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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: SENAT/C
02/23/2016 12:46 PM	.	03/11/2016 10:54 AM
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Senator Legg moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (6) of section 39.201, Florida  
Statutes, is amended to read:

39.201 Mandatory reports of child abuse, abandonment, or  
neglect; mandatory reports of death; central abuse hotline.—

(6) Information in the central abuse hotline may not be  
used for employment screening, except as provided in s.

39.202(2) (a) and (h) or s. 402.302(15). Information in the



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12 central abuse hotline and the department's automated abuse  
13 information system may be used by the department, its authorized  
14 agents or contract providers, the Department of Health, or  
15 county agencies as part of the licensure or registration process  
16 pursuant to ss. 402.301-402.319 and ss. 409.175-409.176.

17 Section 2. Paragraph (a) of subsection (2) of section  
18 39.202, Florida Statutes, is amended to read:

19 39.202 Confidentiality of reports and records in cases of  
20 child abuse or neglect.—

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

25 (a) Employees, authorized agents, or contract providers of  
26 the department, the Department of Health, the Agency for Persons  
27 with Disabilities, the Office of Early Learning, or county  
28 agencies responsible for carrying out:

- 29 1. Child or adult protective investigations;
- 30 2. Ongoing child or adult protective services;
- 31 3. Early intervention and prevention services;
- 32 4. Healthy Start services;
- 33 5. Licensure or approval of adoptive homes, foster homes,  
34 child care facilities, facilities licensed under chapter 393, ~~or~~  
35 family day care homes, ~~or informal child care~~ providers who  
36 receive school readiness funding under part VI of chapter 1002,  
37 or other homes used to provide for the care and welfare of  
38 children; or

39 6. Services for victims of domestic violence when provided  
40 by certified domestic violence centers working at the



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41 department's request as case consultants or with shared clients.

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43 Also, employees or agents of the Department of Juvenile Justice  
44 responsible for the provision of services to children, pursuant  
45 to chapters 984 and 985.

46 Section 3. Subsections (2) and (3) of section 383.141,  
47 Florida Statutes, are amended to read:

48 383.141 Prenatally diagnosed conditions; patient to be  
49 provided information; definitions; information clearinghouse;  
50 advisory council.—

51 (2) When a developmental disability is diagnosed based on  
52 the results of a prenatal test, the health care provider who  
53 ordered the prenatal test, or his or her designee, shall provide  
54 the patient with current information about the nature of the  
55 developmental disability, the accuracy of the prenatal test, and  
56 resources for obtaining relevant support services, including  
57 hotlines, resource centers, and information clearinghouses  
58 related to Down syndrome or other prenatally diagnosed  
59 developmental disabilities; support programs for parents and  
60 families; and developmental evaluation and intervention services  
61 under this part s. 391.303.

62 (3) The Department of Health shall develop and implement a  
63 comprehensive information clearinghouse to educate health care  
64 providers, inform parents, and increase public awareness  
65 regarding brain development, developmental disabilities and  
66 delays, and all services, resources, and interventions available  
67 to mitigate the effects of impaired development among children.  
68 The clearinghouse must use the term "unique abilities" as much  
69 as possible when identifying infants or children with



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70 developmental disabilities and delays. The clearinghouse must  
71 provide:

72 (a) Health information on conditions that may lead to  
73 impaired development of physical, learning, language, or  
74 behavioral skills.

75 (b) Education and information to support parents whose  
76 unborn children have been prenatally diagnosed with  
77 developmental disabilities or whose children have diagnosed or  
78 suspected developmental delays.

79 (c) Education and training for health care providers to  
80 recognize and respond appropriately to developmental  
81 disabilities, delays, and conditions related to disabilities or  
82 delays. Specific information approved by the advisory council  
83 shall be made available to health care providers for use in  
84 counseling parents whose unborn children have been prenatally  
85 diagnosed with developmental disabilities or whose children have  
86 diagnosed or suspected developmental delays.

87 (d) Promotion of public awareness of availability of  
88 supportive services, such as resource centers, educational  
89 programs, other support programs for parents and families, and  
90 developmental evaluation and intervention services.

91 (e) Hotlines specific to Down syndrome and other prenatally  
92 diagnosed developmental disabilities. The hotlines and the  
93 department's clearinghouse must provide information to parents  
94 and families or other caregivers regarding the Early Steps  
95 Program under s. 391.301, the Florida Diagnostic and Learning  
96 Resources System, the Early Learning program, Healthy Start,  
97 Help Me Grow, and any other intervention programs. Information  
98 offered must include directions on how to obtain early



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99 ~~intervention, rehabilitative, and habilitative services and~~  
100 ~~devices establish on its Internet website a clearinghouse of~~  
101 ~~information related to developmental disabilities concerning~~  
102 ~~providers of supportive services, information hotlines specific~~  
103 ~~to Down syndrome and other prenatally diagnosed developmental~~  
104 ~~disabilities, resource centers, educational programs, other~~  
105 ~~support programs for parents and families, and developmental~~  
106 ~~evaluation and intervention services under s. 391.303. Such~~  
107 ~~information shall be made available to health care providers for~~  
108 ~~use in counseling pregnant women whose unborn children have been~~  
109 ~~prenatally diagnosed with developmental disabilities.~~

110 (4) (a) There is established an advisory council within the  
111 Department of Health which consists of health care providers and  
112 caregivers who perform health care services for persons who have  
113 developmental disabilities, including Down syndrome and autism.  
114 This group shall consist of nine members as follows:

- 115 1. Three members appointed by the Governor;  
116 2. Three members appointed by the President of the Senate;  
117 and  
118 3. Three members appointed by the Speaker of the House of  
119 Representatives.

120 (b) The advisory council shall provide technical assistance  
121 to the Department of Health in the establishment of the  
122 information clearinghouse and give the department the benefit of  
123 the council members' knowledge and experience relating to the  
124 needs of patients and families of patients with developmental  
125 disabilities and available support services.

126 (c) Members of the council shall elect a chairperson and a  
127 vice chairperson. The elected chairperson and vice chairperson



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128 shall serve in these roles until their terms of appointment on  
129 the council expire.

130 (d) The advisory council shall meet quarterly to review  
131 this clearinghouse of information, and may meet more often at  
132 the call of the chairperson or as determined by a majority of  
133 members.

134 (e) The council members shall be appointed to 4-year terms,  
135 except that, to provide for staggered terms, one initial  
136 appointee each from the Governor, the President of the Senate,  
137 and the Speaker of the House of Representatives shall be  
138 appointed to a 2-year term, one appointee each from these  
139 officials shall be appointed to a 3-year term, and the remaining  
140 initial appointees shall be appointed to 4-year terms. All  
141 subsequent appointments shall be for 4-year terms. A vacancy  
142 shall be filled for the remainder of the unexpired term in the  
143 same manner as the original appointment.

144 (f) Members of the council shall serve without  
145 compensation. Meetings of the council may be held in person,  
146 without reimbursement for travel expenses, or by teleconference  
147 or other electronic means.

148 (g) The Department of Health shall provide administrative  
149 support for the advisory council.

150 Section 4. Paragraph (c) of subsection (1) of section  
151 391.025, Florida Statutes, is amended to read:

152 391.025 Applicability and scope.—

153 (1) The Children's Medical Services program consists of the  
154 following components:

155 (c) The developmental evaluation and intervention program,  
156 including the Early Steps ~~Florida Infants and Toddlers Early~~



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157 ~~Intervention~~ Program.

158 Section 5. Subsection (19) is added to section 391.026,  
159 Florida Statutes, to read:

160 391.026 Powers and duties of the department.—The department  
161 shall have the following powers, duties, and responsibilities:

162 (19) To serve as the lead agency in administering the Early  
163 Steps Program pursuant to part C of the federal Individuals with  
164 Disabilities Education Act and part III of this chapter.

165 Section 6. Section 391.301, Florida Statutes, is amended to  
166 read:

167 391.301 Early Steps Program; establishment and goals  
168 ~~Developmental evaluation and intervention programs; legislative~~  
169 ~~findings and intent.—~~

170 (1) The Early Steps Program is established within the  
171 department to serve infants and toddlers who are at risk of  
172 developmental disabilities based on a physical or mental  
173 condition and infants and toddlers with developmental delays by  
174 providing developmental evaluation and early intervention and by  
175 providing families with training and support services in a  
176 variety of home and community settings in order to enhance  
177 family and caregiver competence, confidence, and capacity to  
178 meet their child's developmental needs and desired outcomes ~~The~~  
179 ~~Legislature finds that the high-risk and disabled newborn~~  
180 ~~infants in this state need in-hospital and outpatient~~  
181 ~~developmental evaluation and intervention and that their~~  
182 ~~families need training and support services. The Legislature~~  
183 ~~further finds that there is an identifiable and increasing~~  
184 ~~number of infants who need developmental evaluation and~~  
185 ~~intervention and family support due to the fact that increased~~



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186 ~~numbers of low birthweight and sick full-term newborn infants~~  
187 ~~are now surviving because of the advances in neonatal intensive~~  
188 ~~care medicine; increased numbers of medically involved infants~~  
189 ~~are remaining inappropriately in hospitals because their parents~~  
190 ~~lack the confidence or skills to care for these infants without~~  
191 ~~support; and increased numbers of infants are at risk due to~~  
192 ~~parent risk factors, such as substance abuse, teenage pregnancy,~~  
193 ~~and other high risk conditions.~~

194 (2) The program may include screening and referral ~~It is~~  
195 ~~the intent of the Legislature to establish developmental~~  
196 ~~evaluation and intervention services at all hospitals providing~~  
197 ~~Level II or Level III neonatal intensive care services, in order~~  
198 ~~to promptly identify newborns with disabilities or with~~  
199 ~~conditions associated with risks of developmental delays so that~~  
200 ~~families with high-risk or disabled infants may gain as early as~~  
201 ~~possible the services and skills they need to support their~~  
202 ~~infants' development~~ infants.

203 (3) The program must ~~It is the intent of the Legislature~~  
204 ~~that a methodology be developed to integrate information and~~  
205 ~~coordinate services on infants with potentially disabling~~  
206 ~~conditions with other programs serving infants and toddlers~~  
207 ~~early intervention programs, including, but not limited to, Part~~  
208 ~~C of Pub. L. No. 105-17 and the Healthy Start program, the~~  
209 ~~newborn screening program, and the Blind Babies Program.~~

210 (4) The program must:

211 (a) Provide services to enhance the development of infants  
212 and toddlers with disabilities and delays.

213 (b) Expand the recognition by health care providers,  
214 families, and the public of the significant brain development





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215 that occurs during a child's first 3 years of life.

216 (c) Maintain the importance of the family in all areas of  
217 the child's development and support the family's participation  
218 in early intervention services and decisions affecting the  
219 child.

220 (d) Operate a comprehensive, coordinated interagency system  
221 of early intervention services and supports in accordance with  
222 part C of the federal Individuals with Disabilities Education  
223 Act.

224 (e) Ensure timely evaluation, individual planning, and  
225 early intervention services necessary to meet the unique needs  
226 of eligible infants and toddlers.

227 (f) Build the service capacity and enhance the competencies  
228 of health care providers serving infants and toddlers with  
229 unique needs and abilities.

230 (g) Ensure programmatic and fiscal accountability through  
231 establishment of a high-capacity data system, active monitoring  
232 of performance indicators, and ongoing quality improvement.

233 Section 7. Section 391.302, Florida Statutes, is amended to  
234 read:

235 391.302 Definitions.—As used in ss. 391.301-391.308 ~~ss.~~  
236 ~~391.301-391.307~~, the term:

237 (1) "Developmental delay" means a condition, identified and  
238 measured through appropriate instruments and procedures, which  
239 may delay physical, cognitive, communication, social or  
240 emotional, or adaptive development.

241 (2) "Developmental disability" means a condition,  
242 identified and measured through appropriate instruments and  
243 procedures, which may impair physical, cognitive, communication,



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244 social or emotional, or adaptive development.

245 (3) "Developmental intervention" or "early intervention"  
246 means individual and group individualized therapies and services  
247 needed to enhance both the infant's or toddler's growth and  
248 development and family functioning. The term includes  
249 habilitative services and assistive technology devices,  
250 rehabilitative services and assistive technology devices, and  
251 parent support and training.

252 (4) "Habilitative services and devices" means health care  
253 services and assistive technology devices that help a child  
254 maintain, learn, or improve skills and functioning for daily  
255 living.

256 (5) ~~(2)~~ "Infant or toddler" or "child" means a child from  
257 birth until the child's third birthday.

258 (6) "Local program office" means an office that administers  
259 the Early Steps Program within a municipality, county, or  
260 region.

261 (7) "Rehabilitative services and devices" means restorative  
262 and remedial services that maintain or enhance the current level  
263 of functioning of a child if there is a possibility of  
264 improvement or reversal of impairment.

265 ~~(3) "In-hospital intervention services" means the provision~~  
266 ~~of assessments; the provision of individualized services;~~  
267 ~~monitoring and modifying the delivery of medical interventions;~~  
268 ~~and enhancing the environment for the high-risk, developmentally~~  
269 ~~disabled, or medically involved infant or toddler in order to~~  
270 ~~achieve optimum growth and development.~~

271 ~~(4) "Parent support and training" means a range of services~~  
272 ~~to families of high-risk, developmentally disabled, or medically~~



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273 ~~involved infants or toddlers, including family counseling,~~  
274 ~~financial planning; agency referral; development of parent to~~  
275 ~~parent support groups; education concerning growth, development,~~  
276 ~~and developmental intervention and objective measurable skills,~~  
277 ~~including abuse avoidance skills; training of parents to~~  
278 ~~advocate for their child; and bereavement counseling.~~

279 Section 8. Sections 391.303, 391.304, 391.305, 391.306, and  
280 391.307, Florida Statutes, are repealed.

281 Section 9. Section 391.308, Florida Statutes, is amended to  
282 read:

283 391.308 ~~Early Steps~~ ~~Infants and Toddlers Early Intervention~~  
284 Program.—The ~~department shall~~ ~~Department of Health may~~ implement  
285 and administer part C of the federal Individuals with  
286 Disabilities Education Act (IDEA), which shall be known as the  
287 "~~Early Steps~~ "~~Florida Infants and Toddlers Early Intervention~~  
288 Program."

289 (1) ~~PERFORMANCE STANDARDS.~~—The department shall ensure that  
290 the ~~Early Steps~~ Program complies with the following performance  
291 standards:

292 (a) The program must provide services from referral through  
293 transition in a family-centered manner that recognizes and  
294 responds to unique circumstances and needs of infants and  
295 toddlers and their families as measured by a variety of  
296 qualitative data, including satisfaction surveys, interviews,  
297 focus groups, and input from stakeholders.

298 (b) The program must provide individualized family support  
299 plans that are understandable and usable by families, health  
300 care providers, and payers and that identify the current level  
301 of functioning of the infant or toddler, family supports and



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302 resources, expected outcomes, and specific early intervention  
303 services needed to achieve the expected outcomes, as measured by  
304 periodic system independent evaluation.

305 (c) The program must help each family to use available  
306 resources in a way that maximizes the child's access to services  
307 necessary to achieve the outcomes of the individualized family  
308 support plan, as measured by family feedback and by independent  
309 assessments of services used by each child.

310 (d) The program must offer families access to quality  
311 services that effectively enable infants and toddlers with  
312 developmental disabilities and developmental delays to achieve  
313 optimal functional levels as measured by an independent  
314 evaluation of outcome indicators in social or emotional skills,  
315 communication, and adaptive behaviors.

316 (2) DUTIES OF THE DEPARTMENT.—The department shall:

317 (a) ~~Jointly with the Department of Education, shall~~  
318 Annually prepare a grant application to the United States  
319 Department of Education for funding early intervention services  
320 for infants and toddlers with disabilities, from birth through  
321 36 months of age, and their families pursuant to part C of the  
322 federal Individuals with Disabilities Education Act.

323 (b) ~~(2) The department, Jointly with the Department of~~  
324 Education, ~~provide shall include~~ a reading initiative as an  
325 early intervention service for infants and toddlers.

326 (c) Annually develop a state plan for the Early Steps  
327 Program.

328 1. The plan must assess the need for early intervention  
329 services, evaluate the extent of the statewide need that is met  
330 by the program, identify barriers to fully meeting the need, and



331 recommend specific action steps to improve program performance.

332 2. The plan must be developed through an inclusive process  
333 that involves families, local program offices, health care  
334 providers, and other stakeholders.

335 (d) Ensure local program offices educate hospitals that  
336 provide Level II and Level III neonatal intensive care services  
337 about the Early Steps Program and the referral process for the  
338 provision of developmental evaluation and intervention services.

339 (e) Establish standards and qualifications for  
340 developmental evaluation and early intervention service  
341 providers, including standards for determining the adequacy of  
342 provider networks in each local program office service area.

343 (f) Establish statewide uniform protocols and procedures to  
344 determine eligibility for developmental evaluation and early  
345 intervention services.

346 (g) Establish a consistent, statewide format and procedure  
347 for preparing and completing an individualized family support  
348 plan.

349 (h) Promote interagency cooperation and coordination, with  
350 the Medicaid program, the Department of Education program  
351 pursuant to part B of the federal Individuals with Disabilities  
352 Education Act, and programs providing child screening such as  
353 the Florida Diagnostic and Learning Resources System, the Office  
354 of Early Learning, Healthy Start, and the Help Me Grow program.

355 1. Coordination with the Medicaid program shall be  
356 developed and maintained through written agreements with the  
357 Agency for Health Care Administration and Medicaid managed care  
358 organizations as well as through active and ongoing  
359 communication with these organizations. The department shall



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360 assist local program offices to negotiate agreements with  
361 Medicaid managed care organizations in the service areas of the  
362 local program offices. Such agreements may be formal or  
363 informal.

364 2. Coordination with education programs pursuant to part B  
365 of the federal Individuals with Disabilities Education Act shall  
366 be developed and maintained through written agreements with the  
367 Department of Education. The department shall assist local  
368 program offices to negotiate agreements with school districts in  
369 the service areas of the local program offices.

370 (i) Develop and disseminate the knowledge and methods  
371 necessary to effectively coordinate benefits among various payer  
372 types.

373 (j) Provide a mediation process and if necessary, an  
374 appeals process for applicants found ineligible for  
375 developmental evaluation or early intervention services or  
376 denied financial support for such services.

377 (k) Competitively procure local program offices to provide  
378 services throughout the state in accordance with chapter 287.  
379 The department shall specify the requirements and qualifications  
380 for local program offices in the procurement document.

381 (l) Establish performance standards and other metrics for  
382 evaluation of local program offices, including standards for  
383 measuring timeliness of services, outcomes of early intervention  
384 services, and administrative efficiency. Performance standards  
385 and metrics shall be developed in consultation with local  
386 program offices.

387 (m) Provide technical assistance to the local program  
388 offices.



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389           (3) ELIGIBILITY.—The department shall apply the following  
390 eligibility criteria if specific funding is provided, and the  
391 associated applicable eligibility criteria are identified, in  
392 the General Appropriations Act:

393           (a) Infants and toddlers are eligible for an evaluation to  
394 determine the presence of a developmental disability or the risk  
395 of a developmental delay based on a physical or medical  
396 condition.

397           (b) Infants and toddlers determined to have a developmental  
398 delay based on informed clinical opinion and an evaluation using  
399 a standard evaluation instrument which results in a score that  
400 is 1.5 standard deviations from the mean in two or more of the  
401 following domains: physical, cognitive, communication, social or  
402 emotional, and adaptive.

403           (c) Infants and toddlers determined to have a developmental  
404 delay based on informed clinical opinion and an evaluation using  
405 a standard evaluation instrument which results in a score that  
406 is 2.0 standard deviations from the mean in one of the following  
407 domains: physical, cognitive, communication, social or  
408 emotional, and adaptive.

409           (d) Infants and toddlers determined to have a developmental  
410 delay based on informed clinical opinion and an evaluation using  
411 a standard evaluation instrument which results in a score that  
412 is 1.5 standard deviations from the mean in one or more of the  
413 following domains: physical, cognitive, communication, social or  
414 emotional, and adaptive.

415           (e) Infants and toddlers determined to have a developmental  
416 delay based on informed clinical opinion.

417           (f) Infants and toddlers at risk of developmental delay



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418 based on an established condition known to result in  
419 developmental delay, or a physical or mental condition known to  
420 create a risk of developmental delay.

421 (4) DUTIES OF THE LOCAL PROGRAM OFFICES.—A local program  
422 office shall:

423 (a) Evaluate a child to determine eligibility within 45  
424 calendar days after the child is referred to the program.

425 (b) Notify the parent or legal guardian of his or her  
426 child's eligibility status initially and at least annually  
427 thereafter. If a child is determined not to be eligible, the  
428 local program office must provide the parent or legal guardian  
429 with written information on the right to an appeal and the  
430 process for making such an appeal.

431 (c) Secure and maintain interagency agreements or contracts  
432 with local school districts in a local service area.

433 (d) Provide services directly or procure services from  
434 health care providers that meet or exceed the minimum  
435 qualifications established for service providers. The local  
436 program office must become a Medicaid provider if it provides  
437 services directly.

438 (e) Provide directly or procure services that are, to the  
439 extent possible, delivered in a child's natural environment,  
440 such as in the child's home or community setting. The inability  
441 to provide services in the natural environment is not a  
442 sufficient reason to deny services.

443 (f) Develop an individualized family support plan for each  
444 child served. The plan must:

445 1. Be completed within 45 calendar days after the child is  
446 referred to the program;





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447           2. Be developed in conjunction with the child's parent or  
448 legal guardian who provides written consent for the services  
449 included in the plan;

450           3. Be reviewed at least every 6 months with the parent or  
451 legal guardian and updated if needed; and

452           4. Include steps to transition to school or other future  
453 services by the child's third birthday.

454           (g) Assess the progress of the child and his or her family  
455 in meeting the goals of the individualized family support plan.

456           (h) For each service required by the individualized family  
457 support plan, refer the child to an appropriate service provider  
458 or work with Medicaid managed care organizations or private  
459 insurers to secure the needed services.

460           (i) Provide service coordination, including contacting the  
461 appropriate service provider to determine whether the provider  
462 can timely deliver the service, providing the parent or legal  
463 guardian with the name and contact information of the service  
464 provider and the date and location of the service of any  
465 appointment made on behalf of the child, and contacting the  
466 parent or legal guardian after the service is provided to ensure  
467 that the service is timely delivered and to determine whether  
468 the family requests additional services.

469           (j) Negotiate and maintain agreements with Medicaid  
470 providers and Medicaid managed care organizations in its area.

471           1. With the parent's or legal guardian's permission, the  
472 services in the child's approved individualized family support  
473 plan shall be communicated to the Medicaid managed care  
474 organization. Services that cannot be funded by Medicaid must be  
475 specifically identified and explained to the family.



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476           2. The agreement between the local program office and  
477 Medicaid managed care organizations must establish methods of  
478 communication and procedures for the timely approval of services  
479 covered by Medicaid.

480           (k) Develop agreements and arrangements with private  
481 insurers in order to coordinate benefits and services for any  
482 mutual enrollee.

483           1. The child's approved individualized family support plan  
484 may be communicated to the child's insurer with the parent's or  
485 legal guardian's permission.

486           2. The local program office and private insurers shall  
487 establish methods of communication and procedures for the timely  
488 approval of services covered by the child's insurer, if  
489 appropriate and approved by the child's parent or legal  
490 guardian.

491           (l) Provide to the department data necessary for an  
492 evaluation of the local program office performance.

493           (5) ACCOUNTABILITY REPORTING.—By December 1 of each year,  
494 the department shall prepare and submit a report that assesses  
495 the performance of the Early Steps Program to the Governor, the  
496 President of the Senate, the Speaker of the House of  
497 Representatives, and the Florida Interagency Coordinating  
498 Council for Infants and Toddlers. The department must address  
499 the performance standards in subsection (1) and report actual  
500 performance compared to the standards for the prior fiscal year.  
501 The data used to compile the report must be submitted by each  
502 local program office in the state. The department shall report  
503 on all of the following measures:

504           (a) Number and percentage of infants and toddlers served



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505 with an individualized family support plan.

506 (b) Number and percentage of infants and toddlers  
507 demonstrating improved social or emotional skills after the  
508 program.

509 (c) Number and percentage of infants and toddlers  
510 demonstrating improved use of knowledge and cognitive skills  
511 after the program.

512 (d) Number and percentage of families reporting positive  
513 outcomes in their infant's and toddler's development as a result  
514 of early intervention services.

515 (e) Progress toward meeting the goals of individualized  
516 family support plans.

517 (f) Any additional measures established by the department.

518 (6) STATE INTERAGENCY COORDINATING COUNCIL.—The Florida  
519 Interagency Coordinating Council for Infants and Toddlers shall  
520 serve as the state interagency coordinating council required by  
521 34 C.F.R. s. 303.600. The council shall be housed for  
522 administrative purposes in the department, and the department  
523 shall provide administrative support to the council.

524 (7) TRANSITION TO EDUCATION.—

525 (a) At least 90 days before a child reaches 3 years of age,  
526 the local program office shall initiate transition planning to  
527 ensure the child's successful transition from the Early Steps  
528 Program to a school district program for children with  
529 disabilities or to another program as part of an individual  
530 family support plan.

531 (b) At least 90 days before a child reaches 3 years of age,  
532 the local program office shall:

533 1. Notify the local school district in which the child



534 resides and the Department of Education that the child may be  
535 eligible for special education or related services as determined  
536 by the local school district pursuant to ss. 1003.21 and  
537 1003.57, unless the child's parent or legal guardian has opted  
538 out of such notification; and

539 2. Upon approval by the child's parent or legal guardian,  
540 convene a transition conference that includes participation of a  
541 local school district representative and the parent or legal  
542 guardian to discuss options for and availability of services.

543 (c) The local school district shall evaluate and determine  
544 a child's eligibility to receive special education or related  
545 services pursuant to part B of the federal Individuals with  
546 Disabilities Education Act and ss. 1003.21 and 1003.57.

547 (d) The local program office, in conjunction with the local  
548 school district, shall modify a child's individual family  
549 support plan or, if applicable, the local school district shall  
550 develop an individual education plan for the child pursuant to  
551 ss. 1003.57, 1003.571, and 1003.5715, which identifies special  
552 education or related services that the child will receive and  
553 the providers or agencies that will provide such services.

554 (e) If a child is determined to be ineligible for school  
555 district program services, the local program office and the  
556 local school district shall provide the child's parent or legal  
557 guardian with written information on other available services or  
558 community resources.

559 (f) The local program office shall negotiate and maintain  
560 an interagency agreement with each local school district in its  
561 service area pursuant to the Individuals with Disabilities  
562 Education Act, 20 U.S.C. s. 1435(a)(10)(F). Each interagency



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563 agreement must be reviewed at least annually and updated upon  
564 review, if needed.

565 Section 10. Subsection (15) of section 402.302, Florida  
566 Statutes, is amended to read:

567 402.302 Definitions.—As used in this chapter, the term:

568 (15) "Screening" means the act of assessing the background  
569 of child care personnel, in accordance with state and federal  
570 law, and volunteers and includes, but is not limited to:

571 (a) Employment history checks, including documented  
572 attempts to contact each employer that employed the applicant  
573 within the preceding 5 years and documentation of the findings.

574 (b) A search of the criminal history records, sexual  
575 predator and sexual offender registry, and child abuse and  
576 neglect registry of any state in which the applicant resided  
577 during the preceding 5 years.

578  
579 An applicant must submit a full set of fingerprints to the  
580 department or to a vendor, entity, or agency authorized by s.  
581 943.053(13). The department, vendor, entity, or agency shall  
582 forward the fingerprints to ~~local criminal records checks~~  
583 ~~through local law enforcement agencies, fingerprinting for all~~  
584 ~~purposes and checks in this subsection, statewide criminal~~  
585 ~~records checks through the Department of Law Enforcement for~~  
586 state processing, and the Department of Law Enforcement shall  
587 forward the fingerprints to ~~federal criminal records checks~~  
588 ~~through the Federal Bureau of Investigation for national~~  
589 processing. Fingerprint submission must comply with s. 435.12.

590 Section 11. Section 402.3057, Florida Statutes, is  
591 repealed.



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592 Section 12. Subsection (3) of section 402.306, Florida  
593 Statutes, is amended to read:

594 402.306 Designation of licensing agency; dissemination by  
595 the department and local licensing agency of information on  
596 child care.—

597 (3) The department and local licensing agencies, or the  
598 designees thereof, shall be responsible for coordination and  
599 dissemination of information on child care to the community and  
600 shall make available through electronic means ~~upon request~~ all  
601 licensing standards and procedures, health and safety standards  
602 for school readiness providers, monitoring and inspection  
603 reports, and in addition to the names and addresses of licensed  
604 child care facilities, school readiness program providers, and,  
605 where applicable pursuant to s. 402.313, licensed or registered  
606 family day care homes. This information shall also include the  
607 number of deaths, serious injuries, and instances of  
608 substantiated child abuse that have occurred in child care  
609 settings each year; research and best practices in child  
610 development; and resources regarding social-emotional  
611 development, parent and family engagement, healthy eating, and  
612 physical activity.

613 Section 13. Section 402.311, Florida Statutes, is amended  
614 to read:

615 402.311 Inspection.—

616 (1) A licensed child care facility shall accord to the  
617 department or the local licensing agency, whichever is  
618 applicable, the privilege of inspection, including access to  
619 facilities and personnel and to those records required in s.  
620 402.305, at reasonable times during regular business hours, to



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621 ensure compliance with ~~the provisions of~~ ss. 402.301-402.319.  
622 The right of entry and inspection shall also extend to any  
623 premises which the department or local licensing agency has  
624 reason to believe are being operated or maintained as a child  
625 care facility without a license, but no such entry or inspection  
626 of any premises shall be made without the permission of the  
627 person in charge thereof unless a warrant is first obtained from  
628 the circuit court authorizing such entry or inspection ~~same~~. Any  
629 application for a license or renewal made pursuant to this act  
630 or the advertisement to the public for the provision of child  
631 care as defined in s. 402.302 shall constitute permission for  
632 any entry or inspection of the premises for which the license is  
633 sought in order to facilitate verification of the information  
634 submitted on or in connection with the application. In the event  
635 a licensed facility refuses permission for entry or inspection  
636 to the department or local licensing agency, a warrant shall be  
637 obtained from the circuit court authorizing entry or inspection  
638 before ~~same prior to~~ such entry or inspection. The department or  
639 local licensing agency may institute disciplinary proceedings  
640 pursuant to s. 402.310~~7~~ for such refusal.

641 (2) A school readiness program provider shall accord to the  
642 department or the local licensing agency, whichever is  
643 applicable, the privilege of inspection, including access to  
644 facilities, personnel, and records, to verify compliance with  
645 the requirements of s. 1002.88. Entry, inspection, and issuance  
646 of an inspection report by the department or the local licensing  
647 agency to verify compliance with the requirements of s. 1002.88  
648 is an exercise of a discretionary power to enforce compliance  
649 with the laws duly enacted by a governmental body.



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650       (3) The department's issuance, transmittal, or publication  
651 of an inspection report resulting from an inspection under this  
652 section does not constitute agency action subject to chapter  
653 120.

654       Section 14. Subsection (3) is added to section 402.319,  
655 Florida Statutes, to read:

656       402.319 Penalties.—

657       (3) Each child care facility, family day care home, and  
658 large family child care home shall annually submit an affidavit  
659 of compliance with s. 39.201.

660       Section 15. Paragraph (c) is added to subsection (4) of  
661 section 435.07, Florida Statutes, to read:

662       435.07 Exemptions from disqualification.—Unless otherwise  
663 provided by law, the provisions of this section apply to  
664 exemptions from disqualification for disqualifying offenses  
665 revealed pursuant to background screenings required under this  
666 chapter, regardless of whether those disqualifying offenses are  
667 listed in this chapter or other laws.

668       (4)

669       (c) Disqualification from employment under this chapter may  
670 not be removed from, and an exemption may not be granted to, any  
671 current or prospective child care personnel of a provider  
672 receiving school readiness funding under part VI of chapter  
673 1002, and such a person is disqualified from employment as child  
674 care personnel with such providers, regardless of any prior  
675 exemptions from disqualification, if the person has been  
676 registered as a sex offender as described in 42 U.S.C. s.  
677 9858f(c) (1) (C) or has been arrested for and is awaiting final  
678 disposition of, has been convicted or found guilty of, or





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679 entered a plea of guilty or nolo contendere to, regardless of  
680 adjudication, or has been adjudicated delinquent and the record  
681 has not been sealed or expunged for, any offense prohibited  
682 under any of the following provisions of state law or a similar  
683 law of another jurisdiction:

684 1. A felony offense prohibited under any of the following  
685 statutes:

686 a. Chapter 741, relating to domestic violence.  
687 b. Section 782.04, relating to murder.  
688 c. Section 782.07, relating to manslaughter, aggravated  
689 manslaughter of an elderly person or disabled adult, aggravated  
690 manslaughter of a child, or aggravated manslaughter of an  
691 officer, a firefighter, an emergency medical technician, or a  
692 paramedic.

693 d. Section 784.021, relating to aggravated assault.  
694 e. Section 784.045, relating to aggravated battery.  
695 f. Section 787.01, relating to kidnapping.  
696 g. Section 787.025, relating to luring or enticing a child.  
697 h. Section 787.04(2), relating to leading, taking,  
698 enticing, or removing a minor beyond the state limits, or  
699 concealing the location of a minor, with criminal intent pending  
700 custody proceedings.

701 i. Section 787.04(3), relating to leading, taking,  
702 enticing, or removing a minor beyond the state limits, or  
703 concealing the location of a minor, with criminal intent pending  
704 dependency proceedings or proceedings concerning alleged abuse  
705 or neglect of a minor.

706 j. Section 794.011, relating to sexual battery.  
707 k. Former s. 794.041, relating to sexual activity with or



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708 solicitation of a child by a person in familial or custodial  
709 authority.

710 1. Section 794.05, relating to unlawful sexual activity  
711 with certain minors.

712 m. Section 794.08, relating to female genital mutilation.  
713 n. Section 806.01, relating to arson.  
714 o. Section 826.04, relating to incest.  
715 p. Section 827.03, relating to child abuse, aggravated  
716 child abuse, or neglect of a child.  
717 q. Section 827.04, relating to contributing to the  
718 delinquency or dependency of a child.  
719 r. Section 827.071, relating to sexual performance by a  
720 child.  
721 s. Chapter 847, relating to child pornography.  
722 t. Section 985.701, relating to sexual misconduct in  
723 juvenile justice programs.

724 2. A misdemeanor offense prohibited under any of the  
725 following statutes:

726 a. Section 784.03, relating to battery, if the victim of  
727 the offense was a minor.  
728 b. Section 787.025, relating to luring or enticing a child.  
729 c. Chapter 847, relating to child pornography.

730 3. A criminal act committed in another state or under  
731 federal law which, if committed in this state, constitutes an  
732 offense prohibited under any statute listed in subparagraph 1.  
733 or subparagraph 2.

734 Section 16. Paragraph (i) of subsection (2) of section  
735 1002.82, Florida Statutes, is amended, and paragraphs (s)  
736 through (x) are added to that subsection, to read:



737 1002.82 Office of Early Learning; powers and duties.-  
738 (2) The office shall:  
739 (i) Enter into a memorandum of understanding with local  
740 licensing agencies and Develop, in coordination with the Child  
741 Care Services Program Office of the Department of Children and  
742 Families for inspections of school readiness program providers  
743 to monitor and verify compliance with s. 1002.88 and the health  
744 and safety checklist adopted by the office. The provider  
745 contract of a school readiness program provider that refuses  
746 permission for entry or inspection shall be terminated. The, and  
747 adopt a health and safety checklist may to be completed by  
748 license-exempt providers that does not exceed the requirements  
749 of s. 402.305 and the Child Care and Development Fund pursuant  
750 to 45 C.F.R. part 98.  
751 (s) Develop and implement strategies to increase the supply  
752 and improve the quality of child care services for infants and  
753 toddlers, children with disabilities, children who receive care  
754 during nontraditional hours, children in underserved areas, and  
755 children in areas that have significant concentrations of  
756 poverty and unemployment.  
757 (t) Establish preservice and inservice training  
758 requirements that address, at a minimum, school readiness child  
759 development standards, health and safety requirements, and  
760 social-emotional behavior intervention models, which may include  
761 positive behavior intervention and support models.  
762 (u) Establish standards for emergency preparedness plans  
763 for school readiness program providers.  
764 (v) Establish group sizes.  
765 (w) Establish staff-to-children ratios that do not exceed



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766 the requirements of s. 402.302(8) or (11) or s. 402.305(4), as  
767 applicable, for school readiness program providers.

768 (x) Establish eligibility criteria, including limitations  
769 based on income and family assets, in accordance with s. 1002.87  
770 and federal law.

771 Section 17. Subsections (7) and (8) of section 1002.84,  
772 Florida Statutes, are amended to read:

773 1002.84 Early learning coalitions; school readiness powers  
774 and duties.—Each early learning coalition shall:

775 (7) Determine child eligibility pursuant to s. 1002.87 and  
776 provider eligibility pursuant to s. 1002.88. ~~At a minimum, Child~~  
777 ~~eligibility must be redetermined annually. Redetermination must~~  
778 ~~also be conducted twice per year for an additional 50 percent of~~  
779 ~~a coalition's enrollment through a statistically valid random~~  
780 ~~sampling.~~ A coalition must document the reason ~~why~~ a child is no  
781 longer eligible for the school readiness program according to  
782 the standard codes prescribed by the office.

783 (8) Establish a parent sliding fee scale that provides for  
784 requires a parent copayment that is not a barrier to families  
785 receiving to participate in the school readiness program  
786 services. Providers are required to collect the parent's  
787 copayment. A coalition may, on a case-by-case basis, waive the  
788 copayment for an at-risk child or temporarily waive the  
789 copayment for a child whose family's income is at or below the  
790 federal poverty level and whose family experiences a natural  
791 disaster or an event that limits the parent's ability to pay,  
792 such as incarceration, placement in residential treatment, or  
793 becoming homeless, or an emergency situation such as a household  
794 fire or burglary, or while the parent is participating in



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795 parenting classes. A parent may not transfer school readiness  
796 program services to another school readiness program provider  
797 until the parent has submitted documentation from the current  
798 school readiness program provider to the early learning  
799 coalition stating that the parent has satisfactorily fulfilled  
800 the copayment obligation.

801 Section 18. Subsections (1), (4), (5), and (6) of section  
802 1002.87, Florida Statutes, are amended to read:

803 1002.87 School readiness program; eligibility and  
804 enrollment.—

805 ~~(1) Effective August 1, 2013, or upon reevaluation of~~  
806 ~~eligibility for children currently served, whichever is later,~~  
807 Each early learning coalition shall give priority for  
808 participation in the school readiness program as follows:

809 (a) Priority shall be given first to a child younger than  
810 13 years of age from a family that includes a parent who is  
811 receiving temporary cash assistance under chapter 414 and  
812 subject to the federal work requirements.

813 (b) Priority shall be given next to an at-risk child  
814 younger than 9 years of age.

815 (c) Priority shall be given next to a child from birth to  
816 the beginning of the school year for which the child is eligible  
817 for admission to kindergarten in a public school under s.  
818 1003.21(1)(a)2. who is from a working family that is  
819 economically disadvantaged, and may include such child's  
820 eligible siblings, beginning with the school year in which the  
821 sibling is eligible for admission to kindergarten in a public  
822 school under s. 1003.21(1)(a)2. until the beginning of the  
823 school year in which the sibling is eligible to begin 6th grade,



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824 provided that the first priority for funding an eligible sibling  
825 is local revenues available to the coalition for funding direct  
826 services. ~~However, a child eligible under this paragraph ceases~~  
827 ~~to be eligible if his or her family income exceeds 200 percent~~  
828 ~~of the federal poverty level.~~

829 (d) Priority shall be given next to a child of a parent who  
830 transitions from the work program into employment as described  
831 in s. 445.032 from birth to the beginning of the school year for  
832 which the child is eligible for admission to kindergarten in a  
833 public school under s. 1003.21(1)(a)2.

834 (e) Priority shall be given next to an at-risk child who is  
835 at least 9 years of age but younger than 13 years of age. An at-  
836 risk child whose sibling is enrolled in the school readiness  
837 program within an eligibility priority category listed in  
838 paragraphs (a)-(c) shall be given priority over other children  
839 who are eligible under this paragraph.

840 (f) Priority shall be given next to a child who is younger  
841 than 13 years of age from a working family that is economically  
842 disadvantaged. A child who is eligible under this paragraph  
843 whose sibling is enrolled in the school readiness program under  
844 paragraph (c) shall be given priority over other children who  
845 are eligible under this paragraph. ~~However, a child eligible~~  
846 ~~under this paragraph ceases to be eligible if his or her family~~  
847 ~~income exceeds 200 percent of the federal poverty level.~~

848 (g) Priority shall be given next to a child of a parent who  
849 transitions from the work program into employment as described  
850 in s. 445.032 who is younger than 13 years of age.

851 (h) Priority shall be given next to a child who has special  
852 needs, has been determined eligible as a student with a



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853 disability, has a current individual education plan with a  
854 Florida school district, and is not younger than 3 years of age.  
855 A special needs child eligible under this paragraph remains  
856 eligible until the child is eligible for admission to  
857 kindergarten in a public school under s. 1003.21(1)(a)2.

858 (i) Notwithstanding paragraphs (a)-(d), priority shall be  
859 given last to a child who otherwise meets one of the eligibility  
860 criteria in paragraphs (a)-(d) but who is also enrolled  
861 concurrently in the federal Head Start Program and the Voluntary  
862 Prekindergarten Education Program.

863 (4) The parent of a child enrolled in the school readiness  
864 program must notify the coalition or its designee within 10 days  
865 after any change in employment status, income, or family size or  
866 failure to maintain attendance at a job training or educational  
867 program in accordance with program requirements. ~~Upon~~  
868 ~~notification by the parent, the child's eligibility must be~~  
869 ~~reevaluated.~~

870 (5) A child whose eligibility priority category requires  
871 the child to be from a working family ceases to be eligible for  
872 the school readiness program if a parent with whom the child  
873 resides does not reestablish employment or resume attendance at  
874 a job training or educational program within 90 ~~60~~ days after  
875 becoming unemployed or ceasing to attend a job training or  
876 educational program.

877 (6) Eligibility for each child must be reevaluated  
878 annually. Upon reevaluation, a child may not continue to receive  
879 school readiness program services if he or she has ceased to be  
880 eligible under this section. A child who is ineligible due to a  
881 parent's job loss or cessation of education or job training



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882 shall continue to receive school readiness program services for  
883 at least 3 months to enable the parent to obtain employment.

884 Section 19. Paragraphs (c), (d), and (e) of subsection (1)  
885 of section 1002.88, Florida Statutes, are amended to read:

886 1002.88 School readiness program provider standards;  
887 eligibility to deliver the school readiness program.-

888 (1) To be eligible to deliver the school readiness program,  
889 a school readiness program provider must:

890 (c) Provide basic health and safety of its premises and  
891 facilities and compliance with requirements for age-appropriate  
892 immunizations of children enrolled in the school readiness  
893 program.

894 1. For a provider that is licensed child care facility, a  
895 large family child care home, or a licensed family day care  
896 home, compliance with s. 402.305, s. 402.3131, or s. 402.313 and  
897 this subsection, as verified pursuant to s. 402.311, satisfies  
898 this requirement.

899 2. For a provider that is a registered family day care home  
900 or is not subject to licensure or registration by the Department  
901 of Children and Families, compliance with this subsection, as  
902 verified pursuant to s. 402.311, satisfies this requirement.

903 Upon verification pursuant to s. 402.311, the provider ~~For a~~  
904 ~~public or nonpublic school, compliance with s. 402.3025 or s.~~  
905 ~~1003.22 satisfies this requirement. A faith-based child care~~  
906 ~~provider, an informal child care provider, or a nonpublic~~  
907 ~~school, exempt from licensure under s. 402.316 or s. 402.3025,~~  
908 shall annually post ~~complete~~ the health and safety checklist  
909 adopted by the office, ~~post the checklist~~ prominently on its  
910 premises in plain sight for visitors and parents, and shall





911 annually submit the checklist ~~it annually~~ to its local early  
912 learning coalition.

913 (d) Provide an appropriate group size and staff-to-children  
914 ratio, ~~pursuant to s. 402.305(4) or s. 402.302(8) or (11), as~~  
915 ~~applicable, and as verified pursuant to s. 402.311.~~

916 (e) Employ child care personnel, as defined in s.  
917 402.302(3), who have satisfied the screening requirements of  
918 chapter 402 and fulfilled the training requirements of the  
919 office ~~Provide a healthy and safe environment pursuant to s.~~  
920 ~~402.305(5), (6), and (7), as applicable, and as verified~~  
921 ~~pursuant to s. 402.311.~~

922 Section 20. Subsections (6) and (7) of section 1002.89,  
923 Florida Statutes, are amended to read:

924 1002.89 School readiness program; funding.-

925 (6) Costs shall be kept to the minimum necessary for the  
926 efficient and effective administration of the school readiness  
927 program with the highest priority of expenditure being direct  
928 services for eligible children. However, no more than 5 percent  
929 of the funds described in subsection (5) may be used for  
930 administrative costs and no more than 22 percent of the funds  
931 described in subsection (5) may be used in any fiscal year for  
932 any combination of administrative costs, quality activities, and  
933 nondirect services as follows:

934 (a) Administrative costs as described in 45 C.F.R. s.  
935 98.52, which shall include monitoring providers using the  
936 standard methodology adopted under s. 1002.82 to improve  
937 compliance with state and federal regulations and law pursuant  
938 to the requirements of the statewide provider contract adopted  
939 under s. 1002.82(2)(m).



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940 (b) Activities to improve the quality of child care as  
941 described in 45 C.F.R. s. 98.51, which shall be limited to the  
942 following:

943 1. Developing, establishing, expanding, operating, and  
944 coordinating resource and referral programs specifically related  
945 to the provision of comprehensive consumer education to parents  
946 and the public to promote informed child care choices specified  
947 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~  
948 ~~readiness program and parental choice.~~

949 2. Awarding grants and providing financial support to  
950 school readiness program providers and their staff to assist  
951 them in meeting applicable state requirements for child care  
952 performance standards, implementing developmentally appropriate  
953 curricula and related classroom resources that support  
954 curricula, providing literacy supports, and providing continued  
955 professional development and training. Any grants awarded  
956 pursuant to this subparagraph shall comply with ~~the requirements~~  
957 ~~of~~ ss. 215.971 and 287.058.

958 3. Providing training, ~~and~~ technical assistance, and  
959 financial support to ~~for~~ school readiness program providers,  
960 staff, and parents on standards, child screenings, child  
961 assessments, child development research and best practices,  
962 developmentally appropriate curricula, character development,  
963 teacher-child interactions, age-appropriate discipline  
964 practices, health and safety, nutrition, first aid,  
965 cardiopulmonary resuscitation, the recognition of communicable  
966 diseases, and child abuse detection, ~~and~~ prevention, and  
967 reporting.

968 4. Providing, from among the funds provided for the



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969 activities described in subparagraphs 1.-3., adequate funding  
970 for infants and toddlers as necessary to meet federal  
971 requirements related to expenditures for quality activities for  
972 infant and toddler care.

973 5. Improving the monitoring of compliance with, and  
974 enforcement of, applicable state and local requirements as  
975 described in and limited by 45 C.F.R. s. 98.40.

976 6. Responding to Warm-Line requests by providers and  
977 parents ~~related to school readiness program children~~, including  
978 providing developmental and health screenings to school  
979 readiness program children.

980 (c) Nondirect services as described in applicable Office of  
981 Management and Budget instructions are those services not  
982 defined as administrative, direct, or quality services that are  
983 required to administer the school readiness program. Such  
984 services include, but are not limited to:

985 1. Assisting families to complete the required application  
986 and eligibility documentation.

987 2. Determining child and family eligibility.

988 3. Recruiting eligible child care providers.

989 4. Processing and tracking attendance records.

990 5. Developing and maintaining a statewide child care  
991 information system.

992  
993 As used in this paragraph, the term "nondirect services" does  
994 not include payments to school readiness program providers for  
995 direct services provided to children who are eligible under s.  
996 1002.87, administrative costs as described in paragraph (a), or  
997 quality activities as described in paragraph (b).



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998           (7) Funds appropriated for the school readiness program may  
999 not be expended for the purchase or improvement of land; for the  
1000 purchase, construction, or permanent improvement of any building  
1001 or facility; or for the purchase of buses. However, funds may be  
1002 expended for minor remodeling and upgrading of child care  
1003 facilities which is necessary for the administration of the  
1004 program and to ensure that providers meet state and local child  
1005 care standards, including applicable health and safety  
1006 requirements.

1007           Section 21. Paragraph (c) of subsection (2) of section  
1008 402.3025, Florida Statutes, is amended to read:

1009           402.3025 Public and nonpublic schools.—For the purposes of  
1010 ss. 402.301-402.319, the following shall apply:

1011           (2) NONPUBLIC SCHOOLS.—

1012           (c) Programs for children who are at least 3 years of age,  
1013 but under 5 years of age, shall not be deemed to be child care  
1014 and shall not be subject to the provisions of ss. 402.301-  
1015 402.319 relating to child care facilities, provided the programs  
1016 in the schools are operated and staffed directly by the schools,  
1017 provided a majority of the children enrolled in the schools are  
1018 5 years of age or older, and provided there is compliance with  
1019 the screening requirements for personnel pursuant to s. 402.305  
1020 ~~or s. 402.3057~~. A nonpublic school may designate certain  
1021 programs as child care, in which case these programs shall be  
1022 subject to the provisions of ss. 402.301-402.319.

1023           Section 22. Subsections (1) and (2) of section 413.092,  
1024 Florida Statutes, are amended to read:

1025           413.092 Blind Babies Program.—

1026           (1) The Blind Babies Program is created within the Division



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1027 of Blind Services of the Department of Education to provide  
1028 community-based early-intervention education to children from  
1029 birth through 5 years of age who are blind or visually impaired,  
1030 and to their parents, families, and caregivers, through  
1031 community-based provider organizations. The division shall  
1032 enlist parents, ophthalmologists, pediatricians, schools, the  
1033 Early Steps Program ~~Infant and Toddlers Early Intervention~~  
1034 ~~Programs~~, and therapists to help identify and enroll blind and  
1035 visually impaired children, as well as their parents, families,  
1036 and caregivers, in these educational programs.

1037 (2) The program is not an entitlement but shall promote  
1038 early development with a special emphasis on vision skills to  
1039 minimize developmental delays. The education shall lay the  
1040 groundwork for future learning by helping a child progress  
1041 through normal developmental stages. It shall teach children to  
1042 discover and make the best use of their skills for future  
1043 success in school. It shall seek to ensure that visually  
1044 impaired and blind children enter school as ready to learn as  
1045 their sighted classmates. The program shall seek to link these  
1046 children, and their parents, families, and caregivers, to other  
1047 available services, training, education, and employment programs  
1048 that could assist these families in the future. This linkage may  
1049 include referrals to the school districts and the Early Steps  
1050 ~~Infants and Toddlers Early Intervention~~ Program for assessments  
1051 to identify any additional services needed which are not  
1052 provided by the Blind Babies Program. The division shall develop  
1053 a formula for eligibility based on financial means and may  
1054 create a means-based matrix to set a copayment fee for families  
1055 having sufficient financial means.



1056           Section 23. Subsection (1) of section 1003.575, Florida  
1057 Statutes, is amended to read:  
1058           1003.575 Assistive technology devices; findings;  
1059 interagency agreements.—Accessibility, utilization, and  
1060 coordination of appropriate assistive technology devices and  
1061 services are essential as a young person with disabilities moves  
1062 from early intervention to preschool, from preschool to school,  
1063 from one school to another, and from school to employment or  
1064 independent living. If an individual education plan team makes a  
1065 recommendation in accordance with State Board of Education rule  
1066 for a student with a disability, as defined in s. 1003.01(3), to  
1067 receive an assistive technology assessment, that assessment must  
1068 be completed within 60 school days after the team's  
1069 recommendation. To ensure that an assistive technology device  
1070 issued to a young person as part of his or her individualized  
1071 family support plan, individual support plan, or an individual  
1072 education plan remains with the individual through such  
1073 transitions, the following agencies shall enter into interagency  
1074 agreements, as appropriate, to ensure the transaction of  
1075 assistive technology devices:  
1076           (1) The Early Steps ~~Florida Infants and Toddlers Early~~  
1077 ~~Intervention~~ Program in the Division of Children's Medical  
1078 Services of the Department of Health.  
1079  
1080 Interagency agreements entered into pursuant to this section  
1081 shall provide a framework for ensuring that young persons with  
1082 disabilities and their families, educators, and employers are  
1083 informed about the utilization and coordination of assistive  
1084 technology devices and services that may assist in meeting



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1085 transition needs, and shall establish a mechanism by which a  
1086 young person or his or her parent may request that an assistive  
1087 technology device remain with the young person as he or she  
1088 moves through the continuum from home to school to postschool.

1089 Section 24. This act shall take effect July 1, 2016.

1090  
1091 ===== T I T L E A M E N D M E N T =====

1092 And the title is amended as follows:

1093 Delete everything before the enacting clause  
1094 and insert:

1095 A bill to be entitled  
1096 An act relating to early childhood development;  
1097 amending s. 39.201, F.S.; providing an exception from  
1098 a prohibition against the use of information in the  
1099 Department of Children and Families central abuse  
1100 hotline for employment screening of certain child care  
1101 personnel; amending s. 39.202, F.S.; expanding the  
1102 list of entities that have access to child abuse  
1103 records for purposes of approving providers of school  
1104 readiness services; amending s. 383.141, F.S.;  
1105 revising the requirements for the Department of Health  
1106 to maintain a clearinghouse of information for parents  
1107 and health care providers and to increase public  
1108 awareness of developmental evaluation and early  
1109 intervention programs; requiring the clearinghouse to  
1110 use a specified term; revising the information to be  
1111 included in the clearinghouse; amending s. 391.025,  
1112 F.S.; renaming the "Infants and Toddlers Early  
1113 Intervention Program" as the "Early Steps Program";



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1114 revising the components of the Children's Medical  
1115 Services program; amending s. 391.026, F.S.; requiring  
1116 the department to serve as the lead agency in  
1117 administering the Early Steps Program; amending s.  
1118 391.301, F.S.; establishing the Early Steps Program  
1119 within the department; deleting provisions relating to  
1120 legislative findings; authorizing the program to  
1121 include certain screening and referral services for  
1122 specified purposes; providing requirements and  
1123 responsibilities for the program; amending s. 391.302,  
1124 F.S.; defining terms; revising the definitions of  
1125 certain terms; deleting terms; repealing ss. 391.303,  
1126 391.304, 391.305, 391.306, and 391.307, F.S., relating  
1127 to requirements for the Children's Medical Services  
1128 program, program coordination, program standards,  
1129 program funding and contracts, and program review,  
1130 respectively; amending s. 391.308, F.S.; renaming the  
1131 "Infants and Toddlers Early Intervention Program" as  
1132 the "Early Steps Program"; requiring, rather than  
1133 authorizing, the department to implement and  
1134 administer the program; requiring the department to  
1135 ensure that the program follows specified performance  
1136 standards; providing requirements of the program to  
1137 meet such performance standards; revising the duties  
1138 of the department; requiring the department to apply  
1139 specified eligibility criteria for the program based  
1140 on an appropriation of funds; providing duties for  
1141 local program offices; requiring the local program  
1142 office to negotiate and maintain agreements with





1143 specified providers and managed care organizations;  
1144 requiring the development of an individualized family  
1145 support plan for each child served in the program;  
1146 requiring the local program office to coordinate with  
1147 managed care organizations; requiring the department  
1148 to submit an annual report, subject to certain  
1149 requirements, to the Governor, the Legislature, and  
1150 the Florida Interagency Coordinating Council for  
1151 Infants and Toddlers by a specified date; designating  
1152 the Florida Interagency Coordinating Council for  
1153 Infants and Toddlers as the state interagency  
1154 coordinating council required by federal rule subject  
1155 to certain requirements; providing requirements for  
1156 the local program office and local school district to  
1157 prepare certain children for the transition to school  
1158 under certain circumstances; amending s. 402.302,  
1159 F.S.; revising the definition of the term "screening"  
1160 for purposes of child care licensing requirements;  
1161 repealing s. 402.3057, F.S., relating to persons not  
1162 required to be refingerprinted or rescreened; amending  
1163 s. 402.306, F.S.; requiring the Department of Children  
1164 and Families and local licensing agencies to  
1165 electronically post certain information relating to  
1166 child care and school readiness providers; amending s.  
1167 402.311, F.S.; requiring school readiness program  
1168 providers to provide the department or local licensing  
1169 agencies with access to facilities, personnel, and  
1170 records for inspection purposes; amending s. 402.319,  
1171 F.S.; requiring certain child care providers to submit



1172 an affidavit of compliance with certain mandatory  
1173 reporting requirements; amending s. 435.07, F.S.;  
1174 providing criteria for disqualification from  
1175 employment with a school readiness program provider;  
1176 amending s. 1002.82, F.S.; revising the duties of the  
1177 Office of Early Learning of the Department of  
1178 Education; requiring the office to coordinate with the  
1179 Department of Children and Families and local  
1180 licensing agencies for inspections of school readiness  
1181 program providers; amending s. 1002.84, F.S.; revising  
1182 provisions relating to determination of child  
1183 eligibility for school readiness programs; revising  
1184 requirements for determining parent copayments for  
1185 participation in the program; amending s. 1002.87,  
1186 F.S.; revising school readiness program eligibility  
1187 requirements; amending s. 1002.88, F.S.; revising  
1188 requirements for school readiness program providers;  
1189 amending s. 1002.89, F.S.; providing for additional  
1190 uses of funds for school readiness programs; amending  
1191 ss. 402.3025, 413.092, and 1003.575, F.S.; conforming  
1192 provisions to changes made by the act; providing an  
1193 effective date.