home care for a specified period of time, or initiate

781 termination of parental rights proceedings for subsequent
782 placement in an adoptive home. Amendments to the case plan must
783 be prepared as prescribed in s. 39.6013. If the court finds that
784 ~~the prevention or reunification efforts of the department will~~
785 ~~allow the child~~ can safely ~~to remain in the~~ safely at home with
786 an in-home safety plan ~~or be safely returned to the home,~~ the
787 court shall allow the child to remain in ~~or return to~~ the home
788 ~~after making a specific finding of fact that the reasons for the~~
789 ~~creation of the case plan have been remedied to the extent that~~
790 ~~the child's safety, well-being, and physical, mental, and~~
791 ~~emotional health will not be endangered.~~

792 2. The court shall return the child to the custody of the
793 parents with an in-home safety plan at any time it determines
794 that they have met conditions for return ~~substantially complied~~
795 ~~with the case plan, and~~ if the court is satisfied that return of
796 the child to the home ~~reunification~~ will not be detrimental to
797 the child's safety, well-being, and physical, mental, and
798 emotional health.

799 3. If, in the opinion of the court, the social service
800 agency has not complied with its obligations as specified in the
801 written case plan, the court may find the social service agency
802 in contempt, shall order the social service agency to submit its
803 plans for compliance with the agreement, and shall require the
804 social service agency to show why the child could not safely be
805 returned to the home of the parents.

806 4. If possible, the court shall order the department to

807 file a written notification before a child changes placements or
808 living arrangements. If such notification is not possible before
809 the change, the department must file a notification immediately
810 after a change. A written notification filed with the court must
811 include assurances from the department that the provisions of s.
812 409.145 and administrative rule relating to placement changes
813 have been met.

814 5.4. If, at any judicial review, the court finds that the
815 parents have failed to substantially comply with the case plan
816 to the degree that further reunification efforts are without
817 merit and not in the best interest of the child, on its own
818 motion, the court may order the filing of a petition for
819 termination of parental rights, whether or not the time period
820 as contained in the case plan for substantial compliance has
821 expired.

822 6.5. Within 6 months after the date that the child was
823 placed in shelter care, the court shall conduct a judicial
824 review hearing to review the child's permanency goal as
825 identified in the case plan. At the hearing the court shall make
826 findings regarding the likelihood of the child's reunification
827 with the parent or legal custodian within 12 months after the
828 removal of the child from the home. If the court makes a written
829 finding that it is not likely that the child will be reunified
830 with the parent or legal custodian within 12 months after the
831 child was removed from the home, the department must file with
832 the court, and serve on all parties, a motion to amend the case

833 plan under s. 39.6013 and declare that it will use concurrent
834 planning for the case plan. The department must file the motion
835 within 10 business days after receiving the written finding of
836 the court. The department must attach the proposed amended case
837 plan to the motion. If concurrent planning is already being
838 used, the case plan must document the efforts the department is
839 taking to complete the concurrent goal.

840 ~~7.6.~~ The court may issue a protective order in assistance,
841 or as a condition, of any other order made under this part. In
842 addition to the requirements included in the case plan, the
843 protective order may set forth requirements relating to
844 reasonable conditions of behavior to be observed for a specified
845 period of time by a person or agency who is before the court;
846 and the order may require any person or agency to make periodic
847 reports to the court containing such information as the court in
848 its discretion may prescribe.

849 Section 11. Section 409.142, Florida Statutes, is created
850 to read:

851 409.142 Intervention services for unsafe children.—

852 (1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
853 that intervention services and supports are designed to
854 strengthen and support families in order to keep them safely
855 together and to prevent children from entering foster care.
856 Therefore, it is the intent of the Legislature for the
857 department to identify evidence-based intervention programs that
858 remedy child abuse and neglect, reduce the likelihood of foster

859 care placement by supporting parents and relative or nonrelative
860 caregivers, increase family reunification with parents or other
861 relatives, and promote placement stability for children living
862 with relatives or nonrelative caregivers.

863 (2) DEFINITION.—As used in this section the term
864 "Intervention services and supports" means assistance provided
865 to a child or to the parents or relative and nonrelative
866 caregivers of a child determined by a child protection
867 investigation to be in present or impending danger.

868 (3) SERVICES AND SUPPORTS.—Intervention services and
869 supports that shall be made available to eligible individuals
870 include, but are not limited to:

871 (a) Safety management services provided to unsafe children
872 which immediately and actively protect the child from dangerous
873 threats if the parent or other caregiver cannot, as part of a
874 safety plan.

875 (b) Parenting skills training, including parent advocates,
876 peer-to-peer mentoring, and support groups for parents and
877 relative caregivers.

878 (c) Individual, group, and family counseling, mentoring,
879 and therapy.

880 (d) Behavioral health care needs, domestic violence, and
881 substance abuse services.

882 (e) Crisis assistance or services to stabilize families in
883 times of crisis or to facilitate relative placement, such as
884 transportation, clothing, household goods, assistance with

885 housing and utility payments, child care, respite care, and
886 assistance connecting families with other community-based
887 services.

888 (4) ELIGIBILITY FOR SERVICES.—The following individuals
889 are eligible for services and supports under this section:

890 (a) A child who is unsafe but can remain safely at home or
891 in a relative or nonrelative placement with receipt of specified
892 services and supports.

893 (b) A parent or relative caregiver of an unsafe child.

894 (5) GENERAL REQUIREMENTS.—The community-based care lead
895 agency shall prepare a case plan for each child and his or her
896 family receiving services and support under this section which
897 includes:

898 (a) The safety services and supports necessary to prevent
899 the child's entry into foster care.

900 (b) The services and supports that will enable the child
901 to return home with an in-home safety plan.

902 (6) ASSESSMENT AND REPORTING.—

903 (a) By October 1, 2016, each community-based care lead
904 agency shall submit a monitoring plan to the department
905 describing how the lead agency will monitor and oversee the
906 safety of children who receive intervention services and
907 supports. The monitoring plan shall include a description of
908 training and support for caseworkers handling intervention
909 cases, including how caseload size and type will be determined,
910 managed, and overseen.

911 (b) Beginning October 1, 2016, each community-based care
912 lead agency shall collect and report annually to the department,
913 as part of the child welfare Results Oriented Accountability
914 Program required under s. 409.997, the following with respect to
915 each child for whom, or on whose behalf, intervention services
916 and supports are provided during a 12-month period:

- 917 1. The number of children and families served;
918 2. The specific services provided and the total
919 expenditures for each such service;
920 3. The child's placement status at the beginning and at
921 the end of the period; and
922 4. The child's placement status 1 year after the end of
923 the period.

924 (c) Outcomes for this subsection shall be included in the
925 annual report required under s. 409.997.

926 (7) RULEMAKING.—The department shall adopt rules to
927 administer this section.

928 Section 12. Section 409.143, Florida Statutes, is created
929 to read:

930 409.143 Assessment and determination of appropriate
931 placement.—

932 (1) LEGISLATIVE FINDINGS AND INTENT.—

933 (a) The Legislature finds that it is a basic tenet of
934 child welfare practice and the law that children be placed in
935 the least restrictive, most family-like setting available in
936 close proximity to the home of their parents, consistent with

937 the best interests and needs of the child, and that children be
938 placed in permanent homes in a timely manner.

939 (b) The Legislature also finds that behavior problems can
940 create difficulties in a child's placement and ultimately lead
941 to multiple placements, which have been linked to negative
942 outcomes for children.

943 (c) The Legislature further finds that given the harm
944 associated with multiple placements, the ideal is connecting
945 children to the most appropriate setting at the time they come
946 into care.

947 (d) Therefore, it is the intent of the Legislature that
948 through the use of a standardized assessment process and the
949 availability of an adequate array of appropriate placement
950 options, that the first placement be the best placement for
951 every child entering care.

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

953 (a) "Child functioning level" means specific categories of
954 child behaviors and needs.

955 (b) "Comprehensive behavioral health assessment" means an
956 in-depth and detailed assessment of the child's emotional,
957 social, behavioral, and developmental functioning within the
958 family home, school, and community that must include direct
959 observation of the child in the home, school, and community, as
960 well as in the clinical setting.

961 (c) "Level of care" means a tiered approach to the types
962 of placement used and the acuity and intensity of intervention

963 services provided to meet the severity of a dependent child's
964 specific physical, emotional, psychological, and social needs.

965 (3) INITIAL PLACEMENT ASSESSMENT.—

966 (a) Each child that has been determined by the department,
967 a sheriff's office conducting protective investigations, or a
968 community-based care provider to require an out-of-home
969 placement must be assessed prior to placement selection to
970 determine the best placement option to meet the child's
971 immediate and ongoing intervention and services and supports
972 needs. The department shall develop and adopt by rule a
973 preplacement assessment tool, which must include an analysis
974 based on information available to the department at the time of
975 the assessment, of the child's age, maturity level, known
976 behavioral health diagnosis, behaviors, prior placement
977 arrangements, physical and medical needs, and educational
978 commitments.

979 (b) If it is determined during the preplacement evaluation
980 that a child may be suitable for residential treatment as
981 defined in s. 39.407, the procedures in that section must be
982 followed.

983 (c) A decision to place a child in group care with a
984 residential child care agency may not be made by any individual
985 or entity who has an actual or perceived conflict of interest
986 with any agency being considered for placement.

987 (d) The department shall document initial placement
988 assessments in the Florida Safe Families Network.

989 (4) COMPREHENSIVE ASSESSMENT.—

990 (a) Each child placed in out-of-home care shall be
991 referred by the department for a comprehensive behavioral health
992 assessment. The comprehensive assessment is intended to support
993 the family assessment, which will guide the case plan outcomes,
994 treatment, and well-being service provisions for a child in out-
995 of-home care, in addition to providing information to help
996 determine if the child's initial placement was the most
997 appropriate out-of-home care setting for the child.

998 (b) The referral for the comprehensive behavioral health
999 assessment shall be made within 7 calendars days of the child
1000 entering out-of-home care.

1001 (c) The comprehensive assessment will measure the
1002 strengths and needs of the child and the services and supports
1003 that are necessary to maintain the child in the least
1004 restrictive out-of-home care setting. In developing the
1005 assessment, consideration must be given to:

1006 1. Current and historical information from any
1007 psychological testing or evaluation of the child;

1008 2. Current behaviors exhibited by the child which
1009 interfere with or limit the child's role or ability to function
1010 in a less restrictive, family-like setting;

1011 3. Current and historical information from the guardian ad
1012 litem, if one has been appointed;

1013 4. Current and historical information from any current
1014 therapist, teacher, or other professional who has knowledge of

1015 the child or has worked with the child;

1016 5. Information related to the placement of any siblings of
 1017 the child; and

1018 6. If the child has been moved more than once, the
 1019 circumstances necessitating the moves and the recommendations of
 1020 the former foster families or other caregivers, if available.

1021 (d) Completion of the comprehensive assessment must occur
 1022 within 30 calendar days after the child entering out-of-home
 1023 care.

1024 (e) The department shall use the results of the
 1025 comprehensive assessment and any additional information gathered
 1026 to determine the child's functioning level and the level of care
 1027 needed for continued placement.

1028 (f) Upon receipt of a child's completed comprehensive
 1029 assessment, the child's case manager shall review the
 1030 assessment, and document whether a less restrictive, more
 1031 family-like setting for the child is recommended and available.
 1032 The department shall document determinations resulting from the
 1033 comprehensive assessment in the Florida Safe Families Network
 1034 and update the case plan to include identified needs of the
 1035 child, specified services and supports to be provided by the
 1036 out-of-home care placement setting to meet the needs of the
 1037 child, and diligent efforts to transition the child to a less
 1038 restrictive, family-like setting.

1039 (5) PERMANENCY TEAMS.—The department or community-based
 1040 care lead agency that places children pursuant to this section

1041 shall establish special permanency teams dedicated to overcoming
1042 the permanency challenges occurring for children in out-of-home
1043 care. The special permanency team shall convene a
1044 multidisciplinary staffing every 180 calendar days, to coincide
1045 with the judicial review, to reassess the appropriateness of the
1046 child's current placement. At a minimum, the staffing shall be
1047 attended by the community-based care lead agency, the caseworker
1048 for the child, out-of-home care provider, guardian ad litem, and
1049 any other agency or provider of services to the child. The
1050 multidisciplinary staffing shall consider, at a minimum, the
1051 current level of the child's functioning, whether recommended
1052 services are being provided effectively, any services that would
1053 enable transition to a less restrictive family-like setting, and
1054 diligent search efforts to find other permanent living
1055 arrangements for the child.

1056 (6) ANNUAL REPORT.—By October 1 of each year, the
1057 department shall report to the Governor, the President of the
1058 Senate, and the Speaker of the House of Representatives on the
1059 placement of children in licensed out-of-home care, including
1060 family foster homes and residential group care, during the year.
1061 At a minimum, the report should include the number of children
1062 placed in family foster homes and residential group care, the
1063 number of children placed more than 50 miles from their parents,
1064 the number of children who had to change schools as a result of
1065 a placement decision; use of this form of placement on a local,
1066 regional, and statewide level; and the available services array

1067 to serve children in the least restrictive settings.

1068 Section 13. Section 409.144, Florida Statutes, is created
1069 to read:

1070 409.144 Continuum of care for children.—

1071 (1) LEGISLATIVE FINDINGS AND INTENT.—

1072 (a) The Legislature finds that permanency, well-being, and
1073 safety are critical goals for all children, especially for those
1074 in care, and that children in foster care or at risk of entering
1075 foster care are best supported through a continuum of care that
1076 provides appropriate ongoing services, supports and place to
1077 live from entry to exit.

1078 (b) The Legislature also finds that federal law requires
1079 that out-of-home placements for children are to be in the least
1080 restrictive, most family-like setting available that is in close
1081 proximity to the home of their parents and consistent with the
1082 best interests and needs of the child, and that children be
1083 transitioned from out-of-home care to a permanent home in a
1084 timely manner.

1085 (c) The Legislature further finds that permanency can be
1086 achieved through preservation of the family, reunification with
1087 the birth family, or through legal guardianship or adoption by
1088 relatives or other caring and committed adults. Planning for
1089 permanency should begin at entry into care and should be child-
1090 driven, family-focused, culturally appropriate, continuous, and
1091 approached with the highest degree of urgency.

1092 (d) It is, therefore, the intent of the Legislature that

1093 the department and the larger child welfare community establish
1094 and maintain a continuum of care that affords every child the
1095 opportunity to benefit from the most appropriate and least
1096 restrictive interventions, both in or out of the home, while
1097 ensuring that well-being and safety are addressed.

1098 (2) DEFINITIONS.—As used in this section, the term:

1099 (a) "Continuum of care" means the complete range of
1100 programs and services for children served by, or at risk of
1101 being served by, the dependency system.

1102 (b) "Family foster care" means a family foster home as
1103 defined in s. 409.175.

1104 (c) "Level of care" means a tiered approach to the type of
1105 placements used and the acuity and intensity of intervention
1106 services provided to meet the severity of a dependent child's
1107 specific physical, emotional, psychological, and social needs.

1108 (d) "Out-of-home care" means the placement of a child in
1109 licensed and nonlicensed settings, arranged and supervised by
1110 the department or contracted service provider, outside the home
1111 of the parent.

1112 (e) "Residential group care" means a 24-hour, live-in
1113 environment that provides supervision, care, and services to
1114 meet the physical, emotional, social, and life skills needs of
1115 children served by the dependency system. Services may be
1116 provided by residential group care staff who are qualified to
1117 perform the needed service or a community-based service provider
1118 with clinical expertise, credentials, and training to provide

1119 services to the children being served.

1120 (3) DEVELOPMENT OF CONTINUUM.—The department, in
1121 collaboration with the Florida Institute for Child Welfare, the
1122 Quality Parenting Initiative, and the Florida Coalition for
1123 Children, Inc., shall develop a continuum of care for the
1124 placement of children in care, including, but not limited to,
1125 both family foster care and residential group care. To implement
1126 the continuum of care, the department shall by December 31,
1127 2017:

1128 (a) Establish levels of care in the continuum which are
1129 clearly and concisely defined with the qualifying criteria for
1130 placement for each level identified.

1131 (b) Revise licensure standards and rules to reflect the
1132 supports and services provided by a placement at each level of
1133 care and the complexity of the needs of the children served.
1134 This must include attention to the need for a particular
1135 category of provider in a community before licensure can be
1136 considered; quality standards of operation that must be met by
1137 all licensed providers; numbers and qualifications of staff
1138 which are adequate to effectively serve children with the issues
1139 the facility seeks to serve; and a well-defined process tied to
1140 specific criteria which leads to licensure suspension or
1141 revocation.

1142 (c) Develop policies and procedures necessary to ensure
1143 that placement in any level of care is appropriate for each
1144 specific child, is determined by the required assessments and

1145 staffing, and lasts only as long as necessary to resolve the
1146 issue that required the placement.

1147 (d) Develop a plan to recruit, train, and retain
1148 specialized family foster homes for pregnant and parenting
1149 children and young adults. These family foster homes must be
1150 designed to provide an out-of-home placement option for young
1151 parents and their children to enable them to live in the same
1152 family foster home while caring for their children and working
1153 toward independent care of the child.

1154 (e) Develop, in collaboration with the Department of
1155 Juvenile Justice, a plan to develop specialized out-of-home
1156 placements for children who are involved in both the dependency
1157 and the juvenile justice systems.

1158 (4) REPORTING REQUIREMENT.—The department shall submit a
1159 report to the Governor, the President of the Senate, and the
1160 Speaker of the House of Representatives by October 1 of each
1161 year, with the first report due October 1, 2016. At a minimum,
1162 the report must include the following:

1163 (a) An update on the development of the continuum of care
1164 required by this section.

1165 (b) An inventory of existing placements for children by
1166 type and by community-based care lead agency.

1167 (c) An inventory of existing services available by
1168 community-based care lead agency and a plan for filling any
1169 identified gap, as well as a determination of what services are
1170 available that can be provided to children in family foster care

1171 without having to move the child to a more restrictive
1172 placement.

1173 (d) The strategies being used by community-based care lead
1174 agencies to recruit, train, and support an adequate number of
1175 families to provide home-based family care.

1176 (e) For every placement of a child made that is contrary
1177 to an appropriate placement as determined by the assessment
1178 process in s. 409.142, an explanation from the community-based
1179 care lead agency as to why the placement was made.

1180 (f) The strategies being used by the community-based care
1181 lead agencies to reduce the high percentage of turnover in
1182 caseworkers.

1183 (g) A plan for oversight by the department over the
1184 implementation of the continuum by the community-based care lead
1185 agencies.

1186 (5) RULEMAKING.—The department shall adopt rules to
1187 implement this section.

1188 Section 14. Subsection (3) of section 409.1451, Florida
1189 Statutes, is amended, and subsection (11) is added to that
1190 section, to read:

1191 409.1451 The Road-to-Independence Program.—

1192 (3) AFTERCARE SERVICES.—

1193 (a) Aftercare services are available to a young adult who
1194 was living in licensed care on his or her 18th birthday, who has
1195 reached 18 years of age but is not yet 23 years of age, and is:

1196 1. Not in foster care.

1197 2. Temporarily not receiving financial assistance under
 1198 subsection (2) to pursue postsecondary education.

1199 (11) EDUCATION AND TRAINING VOUCHERS.—The department shall
 1200 make available education and training vouchers.

1201 (a) A child or young adult is eligible for services and
 1202 support under this subsection if he or she is ineligible for
 1203 services under subsection (2) and:

1204 1. Was living in licensed care on his or her 18th
 1205 birthday, is currently living in licensed care, or is at least
 1206 16 years of age and has been adopted from foster care or placed
 1207 with a court-approved dependency guardian.

1208 2. Has earned a standard high school diploma pursuant to
 1209 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its
 1210 equivalent as provided in s. 1003.435.

1211 3. Has been admitted for enrollment as a student in a
 1212 postsecondary educational institution.

1213 4. Has made the initial application to participate before
 1214 age 21 and is not yet 23 years of age.

1215 5. Has applied, with assistance from his or her caregiver
 1216 and the community-based lead agency, for any other grants and
 1217 scholarships for which he or she is qualified.

1218 6. Has submitted a Free Application for Federal Student
 1219 Aid which is complete and error free.

1220 7. Has signed an agreement to allow the department and the
 1221 community-based care lead agency access to school records.

1222 8. Has maintained satisfactory academic progress as

1223 determined by the postsecondary institution.

1224 (b) The voucher provided for an individual under this
1225 subsection may not exceed the lesser of \$5,000 per year or the
1226 total cost of attendance as defined in 42 U.S.C. s. 672.

1227 (c) The department may adopt rules concerning the payment
1228 of financial assistance that considers the applicant's requests
1229 concerning disbursement. The rules must include an appeals
1230 process.

1231 Section 15. Subsection (3) of section 409.988, Florida
1232 Statutes, is amended to read:

1233 409.988 Lead agency duties; general provisions.—

1234 (3) SERVICES.—

1235 (a) A lead agency must provide dependent children with
1236 services that are supported by research or that are recognized
1237 as best practices in the child welfare field. The agency shall
1238 give priority to the use of services that are evidence-based and
1239 trauma-informed and may also provide other innovative services,
1240 including, but not limited to, family-centered and cognitive-
1241 behavioral interventions designed to mitigate out-of-home
1242 placements.

1243 (b) Lead agencies shall ensure the availability of a full
1244 array of services to address the complex needs of all children,
1245 including teens, and caregivers served within their local system
1246 of care and that sufficient flexibility exists within the
1247 service array to adequately match services to the unique
1248 characteristics of families served, including the ages of the

1249 children, cultural considerations, and parental choice.

1250 (c) The department shall annually complete an evaluation
 1251 of the service array adequacies, the engagement of trauma-
 1252 informed and evidenced-based programming, and the impact of
 1253 available services on outcomes for the children served by the
 1254 lead agencies and any subcontracted providers of lead agencies.
 1255 The evaluation report shall be submitted to the Governor, the
 1256 President of the Senate, and the Speaker of the House of
 1257 Representatives by December 31 of each year.

1258 (d) The department shall adopt rules to implement this
 1259 section.

1260 Section 16. Paragraph (s) of subsection (2) of section
 1261 39.202, Florida Statutes, is amended to read:

1262 39.202 Confidentiality of reports and records in cases of
 1263 child abuse or neglect.—

1264 (2) Except as provided in subsection (4), access to such
 1265 records, excluding the name of the reporter which shall be
 1266 released only as provided in subsection (5), shall be granted
 1267 only to the following persons, officials, and agencies:

1268 (s) Persons with whom the department is seeking to place
 1269 the child or to whom placement has been granted, including
 1270 foster parents for whom an approved home study has been
 1271 conducted, the designee of a licensed residential child-caring
 1272 agency defined ~~group home described in s. 409.175 s. 39.523~~, an
 1273 approved relative or nonrelative with whom a child is placed
 1274 pursuant to s. 39.402, preadoptive parents for whom a favorable

1275 preliminary adoptive home study has been conducted, adoptive
1276 parents, or an adoption entity acting on behalf of preadoptive
1277 or adoptive parents.

1278 Section 17. Subsection (1) of section 39.302, Florida
1279 Statutes, is amended to read:

1280 39.302 Protective investigations of institutional child
1281 abuse, abandonment, or neglect.—

1282 (1) The department shall conduct a child protective
1283 investigation of each report of institutional child abuse,
1284 abandonment, or neglect. Upon receipt of a report that alleges
1285 that an employee or agent of the department, or any other entity
1286 or person covered by s. 39.01(33) or (48) ~~s. 39.01(32) or (47)~~,
1287 acting in an official capacity, has committed an act of child
1288 abuse, abandonment, or neglect, the department shall initiate a
1289 child protective investigation within the timeframe established
1290 under s. 39.201(5) and notify the appropriate state attorney,
1291 law enforcement agency, and licensing agency, which shall
1292 immediately conduct a joint investigation, unless independent
1293 investigations are more feasible. When conducting investigations
1294 or having face-to-face interviews with the child, investigation
1295 visits shall be unannounced unless it is determined by the
1296 department or its agent that unannounced visits threaten the
1297 safety of the child. If a facility is exempt from licensing, the
1298 department shall inform the owner or operator of the facility of
1299 the report. Each agency conducting a joint investigation is
1300 entitled to full access to the information gathered by the

1301 department in the course of the investigation. A protective
 1302 investigation must include an interview with the child's parent
 1303 or legal guardian. The department shall make a full written
 1304 report to the state attorney within 3 working days after making
 1305 the oral report. A criminal investigation shall be coordinated,
 1306 whenever possible, with the child protective investigation of
 1307 the department. Any interested person who has information
 1308 regarding the offenses described in this subsection may forward
 1309 a statement to the state attorney as to whether prosecution is
 1310 warranted and appropriate. Within 15 days after the completion
 1311 of the investigation, the state attorney shall report the
 1312 findings to the department and shall include in the report a
 1313 determination of whether or not prosecution is justified and
 1314 appropriate in view of the circumstances of the specific case.

1315 Section 18. Subsection (1) of section 39.524, Florida
 1316 Statutes, is amended to read:

1317 39.524 Safe-harbor placement.—

1318 (1) Except as provided in s. 39.407 or s. 985.801, a
 1319 dependent child 6 years of age or older who has been found to be
 1320 a victim of sexual exploitation as defined in s. 39.01(70)(g) ~~s.~~
 1321 ~~39.01(69)(g)~~ must be assessed for placement in a safe house or
 1322 safe foster home as provided in s. 409.1678 using the initial
 1323 screening and assessment instruments provided in s. 409.1754(1).
 1324 If such placement is determined to be appropriate for the child
 1325 as a result of this assessment, the child may be placed in a
 1326 safe house or safe foster home, if one is available. However,

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1327 the child may be placed in another setting, if the other setting
1328 is more appropriate to the child's needs or if a safe house or
1329 safe foster home is unavailable, as long as the child's
1330 behaviors are managed so as not to endanger other children
1331 served in that setting.

1332 Section 19. Subsection (7) of section 39.6013, Florida
1333 Statutes, is amended to read:

1334 39.6013 Case plan amendments.—

1335 (7) Amendments must include service interventions that are
1336 the least intrusive into the life of the parent and child, must
1337 focus on clearly defined objectives, and must provide the most
1338 efficient path to quick reunification or permanent placement
1339 given the circumstances of the case and the child's need for
1340 safe and proper care. A copy of the amended plan must be
1341 immediately given to the persons identified in s. 39.6011(5) ~~s.~~
1342 ~~39.6011(6)(b)~~.

1343 Section 20. Paragraph (p) of subsection (4) of section
1344 394.495, Florida Statutes, is amended to read:

1345 394.495 Child and adolescent mental health system of care;
1346 programs and services.—

1347 (4) The array of services may include, but is not limited
1348 to:

1349 (p) Trauma-informed services for children who have
1350 suffered sexual exploitation as defined in s. 39.01(70)(g) ~~s.~~
1351 ~~39.01(69)(g)~~.

1352 Section 21. Paragraph (c) of subsection (1) and paragraphs

1353 (a) and (b) of subsection (6) of section 409.1678, Florida
 1354 Statutes, are amended to read:

1355 409.1678 Specialized residential options for children who
 1356 are victims of sexual exploitation.—

1357 (1) DEFINITIONS.—As used in this section, the term:

1358 (c) "Sexually exploited child" means a child who has
 1359 suffered sexual exploitation as defined in s. 39.01(70)(g) ~~s.~~
 1360 ~~39.01(69)(g)~~ and is ineligible for relief and benefits under the
 1361 federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101
 1362 et seq.

1363 (6) LOCATION INFORMATION.—

1364 (a) Information about the location of a safe house, safe
 1365 foster home, or other residential facility serving victims of
 1366 sexual exploitation, as defined in s. 39.01(70)(g) ~~s.~~
 1367 ~~39.01(69)(g)~~, which is held by an agency, as defined in s.
 1368 119.011, is confidential and exempt from s. 119.07(1) and s.
 1369 24(a), Art. I of the State Constitution. This exemption applies
 1370 to such confidential and exempt information held by an agency
 1371 before, on, or after the effective date of the exemption.

1372 (b) Information about the location of a safe house, safe
 1373 foster home, or other residential facility serving victims of
 1374 sexual exploitation, as defined in s. 39.01(70)(g) ~~s.~~
 1375 ~~39.01(69)(g)~~, may be provided to an agency, as defined in s.
 1376 119.011, as necessary to maintain health and safety standards
 1377 and to address emergency situations in the safe house, safe
 1378 foster home, or other residential facility.

1379 Section 22. Subsection (5) of section 960.065, Florida
 1380 Statutes, is amended to read:

1381 960.065 Eligibility for awards.—

1382 (5) A person is not ineligible for an award pursuant to
 1383 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that
 1384 person is a victim of sexual exploitation of a child as defined
 1385 in s. 39.01(70) (g) ~~s. 39.01(69) (g)~~.

1386 Section 23. Subsection (11) of section 1002.3305, Florida
 1387 Statutes, is amended to read:

1388 1002.3305 College-Preparatory Boarding Academy Pilot
 1389 Program for at-risk students.—

1390 (11) STUDENT HOUSING.—Notwithstanding s. 409.176 ~~ss.~~
 1391 ~~409.1677(3) (d)~~ and ~~409.176~~ or any other provision of law, an
 1392 operator may house and educate dependent, at-risk youth in its
 1393 residential school for the purpose of facilitating the mission
 1394 of the program and encouraging innovative practices.

1395 Section 24. Section 39.523, Florida Statutes, is repealed.

1396 Section 25. Section 409.141, Florida Statutes, is
 1397 repealed.

1398 Section 26. Section 409.1676, Florida Statutes, is
 1399 repealed.

1400 Section 27. Section 409.1677, Florida Statutes, is
 1401 repealed.

1402 Section 28. Section 409.1679, Florida Statutes, is
 1403 repealed.

1404 Section 29. This act shall take effect July 1, 2016.