



480402

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2016	.	
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The Committee on Appropriations (Garcia) recommended 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-



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11 placing agency, or the department, and of the adoption of
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



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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



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69 committee shall meet at least once each quarter and shall submit
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 ~~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; and

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

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

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



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

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

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

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

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

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

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



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127 to s. 39.504;

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

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

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

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

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



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156 procedures set forth in s. 39.013.

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

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

166 39.521 Disposition hearings; powers of disposition.—

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

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

183 1. Not less than 72 hours before the disposition hearing,
184 if the disposition hearing occurs on or after the 60th day after



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185 the date the child was placed in out-of-home care. All such case
186 plans must be approved by the court.

187 2. Not less than 72 hours before the case plan acceptance
188 hearing, if the disposition hearing occurs before the 60th day
189 after the date the child was placed in out-of-home care and a
190 case plan has not been submitted pursuant to this paragraph, or
191 if the court does not approve the case plan at the disposition
192 hearing. The case plan acceptance hearing must occur, ~~the court~~
193 ~~must set a hearing~~ within 30 days after the disposition hearing
194 to review and approve the case plan.

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

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

202 39.522 Postdisposition change of custody.—The court may
203 change the temporary legal custody or the conditions of
204 protective supervision at a postdisposition hearing, without the
205 necessity of another adjudicatory hearing.

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



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

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

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

220 39.6011 Case plan purpose; requirements; procedures.-

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

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

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

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

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



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

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

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

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

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



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

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

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

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

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

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

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



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301 planning staffing.

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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



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388 the identified problem, including:

389 1. The type of services or treatment that will be provided.

390 2. If the service is being provided by the department or
391 its agent, the date the department will provide each service or
392 referral for service.

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

394 4. The frequency of services or treatment to be provided,
395 which shall be determined by the professionals providing the
396 services and may be adjusted as needed based on the best
397 professional judgment of the providers.

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

399 6. Identification of the staff of the department or of the
400 service provider who are responsible for the delivery of
401 services or treatment.

402 7. A description of measurable outcomes, including the
403 timeframes specified for achieving the objectives of the case
404 plan and addressing the identified problem.

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

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

414 (d) Financial support.—The case plan must specify the
415 parent's responsibility for the financial support of the child,
416 including, but not limited to, health insurance and child



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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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



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

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

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



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533 home caregiver:

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

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

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

547 (f) *Independent living.*—

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

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



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

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

573 39.6035 Transition plan.—

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

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

583 39.621 Permanency determination by the court.—

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

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



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591 option.

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

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

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

604 (a) Reunification;

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

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

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

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

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

615 39.701 Judicial review.—

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

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



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

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

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

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

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

640 5. A statement that either:

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

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

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



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

655 ~~7.6.~~ A statement from the foster parent or legal custodian
656 providing any material evidence concerning the return of the
657 child to the parent or parents.

658 ~~8.7.~~ A statement concerning the frequency, duration, and
659 results of the parent-child visitation, if any, and the agency
660 recommendations for an expansion or restriction of future
661 visitation.

662 ~~9.8.~~ The number of times a child has been removed from his
663 or her home and placed elsewhere, the number and types of
664 placements that have occurred, and the reason for the changes in
665 placement.

666 ~~10.9.~~ The number of times a child's educational placement
667 has been changed, the number and types of educational placements
668 which have occurred, and the reason for any change in placement.

669 ~~11.10.~~ If the child has reached 13 years of age but is not
670 yet 18 years of age, a statement from the caregiver on the
671 progress the child has made in acquiring independent living
672 skills.

673 ~~12.11.~~ Copies of all medical, psychological, and
674 educational records that support the terms of the case plan and
675 that have been produced concerning the parents or any caregiver
676 since the last judicial review hearing.

677 ~~13.12.~~ Copies of the child's current health, mental health,



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678 and education records as identified in s. 39.6012.

679 (d) *Orders.*—

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

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



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707 health.

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

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

723 ~~5.4.~~ If, at any judicial review, the court finds that the
724 parents have failed to substantially comply with the case plan
725 to the degree that further reunification efforts are without
726 merit and not in the best interest of the child, on its own
727 motion, the court may order the filing of a petition for
728 termination of parental rights, whether or not the time period
729 as contained in the case plan for substantial compliance has
730 expired.

731 ~~6.5.~~ Within 6 months after the date that the child was
732 placed in shelter care, the court shall conduct a judicial
733 review hearing to review the child's permanency goal as
734 identified in the case plan. At the hearing the court shall make
735 findings regarding the likelihood of the child's reunification



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

749 ~~7.6.~~ The court may issue a protective order in assistance,
750 or as a condition, of any other order made under this part. In
751 addition to the requirements included in the case plan, the
752 protective order may set forth requirements relating to
753 reasonable conditions of behavior to be observed for a specified
754 period of time by a person or agency who is before the court;
755 and the order may require any person or agency to make periodic
756 reports to the court containing such information as the court in
757 its discretion may prescribe.

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

760 409.143 Assessment of children in out-of-home placement.-

761 (1) NEEDS ASSESSMENT.-

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



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765 care.

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

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

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

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



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

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

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

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



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

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

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

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

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

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

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

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

846 409.144 Continuum of care for children.—

847 (1) LEGISLATIVE FINDINGS AND INTENT.—

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



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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

1001 (6) RULEMAKING.—The department shall adopt rules to
1002 implement this section.

1003 Section 13. Paragraph (a) of subsection (3) of section
1004 409.1451, Florida Statutes, is amended to read:

1005 409.1451 The Road-to-Independence Program.—

1006 (3) AFTERCARE SERVICES.—

1007 (a) Aftercare services are available to a young adult who
1008 was living in licensed care on his or her 18th birthday, who ~~has~~
1009 ~~reached 18 years of age but~~ is not yet 23 years of age, and who
1010 is:

1011 1. Not in foster care.

1012 2. Temporarily not receiving financial assistance under
1013 subsection (2) to pursue postsecondary education.

1014 Section 14. Paragraph (a) of subsection (3) of section
1015 409.986, Florida Statutes, is amended to read:

1016 409.986 Legislative findings and intent; child protection
1017 and child welfare outcomes; definitions.—

1018 (3) DEFINITIONS.—As used in this part, except as otherwise
1019 provided, the term:

1020 (a) "Care" means services of any kind which are designed to
1021 facilitate a child remaining safely in his or her own home,
1022 returning safely to his or her own home if he or she is removed
1023 from the home, or obtaining an alternative permanent home if he
1024 or she cannot remain at home or be returned home. The term
1025 includes, but is not limited to, prevention, intervention,



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1026 diversion, and related services.

1027 Section 15. Subsection (3) of section 409.988, Florida
1028 Statutes, is amended to read:

1029 409.988 Lead agency duties; general provisions.-

1030 (3) SERVICES.-

1031 (a) General services.-

1032 1. A lead agency must provide dependent children with
1033 services that are supported by research or that are recognized
1034 as best practices in the child welfare field. The agency shall
1035 give priority to the use of services that are evidence-based and
1036 trauma-informed and may also provide other innovative services,
1037 including, but not limited to, family-centered and cognitive-
1038 behavioral interventions designed to mitigate out-of-home
1039 placements.

1040 2. A lead agency must ensure the availability of a full
1041 array of services to address the complex needs of all children,
1042 adolescents, parents, and caregivers served within its local
1043 system of care and that sufficient flexibility exists within the
1044 service array to adequately match services to the unique
1045 characteristics of families served, including the ages of the
1046 children, cultural considerations, and parental choice.

1047 3. The department shall annually complete an evaluation of
1048 the adequacy of the lead agencies service array, their use of
1049 trauma-informed and evidence-based programming, and the impact
1050 of available services on outcomes for the children served by the
1051 lead agencies and any subcontracted providers of lead agencies.
1052 The evaluation report shall be submitted to the Governor, the
1053 President of the Senate, and the Speaker of the House of
1054 Representatives by October 1 of each year.



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1055 (b) Intervention services.-

1056 1. Intervention services and supports shall be made
1057 available to a child and the parent of a child who is unsafe but
1058 can, with services, remain in his or her home or to a child who
1059 is placed in out-of-home care and the nonmaltreating parent or
1060 relative or nonrelative caregivers with whom an unsafe child is
1061 placed. Intervention services and supports must include:

1062 a. Safety management services provided to an unsafe child
1063 as part of a safety plan that immediately and actively protects
1064 the child from dangerous threats if the parent or other
1065 caregiver cannot protect the child, including, but not limited
1066 to, behavior management, crisis management, social connection,
1067 resource support, and separation;

1068 b. Treatment services provided to a parent or caregiver
1069 which are used to achieve a fundamental change in behavioral,
1070 cognitive, and emotional functioning associated with the reason
1071 that the child is unsafe, including, but not limited to,
1072 parenting skills training, support groups, counseling, substance
1073 abuse treatment, mental and behavioral health services,
1074 certified domestic violence center services for survivors of
1075 domestic violence and their children, and batterers'
1076 intervention programs that comply with s. 741.325 and other
1077 intervention services for perpetrators of domestic violence;

1078 c. Child well-being services provided to an unsafe child
1079 which address a child's physical, emotional, developmental, and
1080 educational needs, including, but not limited to, behavioral
1081 health services, substance abuse treatment, tutoring,
1082 counseling, and peer support; and

1083 d. Services provided to nonmaltreating parents or relative



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1084 or nonrelative caregivers to stabilize the child's placement,
1085 including, but not limited to, transportation, clothing,
1086 household goods, assistance with housing and utility payments,
1087 child care, respite care, and assistance connecting families
1088 with other community-based services.

1089 2. A lead agency shall prepare a case plan for each child
1090 and his or her family receiving services and support under this
1091 section. The plan must identify the permanency goal for the
1092 child and list the services and supports provided. Services must
1093 be tied to the placement and permanency goal and must be
1094 specified in advance of delivery. Priority must be given to
1095 services that are evidence-based and trauma-informed.

1096 3. By October 1, 2016, each community-based care lead
1097 agency shall submit a monitoring plan to the department
1098 describing how the lead agency will monitor and oversee the
1099 safety of children who receive intervention services and
1100 supports. The monitoring plan must include a description of
1101 training and support for caseworkers handling intervention
1102 cases, including how caseload size and type will be determined,
1103 managed, and overseen.

1104 4. Beginning October 1, 2016, each community-based care
1105 lead agency shall collect and report annually to the department,
1106 as part of the child welfare results-oriented accountability
1107 program required under s. 409.997, the following with respect to
1108 each child for whom, or on whose behalf, intervention services
1109 and supports are provided:

1110 a. The number of children and families served;

1111 b. The specific services provided and the total
1112 expenditures for each such service;



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1113 c. The child's placement status at the beginning and at the
1114 end of service provision; and

1115 d. The child's placement status 1 year after the end of
1116 service provision.

1117 5. Outcomes for this subsection shall be included in the
1118 annual report required under s. 409.997.

1119 6. The department shall use programmatic characteristics
1120 and research and evaluation characteristics for well-supported,
1121 promising, and emerging programs and practices to inventory
1122 intervention services and supports by type and by lead agency.
1123 The inventory shall be submitted to the Governor, the President
1124 of the Senate, and the Speaker of the House of Representatives
1125 by October 1 of each year.

1126 7. The department may adopt rules to implement this
1127 subsection.

1128 Section 16. Section 409.996, Florida Statutes, is amended
1129 to read:

1130 409.996 Duties of the Department of Children and Families.—
1131 The department shall contract for the delivery, administration,
1132 or management of care for children in the child protection and
1133 child welfare system. In doing so, the department retains
1134 responsibility to ensure ~~for~~ the quality of contracted services
1135 and programs and ~~shall ensure~~ that an adequate array of services
1136 are available to be delivered in accordance with applicable
1137 federal and state statutes and regulations.

1138 Section 17. Paragraph (s) of subsection (2) of section
1139 39.202, Florida Statutes, is amended to read:

1140 39.202 Confidentiality of reports and records in cases of
1141 child abuse or neglect.—



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1142 (2) Except as provided in subsection (4), access to such
1143 records, excluding the name of the reporter which shall be
1144 released only as provided in subsection (5), shall be granted
1145 only to the following persons, officials, and agencies:

1146 (s) Persons with whom the department is seeking to place
1147 the child or to whom placement has been granted, including
1148 foster parents for whom an approved home study has been
1149 conducted, the designee of a licensed residential child-caring
1150 agency defined ~~group home described in s. 409.175 s. 39.523~~, an
1151 approved relative or nonrelative with whom a child is placed
1152 pursuant to s. 39.402, preadoptive parents for whom a favorable
1153 preliminary adoptive home study has been conducted, adoptive
1154 parents, or an adoption entity acting on behalf of preadoptive
1155 or adoptive parents.

1156 Section 18. Paragraph (a) of subsection (2) of section
1157 39.5085, Florida Statutes, is amended to read:

1158 39.5085 Relative Caregiver Program.—

1159 (2) (a) The Department of Children and Families shall
1160 establish and operate the Relative Caregiver Program pursuant to
1161 eligibility guidelines established in this section as further
1162 implemented by rule of the department. The Relative Caregiver
1163 Program shall, within the limits of available funding, provide
1164 financial assistance to:

1165 1. Relatives who are within the fifth degree by blood or
1166 marriage to the parent or stepparent of a child and who are
1167 caring full-time for that dependent child in the role of
1168 substitute parent as a result of a court's determination of
1169 child abuse, neglect, or abandonment and subsequent placement
1170 with the relative under this chapter.



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1171 2. Relatives who are within the fifth degree by blood or
1172 marriage to the parent or stepparent of a child and who are
1173 caring full-time for that dependent child, and a dependent half-
1174 brother or half-sister of that dependent child, in the role of
1175 substitute parent as a result of a court's determination of
1176 child abuse, neglect, or abandonment and subsequent placement
1177 with the relative under this chapter.

1178 3. Nonrelatives who are willing to assume custody and care
1179 of a dependent child in the role of substitute parent as a
1180 result of a court's determination of child abuse, neglect, or
1181 abandonment and subsequent placement with the nonrelative
1182 caregiver under this chapter. The court must find that a
1183 proposed placement under this subparagraph is in the best
1184 interest of the child.

1185
1186 The placement may be court-ordered temporary legal custody to
1187 the relative or nonrelative under protective supervision of the
1188 department pursuant to s. 39.521(1)(c)3. ~~s. 39.521(1)(b)3.~~, or
1189 court-ordered placement in the home of a relative or nonrelative
1190 as a permanency option under s. 39.6221 or s. 39.6231 or under
1191 former s. 39.622 if the placement was made before July 1, 2006.
1192 The Relative Caregiver Program shall offer financial assistance
1193 to caregivers who would be unable to serve in that capacity
1194 without the caregiver payment because of financial burden, thus
1195 exposing the child to the trauma of placement in a shelter or in
1196 foster care.

1197 Section 19. Subsection (11) of section 1002.3305, Florida
1198 Statutes, is amended to read:

1199 1002.3305 College-Preparatory Boarding Academy Pilot



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1200 Program for at-risk students.-

1201 (11) STUDENT HOUSING.-Notwithstanding s. 409.176 ~~ss.~~
1202 ~~409.1677(3)(d) and 409.176~~ or any other ~~provision of law~~, an
1203 operator may house and educate dependent, at-risk youth in its
1204 residential school for the purpose of facilitating the mission
1205 of the program and encouraging innovative practices.

1206 Section 20. Section 39.523, Florida Statutes, is repealed.

1207 Section 21. Section 409.141, Florida Statutes, is repealed.

1208 Section 22. Section 409.1676, Florida Statutes, is
1209 repealed.

1210 Section 23. Section 409.1677, Florida Statutes, is
1211 repealed.

1212 Section 24. Section 409.1679, Florida Statutes, is
1213 repealed.

1214 Section 25. This act shall take effect July 1, 2016.

1215

1216 ===== T I T L E A M E N D M E N T =====

1217 And the title is amended as follows:

1218 Delete everything before the enacting clause
1219 and insert:

1220 A bill to be entitled

1221 An act relating to child welfare; amending s. 39.013,
1222 F.S.; extending court jurisdiction to age 22 for young
1223 adults with disabilities in foster care; amending s.
1224 39.2015, F.S.; revising requirements of the quarterly
1225 report submitted by the critical incident response
1226 team advisory committee; amending s. 39.402, F.S.;
1227 revising information that the Department of Children
1228 and Families is required to inform the court at



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1229 shelter hearings; revising the written findings
1230 required to be included in an order for placement of a
1231 child in shelter care; amending s. 39.521, F.S.;

1232 revising timelines and distribution requirements for
1233 case plans and predisposition studies; amending s.
1234 39.522, F.S.; providing conditions under which a child
1235 may be returned home with an in-home safety plan;
1236 amending s. 39.6011, F.S.; providing the purpose of a
1237 case plan; requiring a case plan to document that a
1238 preplacement plan has been provided and reasonable
1239 efforts have been made to prevent out-of-home
1240 placement; removing the prohibition of threatening or
1241 coercing a parent with the loss of custody or parental
1242 rights for failing to admit certain actions in a case
1243 plan; providing that a child must be given the
1244 opportunity to review, sign, and receive a copy of his
1245 or her case plan; providing additional requirements
1246 when the child attains a certain age; requiring the
1247 case plan to document that each parent has received
1248 additional written notices; amending s. 39.6012, F.S.;

1249 providing additional requirements for the department
1250 and criteria for a case plan, with regard to
1251 placement, permanency, education, health care, contact
1252 with family, extended family, and fictive kin, and
1253 independent living; amending s. 39.6035, F.S.;

1254 requiring court approval of a transition plan before
1255 the child attains 18 years of age; amending s. 39.621,
1256 F.S.; creating an exception to the order of preference
1257 for permanency goals under ch. 39, F.S., for



1258 maintaining and strengthening the placement;
1259 authorizing the new permanency goal to be used in
1260 specified circumstances; amending s. 39.701, F.S.;
1261 revising the information that must be included in a
1262 specified written report under certain circumstances;
1263 requiring a court, if possible, to order the
1264 department to file a written notification; creating s.
1265 409.143, F.S.; requiring every child placed in out-of-
1266 home care to be referred within a certain time for a
1267 comprehensive behavioral health assessment; providing
1268 requirements and procedures for such assessment;
1269 requiring the department or the community-based care
1270 lead agency to establish permanency teams; requiring
1271 an assessment within a certain timeframe from the
1272 beginning of a new placement in group care; providing
1273 for judicial review of certain placements; requiring
1274 the department to submit an annual report to the
1275 Governor and the Legislature on the placement of
1276 children in licensed out-of-home care; creating s.
1277 409.144, F.S.; providing legislative findings and
1278 intent; defining terms; requiring the department to
1279 develop a continuum of care for the placement of
1280 children in care settings; requiring a plan to recruit
1281 and retain specialized placements for specific
1282 children and young adults; requiring the department to
1283 develop a quality rating system for group home and
1284 foster homes; providing requirements for the rating
1285 system; requiring the department to submit a report
1286 annually to the Governor and the Legislature;



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1287 requiring the department to adopt rules; amending s.
1288 409.1451, F.S.; requiring that a child be living in
1289 licensed care on or after his or her 18th birthday as
1290 a condition for receiving aftercare services; amending
1291 s. 409.986, F.S., revising the definition of the term
1292 "care"; amending s. 409.988, F.S.; requiring lead
1293 agencies to ensure the availability of a full array of
1294 services; requiring specified intervention services;
1295 requiring the department to submit annually to the
1296 Governor and the Legislature a report that evaluates
1297 the adequacy of intervention services; requiring the
1298 department to adopt rules; amending s. 409.996, F.S.;
1299 requiring the department to ensure quality and
1300 availability of services; amending s. 39.202, F.S.;
1301 conforming provisions to changes made by the act;
1302 amending ss. 39.5085 and 1002.3305, F.S.; conforming
1303 cross-references; repealing s. 39.523, F.S., relating
1304 to the placement of children in residential group
1305 care; repealing s. 409.141, F.S., relating to
1306 equitable reimbursement methodology; repealing s.
1307 409.1676, F.S., relating to comprehensive residential
1308 group care services to children who have extraordinary
1309 needs; repealing s. 409.1677, F.S., relating to model
1310 comprehensive residential services programs; repealing
1311 s. 409.1679, F.S., relating to program requirements
1312 and reimbursement methodology; providing an effective
1313 date.