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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/19/2017	.	
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The Committee on Judiciary (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsections (35) through (80) of section
39.01, Florida Statutes, are redesignated as subsections (36)
through (81), respectively, a new subsection (35) is added to
that section, and subsections (10) and (32) and present
subsection (49) of that section are amended, to read:

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



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12 (10) "Caregiver" means the parent, legal custodian,
13 permanent guardian, adult household member, or other person
14 responsible for a child's welfare as defined in subsection (48)
15 ~~(47)~~.

16 (32) "Institutional child abuse or neglect" means
17 situations of known or suspected child abuse or neglect in which
18 the person allegedly perpetrating the child abuse or neglect is
19 an employee of a private school, public or private day care
20 center, residential home, institution, facility, or agency or
21 any other person at such institution responsible for the child's
22 care as defined in subsection (48) ~~(47)~~.

23 (35) "Legal father" means a man married to the mother at
24 the time of conception or birth of their child, unless paternity
25 has been otherwise determined by a court of competent
26 jurisdiction. If no man was married to the mother at the time of
27 birth or conception of the child, the term "legal father" means
28 a man named on the birth certificate of the child pursuant to s.
29 382.013(2), a man determined by a court order to be the father
30 of the child, or a man determined by an administrative
31 proceeding to be the father of the child.

32 (50)~~(49)~~ "Parent" means a woman who gives birth to a child
33 and a man whose consent to the adoption of the child would be
34 required under s. 63.062(1). "Parent" also means a man married
35 to the mother at the time of conception or birth of their child,
36 unless paternity has been otherwise determined by a court of
37 competent jurisdiction. If no man was married to the mother at
38 the time of birth or conception of the child, the term "legal
39 father" means a man named on the birth certificate of the child
40 pursuant to s. 382.013(2), a man determined by court order to be



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41 the father of the child, or a man determined by an
42 administrative proceeding to be the father of the child. If a
43 child has been legally adopted, the term "parent" means the
44 adoptive mother or father of the child. For purposes of this
45 chapter only, when the phrase "parent or legal custodian" is
46 used, it refers to rights or responsibilities of the parent and,
47 only if there is no living parent with intact parental rights,
48 to the rights or responsibilities of the legal custodian who has
49 assumed the role of the parent. The term does not include an
50 individual whose parental relationship to the child has been
51 legally terminated, or an alleged or prospective parent, unless:

52 (a) The parental status falls within the terms of s.
53 39.503(1) or s. 63.062(1); or

54 (b) Parental status is applied for the purpose of
55 determining whether the child has been abandoned.

56 Section 2. Subsection (6) of section 39.201, Florida
57 Statutes, is amended to read:

58 39.201 Mandatory reports of child abuse, abandonment, or
59 neglect; mandatory reports of death; central abuse hotline.—

60 (6) Information in the central abuse hotline may not be
61 used for employment screening, except as provided in s.
62 39.202(2)(a) and (h) or s. 402.302(15). Information in the
63 central abuse hotline and the department's automated abuse
64 information system may be used by the department, its authorized
65 agents or contract providers, the Department of Health, or
66 county agencies as part of the licensure or registration process
67 pursuant to ss. 402.301-402.319 and ss. 409.175-409.176.

68 Pursuant to s. 39.202(2)(q), the information in the central
69 abuse hotline may also be used by the Department of Education



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70 for purposes of educator certification discipline and review.
71 Additionally, in accordance with s. 409.145(2)(e), the
72 information in the central abuse hotline may be used for
73 employment screening for caregivers at residential group homes.

74 Section 2. Paragraphs (a), (d), and (e) of subsection (2)
75 of section 39.202, Florida Statutes, are amended to read:

76 39.202 Confidentiality of reports and records in cases of
77 child abuse or neglect.—

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

82 (a) Employees, authorized agents, or contract providers of
83 the department, the Department of Health, the Agency for Persons
84 with Disabilities, the Office of Early Learning, or county
85 agencies responsible for carrying out:

- 86 1. Child or adult protective investigations;
- 87 2. Ongoing child or adult protective services;
- 88 3. Early intervention and prevention services;
- 89 4. Healthy Start services;
- 90 5. Licensure or approval of adoptive homes, foster homes,
91 child care facilities, facilities licensed under chapter 393,
92 family day care homes, providers who receive school readiness
93 funding under part VI of chapter 1002, or other homes used to
94 provide for the care and welfare of children; ~~or~~

95 6. Employment screening for caregivers in residential group
96 homes; or

97 7.6. Services for victims of domestic violence when
98 provided by certified domestic violence centers working at the



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

100

101 Also, employees or agents of the Department of Juvenile Justice
102 responsible for the provision of services to children, pursuant
103 to chapters 984 and 985.

104 (d) The parent or legal custodian of any child who is
105 alleged to have been abused, abandoned, or neglected, and the
106 child, and their attorneys, including any attorney representing
107 a child in civil or criminal proceedings. This access shall be
108 made available no later than 60~~30~~ days after the department
109 receives the initial report of abuse, neglect, or abandonment.
110 However, any information otherwise made confidential or exempt
111 by law shall not be released pursuant to this paragraph.

112 (e) Any person alleged in the report as having caused the
113 abuse, abandonment, or neglect of a child. This access shall be
114 made available no later than 60~~30~~ days after the department
115 receives the initial report of abuse, abandonment, or neglect
116 and, when the alleged perpetrator is not a parent, shall be
117 limited to information involving the protective investigation
118 only and shall not include any information relating to
119 subsequent dependency proceedings. However, any information
120 otherwise made confidential or exempt by law shall not be
121 released pursuant to this paragraph.

122 Section 3. Paragraph (a) of subsection (9) of section
123 39.301, Florida Statutes, is amended, and subsection (23) is
124 added to that section, to read:

125 39.301 Initiation of protective investigations.—

126 (9) (a) For each report received from the central abuse
127 hotline and accepted for investigation, the department or the



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128 sheriff providing child protective investigative services under
129 s. 39.3065, shall perform the following child protective
130 investigation activities to determine child safety:

131 1. Conduct a review of all relevant, available information
132 specific to the child and family and alleged maltreatment;
133 family child welfare history; local, state, and federal criminal
134 records checks; and requests for law enforcement assistance
135 provided by the abuse hotline. Based on a review of available
136 information, including the allegations in the current report, a
137 determination shall be made as to whether immediate consultation
138 should occur with law enforcement, the child protection team, a
139 domestic violence shelter or advocate, or a substance abuse or
140 mental health professional. Such consultations should include
141 discussion as to whether a joint response is necessary and
142 feasible. A determination shall be made as to whether the person
143 making the report should be contacted before the face-to-face
144 interviews with the child and family members.

145 2. Conduct face-to-face interviews with the child; other
146 siblings, if any; and the parents, legal custodians, or
147 caregivers.

148 3. Assess the child's residence, including a determination
149 of the composition of the family and household, including the
150 name, address, date of birth, social security number, sex, and
151 race of each child named in the report; any siblings or other
152 children in the same household or in the care of the same
153 adults; the parents, legal custodians, or caregivers; and any
154 other adults in the same household.

155 4. Determine whether there is any indication that any child
156 in the family or household has been abused, abandoned, or



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157 neglected; the nature and extent of present or prior injuries,
158 abuse, or neglect, and any evidence thereof; and a determination
159 as to the person or persons apparently responsible for the
160 abuse, abandonment, or neglect, including the name, address,
161 date of birth, social security number, sex, and race of each
162 such person.

163 5. Complete assessment of immediate child safety for each
164 child based on available records, interviews, and observations
165 with all persons named in subparagraph 2. and appropriate
166 collateral contacts, which may include other professionals. The
167 department's child protection investigators are hereby
168 designated a criminal justice agency for the purpose of
169 accessing criminal justice information to be used for enforcing
170 this state's laws concerning the crimes of child abuse,
171 abandonment, and neglect. This information shall be used solely
172 for purposes supporting the detection, apprehension,
173 prosecution, pretrial release, posttrial release, or
174 rehabilitation of criminal offenders or persons accused of the
175 crimes of child abuse, abandonment, or neglect and may not be
176 further disseminated or used for any other purpose.

177 6. Document the present and impending dangers to each child
178 based on the identification of inadequate protective capacity
179 through utilization of a standardized safety assessment
180 instrument. If present or impending danger is identified, the
181 child protective investigator must implement a safety plan or
182 take the child into custody. If present danger is identified and
183 the child is not removed, the child protective investigator
184 shall create and implement a safety plan before leaving the home
185 or the location where there is present danger. If impending



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186 danger is identified, the child protective investigator shall
187 create and implement a safety plan as soon as necessary to
188 protect the safety of the child. The child protective
189 investigator may modify the safety plan if he or she identifies
190 additional impending danger.

191 a. If the child protective investigator implements a safety
192 plan, the plan must be specific, sufficient, feasible, and
193 sustainable in response to the realities of the present or
194 impending danger. A safety plan may be an in-home plan or an
195 out-of-home plan, or a combination of both. A safety plan may
196 include tasks or responsibilities for a parent, caregiver, or
197 legal custodian. However, a safety plan may not rely on
198 promissory commitments by the parent, caregiver, or legal
199 custodian who is currently not able to protect the child or on
200 services that are not available or will not result in the safety
201 of the child. A safety plan may not be implemented if for any
202 reason the parents, guardian, or legal custodian lacks the
203 capacity or ability to comply with the plan. If the department
204 is not able to develop a plan that is specific, sufficient,
205 feasible, and sustainable, the department shall file a shelter
206 petition. A child protective investigator shall implement
207 separate safety plans for the perpetrator of domestic violence,
208 if the investigator, using reasonable efforts, is able to locate
209 the perpetrator to implement a safety plan, and for the parent
210 who is a victim of domestic violence as defined in s. 741.28.
211 Reasonable efforts to locate a perpetrator include, but are not
212 limited to, a diligent search pursuant to the same requirements
213 as in s. 39.503. If the perpetrator of domestic violence is not
214 the parent, guardian, or legal custodian of any child in the



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215 home and if the department does not intend to file a shelter
216 petition or dependency petition that will assert allegations
217 against the perpetrator as a parent of a child in the home ~~the~~
218 ~~child~~, the child protective investigator shall seek issuance of
219 an injunction authorized by s. 39.504 to implement a safety plan
220 for the perpetrator and impose any other conditions to protect
221 the child. The safety plan for the parent who is a victim of
222 domestic violence may not be shared with the perpetrator. If any
223 party to a safety plan fails to comply with the safety plan
224 resulting in the child being unsafe, the department shall file a
225 shelter petition.

226 b. The child protective investigator shall collaborate with
227 the community-based care lead agency in the development of the
228 safety plan as necessary to ensure that the safety plan is
229 specific, sufficient, feasible, and sustainable. The child
230 protective investigator shall identify services necessary for
231 the successful implementation of the safety plan. The child
232 protective investigator and the community-based care lead agency
233 shall mobilize service resources to assist all parties in
234 complying with the safety plan. The community-based care lead
235 agency shall prioritize safety plan services to families who
236 have multiple risk factors, including, but not limited to, two
237 or more of the following:

- 238 (I) The parent or legal custodian is of young age;
239 (II) The parent or legal custodian, or an adult currently
240 living in or frequently visiting the home, has a history of
241 substance abuse, mental illness, or domestic violence;
242 (III) The parent or legal custodian, or an adult currently
243 living in or frequently visiting the home, has been previously



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244 found to have physically or sexually abused a child;

245 (IV) The parent or legal custodian or an adult currently
246 living in or frequently visiting the home has been the subject
247 of multiple allegations by reputable reports of abuse or
248 neglect;

249 (V) The child is physically or developmentally disabled; or

250 (VI) The child is 3 years of age or younger.

251 c. The child protective investigator shall monitor the
252 implementation of the plan to ensure the child's safety until
253 the case is transferred to the lead agency at which time the
254 lead agency shall monitor the implementation.

255 (23) If, at any time during a child protective
256 investigation, a child is born into a family under investigation
257 or a child moves into the home under investigation, the child
258 protective investigator shall add the child to the investigation
259 and assess the child's safety pursuant to subsection (7) and
260 paragraph (9) (a).

261 Section 4. Subsections (1) and (7) of section 39.302,
262 Florida Statutes, are amended to read:

263 39.302 Protective investigations of institutional child
264 abuse, abandonment, or neglect.—

265 (1) The department shall conduct a child protective
266 investigation of each report of institutional child abuse,
267 abandonment, or neglect. Upon receipt of a report that alleges
268 that an employee or agent of the department, or any other entity
269 or person covered by s. 39.01(32) or (48) ~~s. 39.01(32) or (47)~~,
270 acting in an official capacity, has committed an act of child
271 abuse, abandonment, or neglect, the department shall initiate a
272 child protective investigation within the timeframe established



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273 under s. 39.201(5) and notify the appropriate state attorney,
274 law enforcement agency, and licensing agency, which shall
275 immediately conduct a joint investigation, unless independent
276 investigations are more feasible. When conducting investigations
277 or having face-to-face interviews with the child, investigation
278 visits shall be unannounced unless it is determined by the
279 department or its agent that unannounced visits threaten the
280 safety of the child. If a facility is exempt from licensing, the
281 department shall inform the owner or operator of the facility of
282 the report. Each agency conducting a joint investigation is
283 entitled to full access to the information gathered by the
284 department in the course of the investigation. A protective
285 investigation must include an interview with the child's parent
286 or legal guardian. The department shall make a full written
287 report to the state attorney within 3 working days after making
288 the oral report. A criminal investigation shall be coordinated,
289 whenever possible, with the child protective investigation of
290 the department. Any interested person who has information
291 regarding the offenses described in this subsection may forward
292 a statement to the state attorney as to whether prosecution is
293 warranted and appropriate. Within 15 days after the completion
294 of the investigation, the state attorney shall report the
295 findings to the department and shall include in the report a
296 determination of whether or not prosecution is justified and
297 appropriate in view of the circumstances of the specific case.

298 (7) When an investigation of institutional abuse, neglect,
299 or abandonment is closed and a person is not identified as a
300 caregiver responsible for the abuse, neglect, or abandonment
301 alleged in the report, the fact that the person is named in some



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302 capacity in the report may not be used in any way to adversely
303 affect the interests of that person. This prohibition applies to
304 any use of the information in employment screening, licensing,
305 child placement, adoption, or any other decisions by a private
306 adoption agency or a state agency or its contracted providers.

307 (a) However, if such a person is a licensee of the
308 department and is named in any capacity in three or more reports
309 within a 5-year period, the department may review those reports
310 and determine whether the information contained in the reports
311 is relevant for purposes of determining whether the person's
312 license should be renewed or revoked. If the information is
313 relevant to the decision to renew or revoke the license, the
314 department may rely on the information contained in the report
315 in making that decision.

316 (b) Likewise, if a person is employed as a caregiver in a
317 residential group home licensed pursuant to s. 409.175 and is
318 named in any capacity in three or more reports within a 5-year
319 period, all reports may be reviewed for the purposes of the
320 employment screening required pursuant to s. 409.145(2) (e).

321 Section 5. Paragraph (c) of subsection (8) of section
322 39.402, Florida Statutes, is amended to read:

323 39.402 Placement in a shelter.—

324 (8)

325 (c) At the shelter hearing, the court shall:

326 1. Appoint a guardian ad litem to represent the best
327 interest of the child, unless the court finds that such
328 representation is unnecessary;

329 2. Inform the parents or legal custodians of their right to
330 counsel to represent them at the shelter hearing and at each



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331 subsequent hearing or proceeding, and the right of the parents
332 to appointed counsel, pursuant to the procedures set forth in s.
333 39.013; ~~and~~

334 3. Give the parents or legal custodians an opportunity to
335 be heard and to present evidence; and

336 4. Inquire of those present at the shelter hearing as to
337 the identity and location of the legal father. In determining
338 who the legal father of the child may be, the court shall
339 inquire under oath of those present at the shelter hearing
340 whether they have any of the following information:

341 a. Whether the mother of the child was married at the
342 probable time of conception of the child or at the time of birth
343 of the child.

344 b. Whether the mother was cohabiting with a male at the
345 probable time of conception of the child.

346 c. Whether the mother has received payments or promises of
347 support with respect to the child or because of her pregnancy
348 from a man who claims to be the father.

349 d. Whether the mother has named any man as the father on
350 the birth certificate of the child or in connection with
351 applying for or receiving public assistance.

352 e. Whether any man has acknowledged or claimed paternity of
353 the child in a jurisdiction in which the mother resided at the
354 time of or since conception of the child or in which the child
355 has resided or resides.

356 f. Whether a man is named on the birth certificate of the
357 child pursuant to s. 382.013(2).

358 g. Whether a man has been determined by a court order to be
359 the father of the child.



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360 h. Whether a man has been determined by an administrative
361 proceeding to be the father of the child.

362 Section 6. Subsections (1), (6), and (8) of section 39.503,
363 Florida Statutes, are amended, subsection (9) is added to that
364 section, and subsection (7) of that section is republished, to
365 read:

366 39.503 Identity or location of parent unknown; special
367 procedures.—

368 (1) If the identity or location of a parent is unknown and
369 a petition for dependency or shelter is filed, the court shall
370 conduct under oath the following inquiry of the parent or legal
371 custodian who is available, or, if no parent or legal custodian
372 is available, of any relative or custodian of the child who is
373 present at the hearing and likely to have any of the following
374 information:

375 (a) Whether the mother of the child was married at the
376 probable time of conception of the child or at the time of birth
377 of the child.

378 (b) Whether the mother was cohabiting with a male at the
379 probable time of conception of the child.

380 (c) Whether the mother has received payments or promises of
381 support with respect to the child or because of her pregnancy
382 from a man who claims to be the father.

383 (d) Whether the mother has named any man as the father on
384 the birth certificate of the child or in connection with
385 applying for or receiving public assistance.

386 (e) Whether any man has acknowledged or claimed paternity
387 of the child in a jurisdiction in which the mother resided at
388 the time of or since conception of the child, or in which the



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389 child has resided or resides.

390 (f) Whether a man is named on the birth certificate of the
391 child pursuant to s. 382.013(2).

392 (g) Whether a man has been determined by a court order to
393 be the father of the child.

394 (h) Whether a man has been determined by an administrative
395 proceeding to be the father of the child.

396 (6) The diligent search required by subsection (5) must
397 include, at a minimum, inquiries of all relatives of the parent
398 or prospective parent made known to the petitioner, inquiries of
399 all offices of program areas of the department likely to have
400 information about the parent or prospective parent, inquiries of
401 other state and federal agencies likely to have information
402 about the parent or prospective parent, inquiries of appropriate
403 utility and postal providers, a thorough search of at least one
404 electronic database specifically designed for locating persons,
405 a search of the Florida Putative Father Registry, and inquiries
406 of appropriate law enforcement agencies. Pursuant to s. 453 of
407 the Social Security Act, 42 U.S.C. s. 653(c)(4), the department,
408 as the state agency administering Titles IV-B and IV-E of the
409 act, shall be provided access to the federal and state parent
410 locator service for diligent search activities.

411 (7) Any agency contacted by a petitioner with a request for
412 information pursuant to subsection (6) shall release the
413 requested information to the petitioner without the necessity of
414 a subpoena or court order.

415 (8) If the inquiry and diligent search identifies a
416 prospective parent, that person must be given the opportunity to
417 become a party to the proceedings by completing a sworn



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418 affidavit of parenthood and filing it with the court or the
419 department. A prospective parent who files a sworn affidavit of
420 parenthood while the child is a dependent child but no later
421 than at the time of or before ~~prior to~~ the adjudicatory hearing
422 in any termination of parental rights proceeding for the child
423 shall be considered a parent for all purposes under this section
424 unless the other parent contests the determination of
425 parenthood. If the prospective parent does not file a sworn
426 affidavit of parenthood or if the other parent contests the
427 determination of parenthood, the court may, after considering
428 the best interest of the child, order scientific testing to
429 determine the maternity or paternity of the child. The court
430 shall assess the cost of the maternity or paternity
431 determination as a cost of litigation. If the court finds the
432 prospective parent to be a parent as a result of the scientific
433 testing, the court shall enter a judgment of maternity or
434 paternity, shall assess the cost of the scientific testing to
435 the parent, and shall enter an amount of child support to be
436 paid by the parent as determined under s. 61.30. If the known
437 parent contests the recognition of the prospective parent as a
438 parent, the prospective parent shall not be recognized as a
439 parent until proceedings to determine maternity or paternity
440 under ~~chapter 742~~ have been concluded. However, the prospective
441 parent shall continue to receive notice of hearings as a
442 participant until pending results of the ~~chapter 742~~ proceedings
443 to determine maternity or paternity have been concluded.

444 (9) If the diligent search under subsection (5) fails to
445 identify and locate a prospective parent, the court shall so
446 find and may proceed without further notice.



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447 Section 7. Section 39.504, Florida Statutes, is amended to
448 read:

449 39.504 Injunction ~~pending disposition of petition;~~
450 penalty.-

451 (1) At any time after a protective investigation has been
452 initiated pursuant to part III of this chapter, the court, upon
453 the request of the department, a law enforcement officer, the
454 state attorney, or other responsible person, or upon its own
455 motion, may, if there is reasonable cause, issue an injunction
456 to prevent any act of child abuse. Reasonable cause for the
457 issuance of an injunction exists if there is evidence of child
458 abuse or if there is a reasonable likelihood of such abuse
459 occurring based upon a recent overt act or failure to act. If
460 there is a pending dependency proceeding regarding the child
461 whom the injunction is sought to protect, the judge hearing the
462 dependency proceeding must also hear the injunction proceeding
463 regarding the child.

464 (2) The petitioner seeking the injunction shall file a
465 verified petition, or a petition along with an affidavit,
466 setting forth the specific actions by the alleged offender from
467 which the child must be protected and all remedies sought. Upon
468 filing the petition, the court shall set a hearing to be held at
469 the earliest possible time. Pending the hearing, the court may
470 issue a temporary ex parte injunction, with verified pleadings
471 or affidavits as evidence. The temporary ex parte injunction
472 pending a hearing is effective for up to 15 days and the hearing
473 must be held within that period unless continued for good cause
474 shown, which may include obtaining service of process, in which
475 case the temporary ex parte injunction shall be extended for the



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476 | continuance period. The hearing may be held sooner if the
477 | alleged offender has received reasonable notice.

478 | (3) Before the hearing, the alleged offender must be
479 | personally served with a copy of the petition, all other
480 | pleadings related to the petition, a notice of hearing, and, if
481 | one has been entered, the temporary injunction. If the
482 | petitioner is unable to locate the alleged offender for service
483 | after a diligent search pursuant to the same requirements as in
484 | s. 39.503 and the filing of an affidavit of diligent search, the
485 | court may enter the injunction based on the sworn petition and
486 | any affidavits. At the hearing, the court may base its
487 | determination on a sworn petition, testimony, or an affidavit
488 | and may hear all relevant and material evidence, including oral
489 | and written reports, to the extent of its probative value even
490 | though it would not be competent evidence at an adjudicatory
491 | hearing. Following the hearing, the court may enter a final
492 | injunction. The court may grant a continuance of the hearing at
493 | any time for good cause shown by any party. If a temporary
494 | injunction has been entered, it shall be continued during the
495 | continuance.

496 | (4) If an injunction is issued under this section, the
497 | primary purpose of the injunction must be to protect and promote
498 | the best interests of the child, taking the preservation of the
499 | child's immediate family into consideration.

500 | (a) The injunction applies to the alleged or actual
501 | offender in a case of child abuse or acts of domestic violence.
502 | The conditions of the injunction shall be determined by the
503 | court, which may include ordering the alleged or actual offender
504 | to:



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- 505 1. Refrain from further abuse or acts of domestic violence.
506 2. Participate in a specialized treatment program.
507 3. Limit contact or communication with the child victim,
508 other children in the home, or any other child.
509 4. Refrain from contacting the child at home, school, work,
510 or wherever the child may be found.
511 5. Have limited or supervised visitation with the child.
512 6. Vacate the home in which the child resides.
513 7. Comply with the terms of a safety plan implemented in
514 the injunction pursuant to s. 39.301.

515 (b) Upon proper pleading, the court may award the following
516 relief in a temporary ex parte or final injunction:

- 517 1. Exclusive use and possession of the dwelling to the
518 caregiver or exclusion of the alleged or actual offender from
519 the residence of the caregiver.
520 2. Temporary support for the child or other family members.
521 3. The costs of medical, psychiatric, and psychological
522 treatment for the child incurred due to the abuse, and similar
523 costs for other family members.
524

525 This paragraph does not preclude an adult victim of domestic
526 violence from seeking protection for himself or herself under s.
527 741.30.

528 (c) The terms of the final injunction shall remain in
529 effect until modified or dissolved by the court. The petitioner,
530 respondent, or caregiver may move at any time to modify or
531 dissolve the injunction. Notice of hearing on the motion to
532 modify or dissolve the injunction must be provided to all
533 parties, including the department. The injunction is valid and



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534 enforceable in all counties in the state.

535 (5) Service of process on the respondent shall be carried
536 out pursuant to s. 741.30. The department shall deliver a copy
537 of any injunction issued pursuant to this section to the
538 protected party or to a parent, caregiver, or individual acting
539 in the place of a parent who is not the respondent. Law
540 enforcement officers may exercise their arrest powers as
541 provided in s. 901.15(6) to enforce the terms of the injunction.

542 (6) Any person who fails to comply with an injunction
543 issued pursuant to this section commits a misdemeanor of the
544 first degree, punishable as provided in s. 775.082 or s.
545 775.083.

546 (7) The person against whom an injunction is entered under
547 this section does not automatically become a party to a
548 subsequent dependency action concerning the same child.

549 Section 8. Paragraph (b) of subsection (7) of section
550 39.507, Florida Statutes, is amended to read:

551 39.507 Adjudicatory hearings; orders of adjudication.—

552 (7)

553 (b) However, the court must determine whether each parent
554 or legal custodian identified in the case abused, abandoned, or
555 neglected the child or engaged in conduct that placed the child
556 at substantial risk of imminent abuse, abandonment, or neglect
557 in a subsequent evidentiary hearing. If a second parent is
558 served and brought into the proceeding after the adjudication,
559 and an ~~the~~ evidentiary hearing for the second parent is
560 conducted subsequent to the adjudication of the child, the court
561 shall supplement the adjudicatory order, disposition order, and
562 the case plan, as necessary. The petitioner is not required to



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563 prove actual harm or actual abuse by the second parent in order
564 for the court to make supplemental findings regarding the
565 conduct of the second parent. The court is not required to
566 conduct an evidentiary hearing for the second parent in order to
567 supplement the adjudicatory order, the disposition order, and
568 the case plan if the requirements of s. 39.506(3) or (5) are
569 satisfied. With the exception of proceedings pursuant to s.
570 39.811, the child's dependency status may not be retried or
571 readjudicated.

572 Section 9. Paragraph (a) of subsection (2) of section
573 39.5085, Florida Statutes, is amended to read:

574 39.5085 Relative Caregiver Program.—

575 (2) (a) The Department of Children and Families shall
576 establish, ~~and operate,~~ and implement the Relative Caregiver
577 Program ~~pursuant to eligibility guidelines established in this~~
578 ~~section as further implemented~~ by rule of the department. The
579 Relative Caregiver Program shall, within the limits of available
580 funding, provide financial assistance to:

581 1. Relatives who are within the fifth degree by blood or
582 marriage to the parent or stepparent of a child and who are
583 caring full-time for that dependent child in the role of
584 substitute parent as a result of a court's determination of
585 child abuse, neglect, or abandonment and subsequent placement
586 with the relative under this chapter.

587 2. Relatives who are within the fifth degree by blood or
588 marriage to the parent or stepparent of a child and who are
589 caring full-time for that dependent child, and a dependent half-
590 brother or half-sister of that dependent child, in the role of
591 substitute parent as a result of a court's determination of



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592 child abuse, neglect, or abandonment and subsequent placement
593 with the relative under this chapter.

594 3. Nonrelatives who are willing to assume custody and care
595 of a dependent child in the role of substitute parent as a
596 result of a court's determination of child abuse, neglect, or
597 abandonment and subsequent placement with the nonrelative
598 caregiver under this chapter. The court must find that a
599 proposed placement under this subparagraph is in the best
600 interest of the child.

601 4. The relative or nonrelative caregiver may not receive a
602 Relative Caregiver Program payment if the parent or stepparent
603 of the child resides in the home. However, a relative or
604 nonrelative may receive the Relative Caregiver Program payment
605 for a minor parent who is in his or her care, as well as for the
606 minor parent's child, if both children have been adjudicated
607 dependent and meet all other eligibility requirements. If the
608 caregiver is currently receiving the payment, the Relative
609 Caregiver Program payment must be terminated no later than the
610 first of the following month after the parent or stepparent
611 moves into the home, allowing for 10-day notice of adverse
612 action.

613
614 The placement may be court-ordered temporary legal custody to
615 the relative or nonrelative under protective supervision of the
616 department pursuant to s. 39.521(1)(c)3. ~~s. 39.521(1)(b)3.~~, or
617 court-ordered placement in the home of a relative or nonrelative
618 as a permanency option under s. 39.6221 or s. 39.6231 or under
619 former s. 39.622 if the placement was made before July 1, 2006.
620 The Relative Caregiver Program shall offer financial assistance



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621 to caregivers who would be unable to serve in that capacity
622 without the caregiver payment because of financial burden, thus
623 exposing the child to the trauma of placement in a shelter or in
624 foster care.

625 Section 10. Subsections (1), (2), (6), and (7) of section
626 39.521, Florida Statutes, are amended to read:

627 39.521 Disposition hearings; powers of disposition.—

628 (1) A disposition hearing shall be conducted by the court,
629 if the court finds that the facts alleged in the petition for
630 dependency were proven in the adjudicatory hearing, or if the
631 parents or legal custodians have consented to the finding of
632 dependency or admitted the allegations in the petition, have
633 failed to appear for the arraignment hearing after proper
634 notice, or have not been located despite a diligent search
635 having been conducted.

636 (a) A written case plan and a family functioning assessment
637 ~~pre-disposition study~~ prepared by an authorized agent of the
638 department must be approved by ~~filed with~~ the court. The
639 department must file the case plan and the family functioning
640 assessment with the court, serve a copy of the case plan on
641 ~~served upon~~ the parents of the child, and provide a copy of the
642 case plan ~~provided~~ to the representative of the guardian ad
643 litem program, if the program has been appointed, and provide a
644 copy ~~provided~~ to all other parties:

645 1. Not less than 72 hours before the disposition hearing,
646 if the disposition hearing occurs on or after the 60th day after
647 the child was placed in out-of-home care. All such case plans
648 must be approved by the court.

649 2. Not less than 72 hours before the case plan acceptance



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650 hearing, if the disposition hearing occurs before the 60th day
651 after the date the child was placed in out-of-home care and a
652 case plan has not been submitted pursuant to this paragraph, or
653 if the court does not approve the case plan at the disposition
654 hearing. ~~The case plan acceptance hearing must occur the court~~
655 ~~must set a hearing~~ within 30 days after the disposition hearing
656 to review and approve the case plan.

657 (b) The court may grant an exception to the requirement for
658 a family functioning assessment ~~pre-disposition study~~ by separate
659 order or within the judge's order of disposition upon finding
660 that all the family and child information required by subsection
661 (2) is available in other documents filed with the court.

662 (c) ~~(b)~~ When any child is adjudicated by a court to be
663 dependent, the court having jurisdiction of the child has the
664 power by order to:

665 1. Require the parent and, when appropriate, the legal
666 custodian and the child to participate in treatment and services
667 identified as necessary. The court may require the person who
668 has custody or who is requesting custody of the child to submit
669 to a mental health or substance abuse disorder assessment or
670 evaluation. The order may be made only upon good cause shown and
671 pursuant to notice and procedural requirements provided under
672 the Florida Rules of Juvenile Procedure. The mental health
673 assessment or evaluation must be administered by a qualified
674 professional as defined in s. 39.01, and the substance abuse
675 assessment or evaluation must be administered by a qualified
676 professional as defined in s. 397.311. The court may also
677 require such person to participate in and comply with treatment
678 and services identified as necessary, including, when



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679 appropriate and available, participation in and compliance with
680 a mental health court program established under chapter 394 or a
681 treatment-based drug court program established under s. 397.334.
682 Adjudication of a child as dependent based upon evidence of harm
683 as defined in s. 39.01(30)(g) demonstrates good cause, and the
684 court shall require the parent whose actions caused the harm to
685 submit to a substance abuse disorder assessment or evaluation
686 and to participate and comply with treatment and services
687 identified in the assessment or evaluation as being necessary.

688 In addition to supervision by the department, the court,
689 including the mental health court program or the treatment-based
690 drug court program, may oversee the progress and compliance with
691 treatment by a person who has custody or is requesting custody
692 of the child. The court may impose appropriate available
693 sanctions for noncompliance upon a person who has custody or is
694 requesting custody of the child or make a finding of
695 noncompliance for consideration in determining whether an
696 alternative placement of the child is in the child's best
697 interests. Any order entered under this subparagraph may be made
698 only upon good cause shown. This subparagraph does not authorize
699 placement of a child with a person seeking custody of the child,
700 other than the child's parent or legal custodian, who requires
701 mental health or substance abuse disorder treatment.

702 2. Require, if the court deems necessary, the parties to
703 participate in dependency mediation.

704 3. Require placement of the child either under the
705 protective supervision of an authorized agent of the department
706 in the home of one or both of the child's parents or in the home
707 of a relative of the child or another adult approved by the



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708 court, or in the custody of the department. Protective
709 supervision continues until the court terminates it or until the
710 child reaches the age of 18, whichever date is first. Protective
711 supervision shall be terminated by the court whenever the court
712 determines that permanency has been achieved for the child,
713 whether with a parent, another relative, or a legal custodian,
714 and that protective supervision is no longer needed. The
715 termination of supervision may be with or without retaining
716 jurisdiction, at the court's discretion, and shall in either
717 case be considered a permanency option for the child. The order
718 terminating supervision by the department must set forth the
719 powers of the custodian of the child and include the powers
720 ordinarily granted to a guardian of the person of a minor unless
721 otherwise specified. Upon the court's termination of supervision
722 by the department, further judicial reviews are not required if
723 permanency has been established for the child.

724 (d)~~(e)~~ At the conclusion of the disposition hearing, the
725 court shall schedule the initial judicial review hearing which
726 must be held no later than 90 days after the date of the
727 disposition hearing or after the date of the hearing at which
728 the court approves the case plan, whichever occurs earlier, but
729 in no event shall the review hearing be held later than 6 months
730 after the date of the child's removal from the home.

731 (e)~~(d)~~ The court shall, in its written order of
732 disposition, include all of the following:

- 733 1. The placement or custody of the child.
- 734 2. Special conditions of placement and visitation.
- 735 3. Evaluation, counseling, treatment activities, and other
736 actions to be taken by the parties, if ordered.



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737 4. The persons or entities responsible for supervising or
738 monitoring services to the child and parent.

739 5. Continuation or discharge of the guardian ad litem, as
740 appropriate.

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

743 a. Ninety days after the disposition hearing;

744 b. Ninety days after the court accepts the case plan;

745 c. Six months after the date of the last review hearing; or

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

749 7. If the child is in an out-of-home placement, child
750 support to be paid by the parents, or the guardian of the
751 child's estate if possessed of assets which under law may be
752 disbursed for the care, support, and maintenance of the child.
753 The court may exercise jurisdiction over all child support
754 matters, shall adjudicate the financial obligation, including
755 health insurance, of the child's parents or guardian, and shall
756 enforce the financial obligation as provided in chapter 61. The
757 state's child support enforcement agency shall enforce child
758 support orders under this section in the same manner as child
759 support orders under chapter 61. Placement of the child shall
760 not be contingent upon issuance of a support order.

761 8.a. If the court does not commit the child to the
762 temporary legal custody of an adult relative, legal custodian,
763 or other adult approved by the court, the disposition order
764 shall include the reasons for such a decision and shall include
765 a determination as to whether diligent efforts were made by the



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766 department to locate an adult relative, legal custodian, or
767 other adult willing to care for the child in order to present
768 that placement option to the court instead of placement with the
769 department.

770 b. If no suitable relative is found and the child is placed
771 with the department or a legal custodian or other adult approved
772 by the court, both the department and the court shall consider
773 transferring temporary legal custody to an adult relative
774 approved by the court at a later date, but neither the
775 department nor the court is obligated to so place the child if
776 it is in the child's best interest to remain in the current
777 placement.

778
779 For the purposes of this section, "diligent efforts to locate an
780 adult relative" means a search similar to the diligent search
781 for a parent, but without the continuing obligation to search
782 after an initial adequate search is completed.

783 9. Other requirements necessary to protect the health,
784 safety, and well-being of the child, to preserve the stability
785 of the child's educational placement, and to promote family
786 preservation or reunification whenever possible.

787 (f)(e) If the court finds that an in-home safety plan
788 prepared or approved by the department ~~the prevention or~~
789 ~~reunification efforts of the department~~ will allow the child to
790 remain safely at home or that conditions for return have been
791 met and an in-home safety plan prepared or approved by the
792 department will allow the child to be safely returned to the
793 home, the court shall allow the child to remain in or return to
794 the home after making a specific finding of fact that ~~the~~



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795 ~~reasons for removal have been remedied to the extent that the~~
796 ~~child's safety, well-being, and physical, mental, and emotional~~
797 ~~health will not be endangered.~~

798 (g)~~(f)~~ If the court places the child in an out-of-home
799 placement, the disposition order must include a written
800 determination that the child cannot safely remain at home with
801 an in-home safety plan ~~reunification or family preservation~~
802 ~~services~~ and that removal of the child is necessary to protect
803 the child. If the child is removed before the disposition
804 hearing, the order must also include a written determination as
805 to whether, after removal, the department made a reasonable
806 effort to reunify the parent and child. Reasonable efforts to
807 reunify are not required if the court finds that any of the acts
808 listed in s. 39.806(1)(f)-(l) have occurred. The department has
809 the burden of demonstrating that it made reasonable efforts.

810 1. For the purposes of this paragraph, the term "reasonable
811 effort" means the exercise of reasonable diligence and care by
812 the department to provide the services ordered by the court or
813 delineated in the case plan.

814 2. In support of its determination as to whether reasonable
815 efforts have been made, the court shall:

816 a. Enter written findings as to whether an in-home safety
817 plan could have prevented removal ~~prevention or reunification~~
818 ~~efforts were indicated.~~

819 b. If an in-home safety plan was ~~prevention or~~
820 ~~reunification efforts were~~ indicated, include a brief written
821 description of what appropriate and available safety management
822 services ~~prevention and reunification efforts~~ were initiated
823 ~~made.~~



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824 c. Indicate in writing why further efforts could or could
825 not have prevented or shortened the separation of the parent and
826 child.

827 3. A court may find that the department made a reasonable
828 effort to prevent or eliminate the need for removal if:

829 a. The first contact of the department with the family
830 occurs during an emergency;

831 b. The department's assessment ~~appraisal by the department~~
832 of the home situation indicates a substantial and immediate
833 danger to the child's safety or physical, mental, or emotional
834 health which cannot be mitigated by the provision of safety
835 management ~~preventive~~ services;

836 c. The child cannot safely remain at home, because there
837 are no safety management ~~preventive~~ services that can ensure the
838 health and safety of the child or, even with appropriate and
839 available services being provided, the health and safety of the
840 child cannot be ensured; or

841 d. The parent is alleged to have committed any of the acts
842 listed as grounds for expedited termination of parental rights
843 under s. 39.806(1)(f)-(l).

844 4. A reasonable effort by the department for reunification
845 has been made if the appraisal of the home situation by the
846 department indicates that the severity of the conditions of
847 dependency is such that reunification efforts are inappropriate.
848 The department has the burden of demonstrating to the court that
849 reunification efforts were inappropriate.

850 5. If the court finds that the provision of safety
851 management services by ~~prevention or reunification effort of the~~
852 department would not have permitted the child to remain safely



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853 at home, the court may commit the child to the temporary legal
854 custody of the department or take any other action authorized by
855 this chapter.

856 (2) The family functioning assessment ~~predisposition study~~
857 must provide the court with the following documented
858 information:

859 (a) Evidence of maltreatment and the circumstances
860 accompanying the maltreatment.

861 (b) Identification of all danger threats active in the
862 home.

863 (c) An assessment of the adult functioning of the parents.

864 (d) An assessment of general parenting practices and the
865 parent's disciplinary approach and behavior management methods.

866 (e) An assessment of the parent's behavioral, emotional,
867 and cognitive protective capacities.

868 (f) An assessment of child functioning.

869 (g) A safety analysis describing the capacity for an in-
870 home safety plan to control the conditions that result in the
871 child being unsafe and the specific actions necessary to keep
872 the child safe.

873 (h) Identification of the conditions for return which would
874 allow the child to be placed safely back into the home with an
875 in-home safety plan and any safety management services necessary
876 to ensure the child's safety.

877 ~~(a) The capacity and disposition of the parents to provide~~
878 ~~the child with food, clothing, medical care, or other remedial~~
879 ~~care recognized and permitted under the laws of this state in~~
880 ~~lieu of medical care, and other material needs.~~

881 ~~(b) The length of time the child has lived in a stable,~~



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882 ~~satisfactory environment and the desirability of maintaining~~
883 ~~continuity.~~

884 ~~(c) The mental and physical health of the parents.~~

885 ~~(d) The home, school, and community record of the child.~~

886 ~~(i)(e)~~ The reasonable preference of the child, if the court
887 deems the child to be of sufficient intelligence, understanding,
888 and experience to express a preference.

889 ~~(f) Evidence of domestic violence or child abuse.~~

890 ~~(g) An assessment defining the dangers and risks of~~
891 ~~returning the child home, including a description of the changes~~
892 ~~in and resolutions to the initial risks.~~

893 ~~(h) A description of what risks are still present and what~~
894 ~~resources are available and will be provided for the protection~~
895 ~~and safety of the child.~~

896 ~~(i) A description of the benefits of returning the child~~
897 ~~home.~~

898 ~~(j) A description of all unresolved issues.~~

899 ~~(j)(k)~~ Child welfare A Florida Abuse Hotline Information
900 System (FAHIS) history from the Statewide Automated Child
901 Welfare Information System (SACWIS) and criminal records check
902 for all caregivers, family members, and individuals residing
903 within the household from which the child was removed.

904 ~~(k)(l)~~ The complete report and recommendation of the child
905 protection team of the Department of Health or, if no report
906 exists, a statement reflecting that no report has been made.

907 ~~(l)(m)~~ All opinions or recommendations from other
908 professionals or agencies that provide evaluative, social,
909 reunification, or other services to the parent and child.

910 ~~(m)(n)~~ A listing of appropriate and available safety



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911 ~~management prevention and reunification~~ services for the parent
912 and child to prevent the removal of the child from the home or
913 to reunify the child with the parent after removal and an ~~to~~
914 ~~reunify the child with the parent after removal, including the~~
915 ~~availability of family preservation services and an~~ explanation
916 of the following:

917 1. If the services were or were not provided.

918 2. If the services were provided, the outcome of the
919 services.

920 3. If the services were not provided, why they were not
921 provided.

922 4. If the services are currently being provided and if they
923 need to be continued.

924 ~~(o) A listing of other prevention and reunification~~
925 ~~services that were available but determined to be inappropriate~~
926 ~~and why.~~

927 ~~(p) Whether dependency mediation was provided.~~

928 (n) ~~(q)~~ If the child has been removed from the home and
929 there is a parent who may be considered for custody pursuant to
930 this section, a recommendation as to whether placement of the
931 child with that parent would be detrimental to the child.

932 (o) ~~(r)~~ If the child has been removed from the home and will
933 be remaining with a relative, parent, or other adult approved by
934 the court, a home study report concerning the proposed placement
935 shall be provided to the court ~~included in the predisposition~~
936 ~~report~~. Before recommending to the court any out-of-home
937 placement for a child other than placement in a licensed shelter
938 or foster home, the department shall conduct a study of the home
939 of the proposed legal custodians, which must include, at a



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940 minimum:

941 1. An interview with the proposed legal custodians to
942 assess their ongoing commitment and ability to care for the
943 child.

944 2. Records checks through the State Automated Child Welfare
945 Information System (SACWIS), and local and statewide criminal
946 and juvenile records checks through the Department of Law
947 Enforcement, on all household members 12 years of age or older.
948 In addition, the fingerprints of any household members who are
949 18 years of age or older may be submitted to the Department of
950 Law Enforcement for processing and forwarding to the Federal
951 Bureau of Investigation for state and national criminal history
952 information. The department has the discretion to request State
953 Automated Child Welfare Information System (SACWIS) and local,
954 statewide, and national criminal history checks and
955 fingerprinting of any other visitor to the home who is made
956 known to the department. Out-of-state criminal records checks
957 must be initiated for any individual who has resided in a state
958 other than Florida if that state's laws allow the release of
959 these records. The out-of-state criminal records must be filed
960 with the court within 5 days after receipt by the department or
961 its agent.

962 3. An assessment of the physical environment of the home.

963 4. A determination of the financial security of the
964 proposed legal custodians.

965 5. A determination of suitable child care arrangements if
966 the proposed legal custodians are employed outside of the home.

967 6. Documentation of counseling and information provided to
968 the proposed legal custodians regarding the dependency process



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969 and possible outcomes.

970 7. Documentation that information regarding support
971 services available in the community has been provided to the
972 proposed legal custodians.

973 8. The reasonable preference of the child, if the court
974 deems the child to be of sufficient intelligence, understanding,
975 and experience to express a preference.

976

977 The department may not place the child or continue the placement
978 of the child in a home under shelter or postdisposition
979 placement if the results of the home study are unfavorable,
980 unless the court finds that this placement is in the child's
981 best interest.

982 ~~(p)~~ If the child has been removed from the home, a
983 determination of the amount of child support each parent will be
984 required to pay pursuant to s. 61.30.

985 ~~(t) If placement of the child with anyone other than the~~
986 ~~child's parent is being considered, the predisposition study~~
987 ~~shall include the designation of a specific length of time as to~~
988 ~~when custody by the parent will be reconsidered.~~

989

990 Any other relevant and material evidence, including other
991 written or oral reports, may be received by the court in its
992 effort to determine the action to be taken with regard to the
993 child and may be relied upon to the extent of its probative
994 value, even though not competent in an adjudicatory hearing.
995 Except as otherwise specifically provided, nothing in this
996 section prohibits the publication of proceedings in a hearing.

997 (6) With respect to a child who is the subject in



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998 proceedings under this chapter, the court may issue to the
999 department an order to show cause why it should not return the
1000 child to the custody of the parents upon the presentation of
1001 evidence that the conditions for return of the child have been
1002 met ~~expiration of the case plan, or sooner if the parents have~~
1003 ~~substantially complied with the case plan.~~

1004 (7) The court may enter an order ending its jurisdiction
1005 over a child when a child has been returned to the parents,
1006 provided the court shall not terminate its jurisdiction or the
1007 department's supervision over the child until 6 months after the
1008 child's return. The department shall supervise the placement of
1009 the child after reunification for at least 6 months with each
1010 parent or legal custodian from whom the child was removed. The
1011 court shall determine whether its jurisdiction should be
1012 continued or terminated in such a case based on a report of the
1013 department or agency or the child's guardian ad litem, and any
1014 other relevant factors; if its jurisdiction is to be terminated,
1015 the court shall enter an order to that effect.

1016 Section 11. Subsections (2) and (3) of section 39.522,
1017 Florida Statutes, are amended to read:

1018 39.522 Postdisposition change of custody.—The court may
1019 change the temporary legal custody or the conditions of
1020 protective supervision at a postdisposition hearing, without the
1021 necessity of another adjudicatory hearing.

1022 (2) In cases where the issue before the court is whether a
1023 child should be reunited with a parent, the court shall review
1024 the conditions for return and determine whether the
1025 circumstances that caused the out-of-home placement and issues
1026 subsequently identified have been remedied ~~parent has~~



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1027 ~~substantially complied with the terms of the case plan to the~~
1028 ~~extent that the return of the child to the home with an in-home~~
1029 ~~safety plan prepared or approved by the department will not be~~
1030 ~~detrimental to the child's safety, well-being, and physical,~~
1031 ~~mental, and emotional health of the child is not endangered by~~
1032 ~~the return of the child to the home.~~

1033 (3) In cases where the issue before the court is whether a
1034 child who is placed in the custody of a parent should be
1035 reunited with the other parent upon a finding that the
1036 circumstances that caused the out-of-home placement and issues
1037 subsequently identified have been remedied to the extent that
1038 the return of the child to the home of the other parent with an
1039 in-home safety plan prepared or approved by the department will
1040 not be detrimental to the child ~~of substantial compliance with~~
1041 ~~the terms of the case plan,~~ the standard shall be that the
1042 safety, well-being, and physical, mental, and emotional health
1043 of the child would not be endangered by reunification and that
1044 reunification would be in the best interest of the child.

1045 Section 12. Effective January 1, 2018, section 39.523,
1046 Florida Statutes, is amended to read:

1047 (Substantial rewording of section. See
1048 s. 39.523, F.S., for present text.)
1049 39.523 Placement in out-of-home care.-

1050 (1) LEGISLATIVE FINDINGS AND INTENT.-

1051 (a) The Legislature finds that it is a basic tenet of child
1052 welfare practice and the law that children be placed in the
1053 least restrictive, most family-like setting available in close
1054 proximity to the home of their parents, consistent with the best
1055 interests and needs of the child, and that children be placed in



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1056 permanent homes in a timely manner.

1057 (b) The Legislature also finds that there is an association
1058 between frequent placement changes and adverse outcomes for the
1059 child, that mismatching placements to children's needs has been
1060 identified as a factor that negatively impacts placement
1061 stability and that identifying the right placement for each
1062 child requires effective assessment.

1063 (c) It is the intent of the Legislature that whenever a
1064 child is unable to safely remain at home with a parent, the most
1065 appropriate available out-of-home placement shall be chosen
1066 after an assessment of the child's needs and the availability of
1067 caregivers qualified to meet the child's needs.

1068 (2) ASSESSMENT AND PLACEMENT.— When any child is removed
1069 from a home and placed into out-of-home care, a comprehensive
1070 placement assessment process shall be completed to determine the
1071 level of care needed by the child and match the child with the
1072 most appropriate placement.

1073 (a) The community-based care lead agency or sub-contacted
1074 agency with the responsibility for assessment and placement must
1075 coordinate a multi-disciplinary team staffing with any available
1076 individual currently involved with the child including, but not
1077 limited to, a representative from the department and the case
1078 manager for the child; a therapist, attorney ad-litem, guardian
1079 ad litem, teachers, coaches, Children's Medical Services and
1080 other community providers of services to the child or
1081 stakeholders as applicable. The team should also include clergy,
1082 relatives and fictive kin. Team participants must gather data
1083 and information on the child that is known at the time
1084 including, but not limited to:



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1085 1. Mental, medical, behavioral health and medication
1086 history;
1087 2. Community ties and school placement;
1088 3. Current placement decisions relating to any siblings;
1089 4. Alleged type of abuse or neglect including sexual abuse
1090 and trafficking history; and
1091 5. The child's age, maturity, strengths, hobbies or
1092 activities, and the child's preference for placement.
1093 (b) The comprehensive placement assessment process may also
1094 include the use of an assessment instrument or tool that is best
1095 suited for the individual child.
1096 (c) The most appropriate available out-of-home placement
1097 shall be chosen after consideration by all members of the multi-
1098 disciplinary team of all of the information and data gathered,
1099 including the results and recommendations of any evaluations
1100 conducted
1101 (d) Placement decisions for each child in out-of-home
1102 placement shall be reviewed as often as necessary to ensure
1103 permanency issues related to this population of children are
1104 addressed.
1105 (e) The department shall document all placement assessments
1106 and placement decisions in the Florida Safe Families Network.
1107 (f) If it is determined during the comprehensive placement
1108 assessment process that residential treatment as defined in s.
1109 39.407 would be suitable for the child, the procedures in that
1110 section must be followed.
1111 (3) JUDICIAL REVIEW.— At each judicial review, the court
1112 shall consider the results of the assessment, the placement
1113 decision made for the child and services provided to the child



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1114 as required under s. 39.701.

1115 (4) DATA COLLECTION.— The department shall collect the
1116 following information by community-based care lead agency and
1117 post it on the Department of Children and Families' website. The
1118 information is to be updated on January 1 and July 1 of each
1119 year.

1120 (a) The number of children placed with relatives and
1121 nonrelatives, in family foster homes, and in residential group
1122 care.

1123 (b) An inventory of available services that are necessary
1124 to maintain children in the least restrictive settings and a
1125 plan for filling any identified gap in those services.

1126 (c) The number of children who were placed based upon the
1127 assessment.

1128 (d) An inventory of existing placements for children by
1129 type and by community-based care lead agency.

1130 (e) The strategies being used by community-based care lead
1131 agencies to recruit, train, and support an adequate number of
1132 families to provide home-based family care.

1133 (5) RULEMAKING.— The department may adopt rules necessary
1134 to carry out the provisions of this section.

1135 Section 13. Section 39.6001, Florida Statutes, is created
1136 to read:

1137 39.6001 .— Safe care plans for substance exposed newborns.—
1138 The department, in partnership with the Department of Health,
1139 the Agency for Health Care Administration, other state agencies,
1140 and community partners, shall develop a strategy for coordinated
1141 services to ensure the safety and well-being of newborns with
1142 prenatal substance exposure by creating, implementing, and



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1143 monitoring safe care plans. A safe care plan is a written plan
1144 for a newborn with prenatal substance abuse exposure following
1145 the newborn's release from the care of a health care provider.
1146 The plan must address the health and substance abuse disorder
1147 treatment needs of the newborn through infancy and the affected
1148 family or caregiver. The department shall monitor such plans to
1149 ensure appropriate referrals are made and services are delivered
1150 to the newborn and the affected family or caregiver.

1151 Section 14. Subsection (1) of section 39.6011, Florida
1152 Statutes, is amended to read:

1153 39.6011 Case plan development.—

1154 (1) The department shall prepare a draft of the case plan
1155 for each child receiving services under this chapter. A parent
1156 of a child may not be threatened or coerced with the loss of
1157 custody or parental rights for failing to admit in the case plan
1158 of abusing, neglecting, or abandoning a child. Participating in
1159 the development of a case plan is not an admission to any
1160 allegation of abuse, abandonment, or neglect, and it is not a
1161 consent to a finding of dependency or termination of parental
1162 rights. The case plan shall be developed subject to the
1163 following requirements:

1164 (a) The case plan must be developed in a face-to-face
1165 conference with the parent of the child, any court-appointed
1166 guardian ad litem, and, if appropriate, the child and the
1167 temporary custodian of the child.

1168 (b) Notwithstanding s. 39.202, the department may discuss
1169 confidential information during the case planning conference in
1170 the presence of individuals who participate in the conference.
1171 All individuals who participate in the conference shall maintain



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1172 the confidentiality of all information shared during the case
1173 planning conference.

1174 (c)~~(b)~~ The parent may receive assistance from any person or
1175 social service agency in preparing the case plan. The social
1176 service agency, the department, and the court, when applicable,
1177 shall inform the parent of the right to receive such assistance,
1178 including the right to assistance of counsel.

1179 (d)~~(e)~~ If a parent is unwilling or unable to participate in
1180 developing a case plan, the department shall document that
1181 unwillingness or inability to participate. The documentation
1182 must be provided in writing to the parent when available for the
1183 court record, and the department shall prepare a case plan
1184 conforming as nearly as possible with the requirements set forth
1185 in this section. The unwillingness or inability of the parent to
1186 participate in developing a case plan does not preclude the
1187 filing of a petition for dependency or for termination of
1188 parental rights. The parent, if available, must be provided a
1189 copy of the case plan and be advised that he or she may, at any
1190 time before the filing of a petition for termination of parental
1191 rights, enter into a case plan and that he or she may request
1192 judicial review of any provision of the case plan with which he
1193 or she disagrees at any court hearing set for the child.

1194 Section 14. Subsection (1) of section 39.6012, Florida
1195 Statutes, is amended to read:

1196 39.6012 Case plan tasks; services.—

1197 (1) The services to be provided to the parent and the tasks
1198 that must be completed are subject to the following:

1199 (a) The services described in the case plan must be
1200 designed to improve the conditions in the home and aid in



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1201 maintaining the child in the home, facilitate the child's safe
1202 return to the home, ensure proper care of the child, or
1203 facilitate the child's permanent placement. The services offered
1204 must be the least intrusive possible into the life of the parent
1205 and child, must focus on clearly defined objectives, and must
1206 provide the most efficient path to quick reunification or
1207 permanent placement given the circumstances of the case and the
1208 child's need for safe and proper care.

1209 (b) The case plan must describe each of the tasks with
1210 which the parent must comply and the services to be provided to
1211 the parent, specifically addressing the identified problem,
1212 including:

1213 1. The type of services or treatment.

1214 2. The date the department will provide each service or
1215 referral for the service if the service is being provided by the
1216 department or its agent.

1217 3. The date by which the parent must complete each task.

1218 4. The frequency of services or treatment provided. The
1219 frequency of the delivery of services or treatment provided
1220 shall be determined by the professionals providing the services
1221 or treatment on a case-by-case basis and adjusted according to
1222 their best professional judgment.

1223 5. The location of the delivery of the services.

1224 6. The staff of the department or service provider
1225 accountable for the services or treatment.

1226 7. A description of the measurable objectives, including
1227 the timeframes specified for achieving the objectives of the
1228 case plan and addressing the identified problem.

1229 (c) If there is evidence of harm as defined in s.



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1230 39.01(30)(g), the case plan must include as a required task for
1231 the parent whose actions caused the harm that the parent submit
1232 to a substance abuse disorder assessment or evaluation and
1233 participate and comply with treatment and services identified in
1234 the assessment or evaluation as being necessary.

1235 Section 15. Subsection (7) is added to section 39.6221,
1236 Florida Statutes, to read:

1237 39.6221 Permanent guardianship of a dependent child.—

1238 (7) The requirements of s. 61.13001 do not apply to
1239 permanent guardianships established under this section.

1240 Section 16. Paragraph (h) is added to subsection (1) of
1241 section 39.701, Florida Statutes, to read:

1242 39.701 Judicial review.—

1243 (1) GENERAL PROVISIONS.—

1244 (h) If a child is born into a family that is under the
1245 court's jurisdiction or a child moves into a home that is under
1246 the court's jurisdiction, the department shall assess the
1247 child's safety and provide notice to the court.

1248 1. The department shall complete an assessment to determine
1249 how the addition of a child will impact family functioning. The
1250 assessment must be completed at least 30 days before a child is
1251 expected to be born or to move into a home, or within 72 hours
1252 after the department learns of the pregnancy or addition if the
1253 child is expected to be born or to move into the home in less
1254 than 30 days. The assessment shall be filed with the court.

1255 2. Once a child is born into a family or a child moves into
1256 the home, the department shall complete a progress update and
1257 file it with the court.

1258 3. The court has the discretion to hold a hearing on the



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1259 progress update filed by the department.

1260 4. The department shall adopt rules to implement this
1261 subsection.

1262 Section 17. Subsection (3) of section 39.801, Florida
1263 Statutes, is amended to read:

1264 39.801 Procedures and jurisdiction; notice; service of
1265 process.—

1266 (3) Before the court may terminate parental rights, in
1267 addition to the other requirements set forth in this part, the
1268 following requirements must be met:

1269 (a) Notice of the date, time, and place of the advisory
1270 hearing for the petition to terminate parental rights and a copy
1271 of the petition must be personally served upon the following
1272 persons, specifically notifying them that a petition has been
1273 filed:

1274 1. The parents of the child.

1275 2. The legal custodians of the child.

1276 3. If the parents who would be entitled to notice are dead
1277 or unknown, a living relative of the child, unless upon diligent
1278 search and inquiry no such relative can be found.

1279 4. Any person who has physical custody of the child.

1280 5. Any grandparent entitled to priority for adoption under
1281 s. 63.0425.

1282 6. Any prospective parent who has been identified under s.
1283 39.503 or s. 39.803, unless a court order has been entered
1284 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which
1285 indicates no further notice is required. Except as otherwise
1286 provided in this section, if there is not a legal father, notice
1287 of the petition for termination of parental rights must be



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1288 provided to any known prospective father who is identified under
1289 oath before the court or who is identified by a diligent search
1290 of the Florida Putative Father Registry. Service of the notice
1291 of the petition for termination of parental rights may not be
1292 required if the prospective father executes an affidavit of
1293 nonpaternity or a consent to termination of his parental rights
1294 which is accepted by the court after notice and opportunity to
1295 be heard by all parties to address the best interests of the
1296 child in accepting such affidavit.

1297 7. The guardian ad litem for the child or the
1298 representative of the guardian ad litem program, if the program
1299 has been appointed.

1300
1301 The document containing the notice to respond or appear must
1302 contain, in type at least as large as the type in the balance of
1303 the document, the following or substantially similar language:

1304 "FAILURE TO PERSONALLY APPEAR AT THIS ADVISORY HEARING
1305 CONSTITUTES CONSENT TO THE TERMINATION OF PARENTAL RIGHTS OF
1306 THIS CHILD (OR CHILDREN). IF YOU FAIL TO APPEAR ON THE DATE AND
1307 TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS A PARENT TO THE
1308 CHILD OR CHILDREN NAMED IN THE PETITION ATTACHED TO THIS
1309 NOTICE."

1310 (b) If a party required to be served with notice as
1311 prescribed in paragraph (a) cannot be served, notice of hearings
1312 must be given as prescribed by the rules of civil procedure, and
1313 service of process must be made as specified by law or civil
1314 actions.

1315 (c) Notice as prescribed by this section may be waived, in
1316 the discretion of the judge, with regard to any person to whom



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1317 notice must be given under this subsection if the person
1318 executes, before two witnesses and a notary public or other
1319 officer authorized to take acknowledgments, a written surrender
1320 of the child to a licensed child-placing agency or the
1321 department.

1322 (d) If the person served with notice under this section
1323 fails to personally appear at the advisory hearing, the failure
1324 to personally appear shall constitute consent for termination of
1325 parental rights by the person given notice. If a parent appears
1326 for the advisory hearing and the court orders that parent to
1327 personally appear at the adjudicatory hearing for the petition
1328 for termination of parental rights, stating the date, time, and
1329 location of said hearing, then failure of that parent to
1330 personally appear at the adjudicatory hearing shall constitute
1331 consent for termination of parental rights.

1332 Section 18. Section 39.803, Florida Statutes, is amended,
1333 to read:

1334 39.803 Identity or location of parent unknown after filing
1335 of termination of parental rights petition; special procedures.-

1336 (1) If the identity or location of a parent is unknown and
1337 a petition for termination of parental rights is filed, the
1338 court shall conduct under oath the following inquiry of the
1339 parent who is available, or, if no parent is available, of any
1340 relative, caregiver, or legal custodian of the child who is
1341 present at the hearing and likely to have the information:

1342 (a) Whether the mother of the child was married at the
1343 probable time of conception of the child or at the time of birth
1344 of the child.

1345 (b) Whether the mother was cohabiting with a male at the



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1346 probable time of conception of the child.

1347 (c) Whether the mother has received payments or promises of
1348 support with respect to the child or because of her pregnancy
1349 from a man who claims to be the father.

1350 (d) Whether the mother has named any man as the father on
1351 the birth certificate of the child or in connection with
1352 applying for or receiving public assistance.

1353 (e) Whether any man has acknowledged or claimed paternity
1354 of the child in a jurisdiction in which the mother resided at
1355 the time of or since conception of the child, or in which the
1356 child has resided or resides.

1357 (f) Whether a man is named on the birth certificate of the
1358 child pursuant to s. 382.013(2).

1359 (g) Whether a man has been determined by a court order to
1360 be the father of the child.

1361 (h) Whether a man has been determined by an administrative
1362 proceeding to be the father of the child.

1363 (2) The information required in subsection (1) may be
1364 supplied to the court or the department in the form of a sworn
1365 affidavit by a person having personal knowledge of the facts.

1366 (3) If the inquiry under subsection (1) identifies any
1367 person as a parent or prospective parent, the court shall
1368 require notice of the hearing to be provided to that person.

1369 (4) If the inquiry under subsection (1) fails to identify
1370 any person as a parent or prospective parent, the court shall so
1371 find and may proceed without further notice.

1372 (5) If the inquiry under subsection (1) identifies a parent
1373 or prospective parent, and that person's location is unknown,
1374 the court shall direct the petitioner to conduct a diligent



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1375 search for that person before scheduling an adjudicatory hearing
1376 regarding the petition for termination of parental rights to the
1377 child unless the court finds that the best interest of the child
1378 requires proceeding without actual notice to the person whose
1379 location is unknown.

1380 (6) The diligent search required by subsection (5) must
1381 include, at a minimum, inquiries of all known relatives of the
1382 parent or prospective parent, inquiries of all offices of
1383 program areas of the department likely to have information about
1384 the parent or prospective parent, inquiries of other state and
1385 federal agencies likely to have information about the parent or
1386 prospective parent, inquiries of appropriate utility and postal
1387 providers, a thorough search of at least one electronic database
1388 specifically designed for locating persons, a search of the
1389 Florida Putative Father Registry, and inquiries of appropriate
1390 law enforcement agencies. Pursuant to s. 453 of the Social
1391 Security Act, 42 U.S.C. s. 653(c)(4), the department, as the
1392 state agency administering Titles IV-B and IV-E of the act,
1393 shall be provided access to the federal and state parent locator
1394 service for diligent search activities.

1395 (7) Any agency contacted by petitioner with a request for
1396 information pursuant to subsection (6) shall release the
1397 requested information to the petitioner without the necessity of
1398 a subpoena or court order.

1399 (8) If the inquiry and diligent search identifies a
1400 prospective parent, that person must be given the opportunity to
1401 become a party to the proceedings by completing a sworn
1402 affidavit of parenthood and filing it with the court or the
1403 department. A prospective parent who files a sworn affidavit of



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1404 parenthood while the child is a dependent child but no later
1405 than at the time of or before ~~prior to~~ the adjudicatory hearing
1406 in the termination of parental rights proceeding for the child
1407 shall be considered a parent for all purposes under this
1408 section. If the prospective parent does not file a sworn
1409 affidavit of parenthood or if the other parent contests the
1410 determination of parenthood, the court may, after considering
1411 the best interests of the child, order scientific testing to
1412 determine the maternity or paternity of the child. The court
1413 shall assess the cost of the paternity determination as a cost
1414 of litigation. If the court finds the prospective parent to be a
1415 parent as a result of the scientific testing, the court shall
1416 enter a judgment of maternity or paternity, shall assess the
1417 cost of the scientific testing to the parent, and shall enter an
1418 amount of child support to be paid by the parent as determined
1419 under s. 61.30. If the known parent contests the recognition of
1420 the prospective parent as a parent, the prospective parent shall
1421 not be recognized as a parent until proceedings to establish
1422 maternity or paternity have been concluded. However, the
1423 prospective parent shall continue to receive notice of hearings
1424 as a participant until proceedings to establish maternity or
1425 paternity have been concluded.

1426 (9) If the diligent search under subsection (5) fails to
1427 identify and locate a prospective parent, the court shall so
1428 find and may proceed without further notice.

1429 Section 19. Paragraph (1) of subsection (1) of section
1430 39.806, Florida Statutes, is amended, and subsections (2) and
1431 (3) are republished, to read:

1432 39.806 Grounds for termination of parental rights.—



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1433 (1) Grounds for the termination of parental rights may be
1434 established under any of the following circumstances:

1435 (1) On three or more occasions the child or another child
1436 of the parent or parents has been placed in out-of-home care
1437 pursuant to this chapter or the law of any state, territory, or
1438 jurisdiction of the United States which is substantially similar
1439 to this chapter, and the conditions that led to the child's out-
1440 of-home placement were caused by the parent or parents.

1441 (2) Reasonable efforts to preserve and reunify families are
1442 not required if a court of competent jurisdiction has determined
1443 that any of the events described in paragraphs (1) (b)-(d) or
1444 paragraphs (1) (f)-(m) have occurred.

1445 (3) If a petition for termination of parental rights is
1446 filed under subsection (1), a separate petition for dependency
1447 need not be filed and the department need not offer the parents
1448 a case plan having a goal of reunification, but may instead file
1449 with the court a case plan having a goal of termination of
1450 parental rights to allow continuation of services until the
1451 termination is granted or until further orders of the court are
1452 issued.

1453 Section 20. Subsection (6) of section 39.811, Florida
1454 Statutes, is amended to read:

1455 39.811 Powers of disposition; order of disposition.—

1456 (6) The parental rights of one parent may be severed
1457 without severing the parental rights of the other parent only
1458 under the following circumstances:

1459 (a) If the child has only one surviving parent;

1460 (b) If the identity of a prospective parent has been
1461 established as unknown after sworn testimony;



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1462 (c) If the parent whose rights are being terminated became
1463 a parent through a single-parent adoption;

1464 (d) If the protection of the child demands termination of
1465 the rights of a single parent; or

1466 (e) If the parent whose rights are being terminated meets
1467 any of the criteria specified in s. 39.806(1) (c), (d), (f), (g),
1468 (h), (i), (j), (k), (l), (m), or (n) ~~and (f)-(m)~~.

1469 Section 21. Paragraph (b) of subsection (4) of section
1470 125.901, Florida Statutes, is amended to read:

1471 125.901 Children's services; independent special district;
1472 council; powers, duties, and functions; public records
1473 exemption.—

1474 (4)

1475 (b)1.a. Notwithstanding paragraph (a), the governing body
1476 of the county shall submit the question of retention or
1477 dissolution of a district with voter-approved taxing authority
1478 to the electorate in the general election according to the
1479 following schedule:

1480 (I) For a district in existence on July 1, 2010, and
1481 serving a county with a population of 400,000 or fewer persons
1482 as of that date.....2014.

1483 (II) For a district in existence on July 1, 2010, and
1484 serving a county with a population of 2 million or more persons
1485 as of that date, unless the governing body of the county has
1486 previously submitted such question voluntarily to the electorate
1487 for a second time since 2005,.....2020.

1488 b. A referendum by the electorate on or after July 1, 2010,
1489 creating a new district with taxing authority may specify that
1490 the district is not subject to reauthorization or may specify



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1491 the number of years for which the initial authorization shall
1492 remain effective. If the referendum does not prescribe terms of
1493 reauthorization, the governing body of the county shall submit
1494 the question of retention or dissolution of the district to the
1495 electorate in the general election 12 years after the initial
1496 authorization.

1497 2. The governing body of the district may specify, and
1498 submit to the governing body of the county no later than 9
1499 months before the scheduled election, that the district is not
1500 subsequently subject to reauthorization or may specify the
1501 number of years for which a reauthorization under this paragraph
1502 shall remain effective. If the governing body of the district
1503 makes such specification and submission, the governing body of
1504 the county shall include that information in the question
1505 submitted to the electorate. If the governing body of the
1506 district does not specify and submit such information, the
1507 governing body of the county shall resubmit the question of
1508 reauthorization to the electorate every 12 years after the year
1509 prescribed in subparagraph 1. The governing body of the district
1510 may recommend to the governing body of the county language for
1511 the question submitted to the electorate.

1512 3. Nothing in this paragraph limits the authority to
1513 dissolve a district as provided under paragraph (a).

1514 4. Nothing in this paragraph precludes the governing body
1515 of a district from requesting that the governing body of the
1516 county submit the question of retention or dissolution of a
1517 district with voter-approved taxing authority to the electorate
1518 at a date earlier than the year prescribed in subparagraph 1. If
1519 the governing body of the county accepts the request and submits



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1520 the question to the electorate, the governing body satisfies the
1521 requirement of that subparagraph.

1522
1523 If any district is dissolved pursuant to this subsection, each
1524 county must first obligate itself to assume the debts,
1525 liabilities, contracts, and outstanding obligations of the
1526 district within the total millage available to the county
1527 governing body for all county and municipal purposes as provided
1528 for under s. 9, Art. VII of the State Constitution. Any district
1529 may also be dissolved pursuant to part VII of chapter 189.

1530 Section 22. Subsection (9) of section 322.051, Florida
1531 Statutes, is amended to read:

1532 322.051 Identification cards.—

1533 (9) (a) Notwithstanding any other provision of this section
1534 or s. 322.21 to the contrary, the department shall issue or
1535 renew a card at no charge to a person who presents evidence
1536 satisfactory to the department that he or she is homeless as
1537 defined in s. 414.0252(7), to a juvenile offender who is in the
1538 custody or under the supervision of the Department of Juvenile
1539 Justice and receiving services pursuant to s. 985.461, to an
1540 inmate receiving a card issued pursuant to s. 944.605(7), or, if
1541 necessary, to an inmate receiving a replacement card if the
1542 department determines that he or she has a valid state
1543 identification card. If the replacement state identification
1544 card is scheduled to expire within 6 months, the department may
1545 also issue a temporary permit valid for at least 6 months after
1546 the release date. The department's mobile issuing units shall
1547 process the identification cards for juvenile offenders and
1548 inmates at no charge, as provided by s. 944.605 (7) (a) and (b).



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1549 (b) If the person who presents evidence that he or she is a
1550 certified unaccompanied homeless youth as defined in s. 734.067,
1551 the back of the card shall exhibit the following: As a certified
1552 unaccompanied homeless youth, this individual may consent to
1553 diagnosis and treatment and any forensic medical examination
1554 authorized pursuant to s. 743.067, F.S.

1555 Section 23. Paragraph (g) of subsection (4) of section
1556 395.3025, Florida Statutes, is amended, and subsection (8) of
1557 that section is republished, to read:

1558 395.3025 Patient and personnel records; copies;
1559 examination.-

1560 (4) Patient records are confidential and must not be
1561 disclosed without the consent of the patient or his or her legal
1562 representative, but appropriate disclosure may be made without
1563 such consent to:

1564 (g) The Department of Children and Families, ~~or~~ or its agent,
1565 or its contracted entity, for the purpose of investigations of
1566 or services for cases of abuse, neglect, or exploitation of
1567 children or vulnerable adults.

1568 (8) Patient records at hospitals and ambulatory surgical
1569 centers are exempt from disclosure under s. 119.07(1), except as
1570 provided by subsections (1)-(5).

1571 Section 24. Subsections (2) and (6) of section 402.40,
1572 Florida Statutes, are amended to read:

1573 402.40 Child welfare training and certification.-

1574 (2) DEFINITIONS.-As used in this section, the term:

1575 (a) "Child welfare certification" means a professional
1576 credential awarded by a department-approved third-party
1577 credentialing entity to individuals demonstrating core



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1578 competency in any child welfare practice area.

1579 (b) "Child welfare services" means any intake, protective
1580 investigations, preprotective services, protective services,
1581 foster care, shelter and group care, and adoption and related
1582 services program, including supportive services and supervision
1583 provided to children who are alleged to have been abused,
1584 abandoned, or neglected or who are at risk of becoming, are
1585 alleged to be, or have been found dependent pursuant to chapter
1586 39.

1587 (c) "Child welfare trainer" means any person providing
1588 training for the purposes of child welfare professionals earning
1589 certification.

1590 (d)~~(e)~~ "Core competency" means the minimum knowledge,
1591 skills, and abilities necessary to carry out work
1592 responsibilities.

1593 (e)~~(d)~~ "Person providing child welfare services" means a
1594 person who has a responsibility for supervisory, direct care, or
1595 support-related work in the provision of child welfare services
1596 pursuant to chapter 39.

1597 (f)~~(e)~~ "Preservice curriculum" means the minimum statewide
1598 training content based upon the core competencies which is made
1599 available to all persons providing child welfare services.

1600 (g)~~(f)~~ "Third-party credentialing entity" means a
1601 department-approved nonprofit organization that has met
1602 nationally recognized standards for developing and administering
1603 professional certification programs.

1604 (6) ADOPTION OF RULES.—The Department of Children and
1605 Families shall adopt rules necessary to carry out ~~the provisions~~
1606 ~~of~~ this section, including the requirements for child welfare



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1607 trainers.

1608 Section 25. Section 409.16741, Florida Statutes, is created
1609 to read:

1610 409.16741 .- Substance exposed newborns; legislative
1611 findings and intent; screening and assessment; case management;
1612 training.-

1613 (1) LEGISLATIVE FINDINGS AND INTENT.-

1614 (a) The Legislature finds that children, their families,
1615 and child welfare agencies have been affected by multiple
1616 substance abuse epidemics over the past several decades, and
1617 parental substance abuse is again becoming a growing reason for
1618 removing children from their homes and placing them in foster
1619 care.

1620 (b) The Legislature also finds that infants are the largest
1621 age group of children entering foster care and that parental
1622 substance abuse disorders are having a major impact not only on
1623 increasing child removals, but also on preventing or delaying
1624 reunification of families and increasing termination of parental
1625 rights.

1626 (c) The Legislature further finds that two aspects of
1627 parental substance abuse affect the child welfare system:
1628 prenatal exposure when it is determined that there are immediate
1629 safety factors that necessitate the newborn being placed in
1630 protective custody; and postnatal use that affects the ability
1631 of the parent to safely care for the child.

1632 (d) Therefore, it is the intent of the Legislature that the
1633 department will establish and monitor a coordinated approach to
1634 working with children and their families affected by substance
1635 abuse and dependence.



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1636 (2) SCREENING AND ASSESSMENT.—The department shall develop
1637 or adopt one or more initial screening and assessment
1638 instruments to identify, determine the needs of, and plan
1639 services for substance exposed newborns and their families. In
1640 addition to conditions of the infant, conditions or behaviors of
1641 the mother or father which may indicate a risk of harm to the
1642 child shall be considered during any assessment.

1643 (3) CASE MANAGEMENT.—

1644 (a) The department shall conduct regular multidisciplinary
1645 staffings relating to services provided for substance exposed
1646 newborns and their families to ensure that all parties possess
1647 relevant information and that services are coordinated across
1648 systems identified in this chapter. The department or community-
1649 based care lead agency, as appropriate, shall coordinate these
1650 staffings and include individuals involved in the child's care.

1651 (b) Each region of the department and each community-based
1652 care lead agency shall jointly assess local service capacity to
1653 meet the specialized service needs of substance exposed newborns
1654 and their families and establish a plan to develop the necessary
1655 capacity. Each plan shall be developed in consultation with
1656 entities and agencies involved in the individuals' care.

1657 (4) TRAINING.—The department and community-based care lead
1658 agencies shall ensure that cases in which there is a substance
1659 exposed newborn are assigned to child protective investigators
1660 and case managers who have specialized training in working with
1661 substance exposed newborns and their families. The department
1662 and lead agencies shall ensure that child protective
1663 investigators and case managers receive this training before
1664 accepting a case.



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1665 Section 26. Section 409.16742, Florida Statutes, is created
1666 to read:

1667 409.16742 .- Shared family care residential services
1668 program for substance exposed newborns.-

1669 (1) LEGISLATIVE FINDINGS AND INTENT.-The Legislature finds
1670 that there is evidence that, with appropriate support and
1671 training, some families can remain safely together without court
1672 involvement or traumatic separations. Therefore, it is the
1673 intent of the Legislature that alternative types of placement
1674 options be available which provide both safety for substance
1675 exposed newborns and an opportunity for parents recovering from
1676 substance abuse disorders to achieve independence while living
1677 together in a protective, nurturing family environment.

1678 (2) ESTABLISHMENT OF PILOT PROGRAM.-The department shall
1679 establish a shared family care residential services program to
1680 serve substance exposed newborns and their families in the
1681 Fourth Judicial Circuit through a contract with the designated
1682 lead agency established in accordance with s. 409.987 or with a
1683 private entity capable of providing residential care that
1684 satisfies the requirements of this section. The private entity
1685 or lead agency is responsible for all programmatic functions
1686 necessary to carry out the intent of this section. As used in
1687 this section, the term "shared family care" means out-of-home
1688 care in which an entire family in need is temporarily placed in
1689 the home of a family who is trained to mentor and support the
1690 biological parents as they develop caring skills and supports
1691 necessary for independent living.

1692 (3) SERVICES.-The department shall specify services that
1693 should be made available to newborns and their families through



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1694 the pilot program.

1695 Section 27. Section 409.992, Florida Statutes, is amended
1696 to read:

1697 409.992 Lead agency expenditures.—

1698 (1) The procurement of commodities or contractual services
1699 by lead agencies shall be governed by the financial guidelines
1700 developed by the department and must comply with applicable
1701 state and federal law and follow good business practices.
1702 Pursuant to s. 11.45, the Auditor General may provide technical
1703 advice in the development of the financial guidelines.

1704 (2) Notwithstanding any other provision of law, a
1705 community-based care lead agency may make expenditures for staff
1706 cellular telephone allowances, contracts requiring deferred
1707 payments and maintenance agreements, security deposits for
1708 office leases, related agency professional membership dues other
1709 than personal professional membership dues, promotional
1710 materials, and grant writing services. Expenditures for food and
1711 refreshments, other than those provided to clients in the care
1712 of the agency or to foster parents, adoptive parents, and
1713 caseworkers during training sessions, are not allowable.

1714 (3) Notwithstanding any other provision of law, a
1715 community-based care lead agency administrative employee may not
1716 receive a salary, whether base pay or base pay combined with any
1717 bonus or incentive payments, in excess of the salary paid to the
1718 secretary of the Department of Children and Families from state-
1719 appropriated funds, including state-appropriated federal funds.
1720 This subsection does not prohibit any party from providing cash
1721 that is not from appropriated state funds to a community-based
1722 care lead agency administrative employee.



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1723 ~~(4)~~⁽³⁾ A lead community-based care agency and its
1724 subcontractors are exempt from state travel policies as provided
1725 in s. 112.061(3)(a) for their travel expenses incurred in order
1726 to comply with the requirements of this section.

1727 Section 28. Paragraph (a) of subsection (7) of section
1728 456.057, Florida Statutes, is amended to read:

1729 456.057 Ownership and control of patient records; report or
1730 copies of records to be furnished; disclosure of information.—

1731 (7) (a) Except as otherwise provided in this section and in
1732 s. 440.13(4)(c), such records may not be furnished to, and the
1733 medical condition of a patient may not be discussed with, any
1734 person other than the patient, the patient's legal
1735 representative, or other health care practitioners and providers
1736 involved in the patient's care or treatment, except upon written
1737 authorization from the patient. However, such records may be
1738 furnished without written authorization under the following
1739 circumstances:

1740 1. To any person, firm, or corporation that has procured or
1741 furnished such care or treatment with the patient's consent.

1742 2. When compulsory physical examination is made pursuant to
1743 Rule 1.360, Florida Rules of Civil Procedure, in which case
1744 copies of the medical records shall be furnished to both the
1745 defendant and the plaintiff.

1746 3. In any civil or criminal action, unless otherwise
1747 prohibited by law, upon the issuance of a subpoena from a court
1748 of competent jurisdiction and proper notice to the patient or
1749 the patient's legal representative by the party seeking such
1750 records.

1751 4. For statistical and scientific research, provided the



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1752 information is abstracted in such a way as to protect the
1753 identity of the patient or provided written permission is
1754 received from the patient or the patient's legal representative.

1755 5. To a regional poison control center for purposes of
1756 treating a poison episode under evaluation, case management of
1757 poison cases, or compliance with data collection and reporting
1758 requirements of s. 395.1027 and the professional organization
1759 that certifies poison control centers in accordance with federal
1760 law.

1761 6. To the Department of Children and Families, its agent,
1762 or its contracted entity, for the purpose of investigations of
1763 or services for cases of abuse, neglect, or exploitation of
1764 children or vulnerable adults.

1765 Section 29. Section 409.141, Florida Statutes, is repealed.

1766 Section 30. Section 409.1677, Florida Statutes, is
1767 repealed.

1768 Section 31. Section 743.067, Florida Statutes, is amended
1769 to read:

1770 743.067 Certified unaccompanied homeless youths.—

1771 (1) For purposes of this section, the term an "certified
1772 unaccompanied homeless youth" means a minor who is a homeless
1773 child or youth, including an unaccompanied youth, as those terms
1774 are defined in 42 U.S.C. s. 11434a., who has been certified as a
1775 unaccompanied homeless youth by ~~is an individual who is 16 years~~
1776 ~~of age or older and is:~~

1777 (a) A school district homeless liaison;

1778 ~~(a) Found by a school district's liaison for homeless~~
1779 ~~children and youths to be an unaccompanied homeless youth~~
1780 ~~eligible for services pursuant to the McKinney-Vento Homeless~~



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1781 ~~Assistance Act, 42 U.S.C. ss. 11431-11435; or~~
1782 ~~(b) Believed to qualify as an unaccompanied homeless youth,~~
1783 ~~as that term is defined in the McKinney-Vento Homeless~~
1784 ~~Assistance Act, by:~~
1785 ~~(b)1. The director of an emergency shelter program funded~~
1786 ~~by the United States Department of Housing and Urban~~
1787 ~~Development, or the director's designee;~~
1788 ~~(c)2. The director of a runaway or homeless youth basic~~
1789 ~~center or transitional living program funded by the United~~
1790 ~~States Department of Health and Human Services, or the~~
1791 ~~director's designee; or~~
1792 ~~(d) A Continuum of Care Lead Agency, or its designee.~~
1793 ~~3. A clinical social worker licensed under chapter 491; or~~
1794 ~~4. A circuit court.~~
1795 ~~(2) (a) The Office on Homelessness within the Department of~~
1796 ~~Children and Families shall develop a standardized form that~~
1797 ~~must be used by the entities specified in subsection (1) to~~
1798 ~~certify qualifying unaccompanied homeless youth. The form must~~
1799 ~~include the circumstances that qualify the youth; the date the~~
1800 ~~youth was certified; the name, title, and signature of the~~
1801 ~~certifying individual; and a citation to this section. A minor~~
1802 ~~who qualifies as an unaccompanied homeless youth shall be issued~~
1803 ~~a written certificate documenting his or her status by the~~
1804 ~~appropriate individual as provided in subsection (1). The~~
1805 ~~certificate shall be issued on the official letterhead~~
1806 ~~stationery of the person making the determination and shall~~
1807 ~~include the date of the finding, a citation to this section, and~~
1808 ~~the signature of the individual making the finding.~~
1809 ~~(b) A certified unaccompanied homeless youth may use the~~



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1810 completed form to apply at no charge for an identification card
1811 issued by the Department of Highway Safety and Motor Vehicles
1812 pursuant to s. 322.051(9).

1813 (c) A health care provider may accept the written
1814 certificate or identification card as proof of the minor's
1815 status as a certified ~~an~~ unaccompanied homeless youth and may
1816 keep a copy of the certificate or identification card in the
1817 youth's medical file.

1818 (3) A certified ~~an~~ unaccompanied homeless youth may:

1819 (a) Petition the circuit court to have the disabilities of
1820 nonage removed under s. 743.015. The youth shall qualify as a
1821 person not required to prepay costs and fees as provided in s.
1822 57.081. The court shall advance the cause on the calendar.

1823 (b) Notwithstanding s. 394.4625(1), consent to medical,
1824 dental, psychological, substance abuse, and surgical diagnosis
1825 and treatment, including preventative care and care by a
1826 facility licensed under chapter 394, chapter 395, or chapter 397
1827 and any forensic medical examination for the purpose of
1828 investigating any felony offense under chapter 784, chapter 787,
1829 chapter 794, chapter 800, or chapter 827, for:

1830 1. Himself or herself; or

1831 2. His or her child, if the certified unaccompanied
1832 homeless youth is unmarried, is the parent of the child, and has
1833 actual custody of the child.

1834 (4) This section does not affect the requirements of s.
1835 390.01114.

1836 Section 32. Paragraph (f) of subsection (1) of section
1837 1009.25, Florida Statutes, is amended to read

1838 1009.25 Fee exemptions.-



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1839 (1) The following students are exempt from the payment of
1840 tuition and fees, including lab fees, at a school district that
1841 provides workforce education programs, Florida College System
1842 institution, or state university:

1843 (f) A student who lacks a fixed, regular, and adequate
1844 nighttime residence or whose primary nighttime residence is a
1845 public or private shelter designed to provide temporary
1846 residence, a public or private transitional living program for
1847 individuals intended to be institutionalized, or a public or
1848 private place not designed for, or ordinarily used as, a regular
1849 sleeping accommodation for human beings. This includes a student
1850 who, if it were not for the availability of college or
1851 university dormitory housing, would be homeless.

1852 Section 33. Subsection (1) of section 39.524, Florida
1853 Statutes, is amended to read:

1854 39.524 Safe-harbor placement.—

1855 (1) Except as provided in s. 39.407 or s. 985.801, a
1856 dependent child 6 years of age or older who has been found to be
1857 a victim of sexual exploitation as defined in s. 39.01 ~~s.~~
1858 ~~39.01(70)(g)~~ must be assessed for placement in a safe house or
1859 safe foster home as provided in s. 409.1678 using the initial
1860 screening and assessment instruments provided in s. 409.1754(1).
1861 If such placement is determined to be appropriate for the child
1862 as a result of this assessment, the child may be placed in a
1863 safe house or safe foster home, if one is available. However,
1864 the child may be placed in another setting, if the other setting
1865 is more appropriate to the child's needs or if a safe house or
1866 safe foster home is unavailable, as long as the child's
1867 behaviors are managed so as not to endanger other children



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1868 served in that setting.

1869 Section 34. Paragraph (p) of subsection (4) of section
1870 394.495, Florida Statutes, is amended to read:

1871 394.495 Child and adolescent mental health system of care;
1872 programs and services.—

1873 (4) The array of services may include, but is not limited
1874 to:

1875 (p) Trauma-informed services for children who have suffered
1876 sexual exploitation as defined in s. 39.01 ~~s. 39.01(70)(g)~~.

1877 Section 35. Paragraph (c) of subsection (1) and paragraphs
1878 (a) and (b) of subsection (6) of section 409.1678, Florida
1879 Statutes, are amended to read:

1880 409.1678 Specialized residential options for children who
1881 are victims of sexual exploitation.—

1882 (1) DEFINITIONS.—As used in this section, the term:

1883 (c) "Sexually exploited child" means a child who has
1884 suffered sexual exploitation as defined in s. 39.01 ~~s.~~
1885 ~~39.01(70)(g)~~ and is ineligible for relief and benefits under the
1886 federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101
1887 et seq.

1888 (6) LOCATION INFORMATION.—

1889 (a) Information about the location of a safe house, safe
1890 foster home, or other residential facility serving victims of
1891 sexual exploitation, as defined in s. 39.01 ~~s. 39.01(70)(g)~~,
1892 which is held by an agency, as defined in s. 119.011, is
1893 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
1894 of the State Constitution. This exemption applies to such
1895 confidential and exempt information held by an agency before,
1896 on, or after the effective date of the exemption.



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1897 (b) Information about the location of a safe house, safe
1898 foster home, or other residential facility serving victims of
1899 sexual exploitation, as defined in s. 39.01 ~~s. 39.01(70)(g)~~, may
1900 be provided to an agency, as defined in s. 119.011, as necessary
1901 to maintain health and safety standards and to address emergency
1902 situations in the safe house, safe foster home, or other
1903 residential facility.

1904 Section 36. Subsection (5) of section 960.065, Florida
1905 Statutes, is amended to read:

1906 960.065 Eligibility for awards.—

1907 (5) A person is not ineligible for an award pursuant to
1908 paragraph (2) (a), paragraph (2) (b), or paragraph (2) (c) if that
1909 person is a victim of sexual exploitation of a child as defined
1910 in s. 39.01 ~~s. 39.01(70)(g)~~.

1911 Section 37. Section 409.1679, Florida Statutes, is amended
1912 to read:

1913 409.1679 Additional requirements; reimbursement
1914 methodology.—

1915 (1) Each program established under s. 409.1676 ~~ss. 409.1676~~
1916 ~~and 409.1677~~ must meet the following expectations, which must be
1917 included in its contracts with the department or lead agency:

1918 (a) No more than 10 percent of the children served may move
1919 from one living environment to another, unless the child is
1920 returned to family members or is moved, in accordance with the
1921 treatment plan, to a less-restrictive setting. Each child must
1922 have a comprehensive transitional plan that identifies the
1923 child's living arrangement upon leaving the program and specific
1924 steps and services that are being provided to prepare for that
1925 arrangement. Specific expectations as to the time period



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1926 necessary for the achievement of these permanency goals must be
1927 included in the contract.

1928 (b) Each child must receive a full academic year of
1929 appropriate educational instruction. No more than 10 percent of
1930 the children may be in more than one academic setting in an
1931 academic year, unless the child is being moved, in accordance
1932 with an educational plan, to a less-restrictive setting. Each
1933 child must demonstrate academic progress and must be performing
1934 at grade level or at a level commensurate with a valid academic
1935 assessment.

1936 (c) Siblings must be kept together in the same living
1937 environment 100 percent of the time, unless that is determined
1938 by the provider not to be in the children's best interest. When
1939 siblings are separated in placement, the decision must be
1940 reviewed and approved by the court within 30 days.

1941 (d) The program must experience a caregiver turnover rate
1942 and an incidence of child runaway episodes which are at least 50
1943 percent below the rates experienced in the rest of the state.

1944 (e) In addition to providing a comprehensive assessment,
1945 the program must provide, 100 percent of the time, any or all of
1946 the following services that are indicated through the
1947 assessment: residential care; transportation; behavioral health
1948 services; recreational activities; clothing, supplies, and
1949 miscellaneous expenses associated with caring for these
1950 children; necessary arrangements for or provision of educational
1951 services; and necessary and appropriate health and dental care.

1952 (f) The children who are served in this program must be
1953 satisfied with the services and living environment.

1954 (g) The caregivers must be satisfied with the program.



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1955 (2) ~~Notwithstanding the provisions of s. 409.141,~~ The
1956 Department of Children and Families shall fairly and reasonably
1957 reimburse the programs established under s. 409.1676 ~~ss.~~
1958 ~~409.1676 and 409.1677~~ based on a prospective per diem rate,
1959 which must be specified annually in the General Appropriations
1960 Act. Funding for these programs shall be made available from
1961 resources appropriated and identified in the General
1962 Appropriations Act.

1963 Section 38. Subsection (11) of section 1002.3305, Florida
1964 Statutes, is amended to read:

1965 1002.3305 College-Preparatory Boarding Academy Pilot
1966 Program for at-risk students.—

1967 (11) STUDENT HOUSING.—Notwithstanding s. 409.176 ~~ss.~~
1968 ~~409.1677(3)(d) and 409.176~~ or any other provision of law, an
1969 operator may house and educate dependent, at-risk youth in its
1970 residential school for the purpose of facilitating the mission
1971 of the program and encouraging innovative practices.

1972 Section 39. For the purpose of incorporating the amendment
1973 made by this act to section 456.057, Florida Statutes, in a
1974 reference thereto, subsection (2) of section 483.181, Florida
1975 Statutes, is reenacted to read:

1976 483.181 Acceptance, collection, identification, and
1977 examination of specimens.—

1978 (2) The results of a test must be reported directly to the
1979 licensed practitioner or other authorized person who requested
1980 it, and appropriate disclosure may be made by the clinical
1981 laboratory without a patient's consent to other health care
1982 practitioners and providers involved in the care or treatment of
1983 the patient as specified in s. 456.057(7)(a). The report must



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1984 include the name and address of the clinical laboratory in which
1985 the test was actually performed, unless the test was performed
1986 in a hospital laboratory and the report becomes an integral part
1987 of the hospital record.

1988 Section 40. Except as otherwise expressly provided in this
1989 act, this act shall take effect July 1, 2017.

1990

1991 ===== T I T L E A M E N D M E N T =====

1992 And the title is amended as follows:

1993 Delete everything before the enacting clause
1994 and insert:

1995 A bill to be entitled
1996 An act relating to to child welfare; amending s.
1997 39.01, F.S.; defining the term "legal father" and
1998 redefining the term "parent"; amending s. 39.201,
1999 F.S.; providing that central abuse hotline information
2000 may be used for employment screening of residential
2001 group home caregivers; amending s. 39.202, F.S.;
2002 providing that confidential records held by the
2003 department concerning reports of child abandonment,
2004 abuse, or neglect, including reports made to the
2005 central abuse hotline and all records generated as a
2006 result of such reports, may be accessed for employment
2007 screening of residential group home caregivers;
2008 changing the time period for the release of records to
2009 certain individuals; amending s. 39.301, F.S.;
2010 requiring a safety plan to be issued for a perpetrator
2011 of domestic violence only if the perpetrator can be
2012 located; specifying what constitutes reasonable



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2013 efforts; requiring that a child new to a family under
2014 investigation be added to the investigation and
2015 assessed for safety; amending s. 39.302, F.S.;
2016 conforming a cross-reference; providing that central
2017 abuse hotline information may be used for certain
2018 employment screenings; amending s. 39.402, F.S.;
2019 requiring a court to inquire as to the identity and
2020 location of a child's legal father at the shelter
2021 hearing; specifying what types of information fall
2022 within the scope of such inquiry; amending s. 39.503,
2023 F.S.; requiring a court to conduct under oath the
2024 inquiry to determine the identity or location of an
2025 unknown parent; requiring a court to seek additional
2026 information relating to a legal father's identity in
2027 such inquiry; requiring the diligent search to
2028 determine a parent's or prospective parent's location
2029 to include a search of the Florida Putative Father
2030 Registry; authorizing the court to order scientific
2031 testing to determine parentage if certain conditions
2032 exist; amending s. 39.504, F.S.; requiring the same
2033 judge to hear a pending dependency proceeding and an
2034 injunction proceeding; providing that the court may
2035 enter an injunction based on specified evidence;
2036 amending s. 39.507, F.S.; requiring a court to
2037 consider maltreatment allegations against a parent in
2038 an evidentiary hearing relating to a dependency
2039 petition; amending s. 39.5085, F.S.; revising
2040 eligibility guidelines for the Relative Caregiver
2041 Program with respect to relative and nonrelative



2042 caregivers; amending s. 39.521, F.S.; providing new
2043 time guidelines for filing with the court and
2044 providing copies of case plans and family functioning
2045 assessments; providing for assessment and program
2046 compliance for a parent who caused harm to a child by
2047 exposing the child to a controlled substance;
2048 providing in-home safety plan requirements; providing
2049 requirements for family functioning assessments;
2050 providing supervision requirements after
2051 reunification; amending s. 39.522, F.S.; providing
2052 conditions for returning a child home with an in-home
2053 safety plan; amending s. 39.523, F.S.; providing
2054 legislative findings and intent; requiring children
2055 placed in out-of-home care to be assessed to determine
2056 the most appropriate placement; requiring the
2057 placement assessments to be documented in the Florida
2058 Safe Families Network; requiring a court to review and
2059 approve placements; requiring the Department of
2060 Children and Families to post specified information
2061 relating to assessment and placement on its website
2062 and update that information annually on January 1 and
2063 July 1; authorizing the department to adopt rules;
2064 creating s. 39.6001, F.S.; requiring the Department of
2065 Children and Families, in partnership with the
2066 Department of Health, the Agency for Health Care
2067 Administration, other state agencies, and community
2068 partners, to develop a strategy for certain
2069 coordinated services; providing for creation of a safe
2070 care plan that addresses the health and substance



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2071 abuse disorder treatment needs of a newborn and
2072 affected family or caregiver and provides for the
2073 monitoring of services provided; amending s. 39.6011,
2074 F.S.; providing requirements for confidential
2075 information in a case planning conference; providing
2076 restrictions; amending s. 39.6012, F.S.; providing for
2077 assessment and program compliance for a parent who
2078 caused harm to a child by exposing the child to a
2079 controlled substance; amending s. 39.6221, F.S.;
2080 providing that relocation requirements for parents in
2081 dissolution proceedings do not apply to permanent
2082 guardianships; amending s. 39.701, F.S.; providing
2083 safety assessment requirements for children coming
2084 into a home under court jurisdiction; granting
2085 rulemaking authority; amending s. 39.801, F.S.;
2086 providing an exception to the notice requirement
2087 regarding the advisory hearing for a petition to
2088 terminate parental rights; amending s. 39.803, F.S.;
2089 requiring a court to conduct under oath the inquiry to
2090 determine the identity or location of an unknown
2091 parent after the filing of a termination of parental
2092 rights petition; requiring a court to seek additional
2093 information relating to a legal father's identity in
2094 such inquiry; revising minimum requirements for the
2095 diligent search to determine the location of a parent
2096 or prospective parent; authorizing the court to order
2097 scientific testing to determine parentage if certain
2098 conditions exist; amending s. 39.806, F.S.; revising
2099 circumstances under which grounds for the termination



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2100 of parental rights may be established; amending s.
2101 39.811, F.S.; revising circumstances under which the
2102 rights of one parent may be terminated without
2103 terminating the rights of the other parent; amending
2104 s. 125.901, F.S.; creating an exception to the
2105 requirement that, for an independent special district
2106 in existence on a certain date and serving a
2107 population of a specified size, the governing body of
2108 the county submit the question of the district's
2109 retention or dissolution to the electorate in a
2110 specified general election; amending s. 322.051, F.S.,
2111 providing a requirement for an identification card for
2112 certified unaccompanied homeless youth; amending s.
2113 395.3025, F.S.; revising requirements for access to
2114 patient records; amending s. 402.40, F.S.; defining
2115 the term "child welfare trainer"; providing rulemaking
2116 authority; creating s. 409.16741, F.S.; providing
2117 legislative findings and intent; requiring the
2118 Department of Children and Families to develop or
2119 adopt one or more initial screening assessment
2120 instruments to identify and determine the needs of,
2121 and plan services for, substance exposed newborns and
2122 their families; requiring the department to conduct
2123 certain staffings relating to services for substance
2124 exposed newborns and their families; specifying that
2125 certain local service capacity be assessed; providing
2126 that child protective investigators receive
2127 specialized training in working with substance exposed
2128 newborns and their families before they accept such



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2129 cases; creating s. 409.16742, F.S.; providing
2130 legislative findings and intent; establishing a shared
2131 family care residential services pilot program for
2132 substance exposed newborns; amending s. 409.992, F.S.;
2133 limiting compensation from state-appropriated funds
2134 for administrative employees of community-based care
2135 agencies; amending s. 456.057, F.S.; revising
2136 requirements for access to patient records; repealing
2137 s. 409.141, F.S., relating to equitable reimbursement
2138 methodology; repealing s. 409.1677, F.S., relating to
2139 model comprehensive residential services programs;
2140 amending s. 743.067, F.S.; defining the term
2141 "certified unaccompanied homeless youth"; requiring
2142 the Office on Homelessness within the Department of
2143 Children and Families to develop a standardized form
2144 to be used in the certification process; providing
2145 information that must be included in the form;
2146 authorizing a certified unaccompanied homeless youth
2147 to apply at no charge to the Department of Highway
2148 Safety and Motor Vehicles for an identification card;
2149 conforming terminology; amending s. 1009.25, F.S.;
2150 revising fee exemption requirements related to
2151 homeless students; amending ss. 39.524, 394.495,
2152 409.1678, and 960.065, F.S.; conforming cross-
2153 references; amending ss. 409.1679 and 1002.3305, F.S.;
2154 conforming provisions to changes made by the act;
2155 reenacting s. 483.181(2), F.S., relating to
2156 acceptance, collection, identification, and
2157 examination of specimens, to incorporate the amendment



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made to s. 456.057, F.S., in a reference thereto;
providing an effective date.