

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Harrell offered the following:

**Amendment (with title amendment)**

Remove lines 214-313 and insert:

Section 4. Paragraphs (c) and (e) of subsection (1) of section 39.521, Florida Statutes, are amended to read:

39.521 Disposition hearings; powers of disposition.—

(1) A disposition hearing shall be conducted by the court, if the court finds that the facts alleged in the petition for dependency were proven in the adjudicatory hearing, or if the parents or legal custodians have consented to the finding of dependency or admitted the allegations in the petition, have failed to appear for the arraignment hearing after proper

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

14 notice, or have not been located despite a diligent search  
15 having been conducted.

16 (c) When any child is adjudicated by a court to be  
17 dependent, the court having jurisdiction of the child has the  
18 power by order to:

19 1. Require the parent and, when appropriate, the legal  
20 guardian or custodian and the child to participate in treatment  
21 and services identified as necessary. The court may require the  
22 person who has custody or who is requesting custody of the child  
23 to submit to a mental health or substance abuse disorder  
24 assessment or evaluation. The order may be made only upon good  
25 cause shown and pursuant to notice and procedural requirements  
26 provided under the Florida Rules of Juvenile Procedure. The  
27 mental health assessment or evaluation must be administered by a  
28 qualified professional as defined in s. 39.01, and the substance  
29 abuse assessment or evaluation must be administered by a  
30 qualified professional as defined in s. 397.311. The court may  
31 also require such person to participate in and comply with  
32 treatment and services identified as necessary, including, when  
33 appropriate and available, participation in and compliance with  
34 a mental health court program established under chapter 394 or a  
35 treatment-based drug court program established under s. 397.334.  
36 Adjudication of a child as dependent based upon evidence of harm  
37 as defined in s. 39.01(35)(g) ~~s. 39.01(30)(g)~~ demonstrates good  
38 cause, and the court shall require the parent whose actions

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

39 | caused the harm to submit to a substance abuse disorder  
40 | assessment or evaluation and to participate and comply with  
41 | treatment and services identified in the assessment or  
42 | evaluation as being necessary. In addition to supervision by the  
43 | department, the court, including the mental health court program  
44 | or the treatment-based drug court program, may oversee the  
45 | progress and compliance with treatment by a person who has  
46 | custody or is requesting custody of the child. The court may  
47 | impose appropriate available sanctions for noncompliance upon a  
48 | person who has custody or is requesting custody of the child or  
49 | make a finding of noncompliance for consideration in determining  
50 | whether an alternative placement of the child is in the child's  
51 | best interests. Any order entered under this subparagraph may be  
52 | made only upon good cause shown. This subparagraph does not  
53 | authorize placement of a child with a person seeking custody of  
54 | the child, other than the child's parent or legal custodian, who  
55 | requires mental health or substance abuse disorder treatment.

56 |       2. Require, if the court deems necessary, the parties to  
57 | participate in dependency mediation.

58 |       3. Require placement of the child either under the  
59 | protective supervision of an authorized agent of the department  
60 | in the home of one or both of the child's parents or in the home  
61 | of a relative of the child or another adult approved by the  
62 | court, or in the custody of the department. Protective  
63 | supervision continues until the court terminates it or until the

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

64 child reaches the age of 18, whichever date is first. Protective  
65 supervision shall be terminated by the court whenever the court  
66 determines that permanency has been achieved for the child,  
67 whether with a parent, another relative, or a legal custodian,  
68 and that protective supervision is no longer needed. The  
69 termination of supervision may be with or without retaining  
70 jurisdiction, at the court's discretion, and shall in either  
71 case be considered a permanency option for the child. The order  
72 terminating supervision by the department must set forth the  
73 powers of the custodian of the child and include the powers  
74 ordinarily granted to a guardian of the person of a minor unless  
75 otherwise specified. Upon the court's termination of supervision  
76 by the department, further judicial reviews are not required if  
77 permanency has been established for the child.

78 4. Determine whether the child has a strong attachment to  
79 the prospective permanent guardian and whether such guardian has  
80 a strong commitment to permanently caring for the child.

81 (e) The court shall, in its written order of disposition,  
82 include all of the following:

- 83 1. The placement or custody of the child.
- 84 2. Special conditions of placement and visitation.
- 85 3. Evaluation, counseling, treatment activities, and other  
86 actions to be taken by the parties, if ordered.
- 87 4. The persons or entities responsible for supervising or  
88 monitoring services to the child and parent.

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

89 5. Continuation or discharge of the guardian ad litem, as  
90 appropriate.

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

- 93 a. Ninety days after the disposition hearing;
- 94 b. Ninety days after the court accepts the case plan;
- 95 c. Six months after the date of the last review hearing;

96 or

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

100 7. If the child is in an out-of-home placement, child  
101 support to be paid by the parents, or the guardian of the  
102 child's estate if possessed of assets which under law may be  
103 disbursed for the care, support, and maintenance of the child.  
104 The court may exercise jurisdiction over all child support  
105 matters, shall adjudicate the financial obligation, including  
106 health insurance, of the child's parents or guardian, and shall  
107 enforce the financial obligation as provided in chapter 61. The  
108 state's child support enforcement agency shall enforce child  
109 support orders under this section in the same manner as child  
110 support orders under chapter 61. Placement of the child shall  
111 not be contingent upon issuance of a support order.

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

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

114 or other adult approved by the court, the disposition order must  
115 ~~shall~~ include the reasons for such a decision and shall include  
116 a determination as to whether diligent efforts were made by the  
117 department to locate an adult relative, legal custodian, or  
118 other adult willing to care for the child in order to present  
119 that placement option to the court instead of placement with the  
120 department.

121 b. If no suitable relative is found and the child is  
122 placed with the department or a legal custodian or other adult  
123 approved by the court, both the department and the court shall  
124 consider transferring temporary legal custody to an adult  
125 relative approved by the court at a later date, but neither the  
126 department nor the court is obligated to so place the child if  
127 it is in the child's best interest to remain in the current  
128 placement.

129

130 For the purposes of this section, "diligent efforts to locate an  
131 adult relative" means a search similar to the diligent search  
132 for a parent, but without the continuing obligation to search  
133 after an initial adequate search is completed.

134 9. Other requirements necessary to protect the health,  
135 safety, and well-being of the child, to preserve the stability  
136 of the child's child care, early education program, or any other  
137 educational placement, and to promote family preservation or  
138 reunification whenever possible.

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

139 Section 5. Paragraph (c) of subsection (1) and paragraph  
140 (b) of subsection (2) of section 39.6012, Florida Statutes, are  
141 amended to read:

142 39.6012 Case plan tasks; services.—

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

145 (c) If there is evidence of harm as defined in s.  
146 39.01(35)(g) ~~s. 39.01(30)(g)~~, the case plan must include as a  
147 required task for the parent whose actions caused the harm that  
148 the parent submit to a substance abuse disorder assessment or  
149 evaluation and participate and comply with treatment and  
150 services identified in the assessment or evaluation as being  
151 necessary.

152 (2) The case plan must include all available information  
153 that is relevant to the child's care including, at a minimum:

154 (b) A description of the plan for ensuring that the child  
155 receives safe and proper care and that services are provided to  
156 the child in order to address the child's needs. To the extent  
157 available and accessible, the following health, mental health,  
158 and education information and records of the child must be  
159 attached to the case plan and updated throughout the judicial  
160 review process:

161 1. The names and addresses of the child's health, mental  
162 health, and educational providers;

163 2. The child's grade level performance;

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

164           3. The child's school record or, if the child is under the  
165 age of school entry, any records from a child care program,  
166 early education program, or preschool program;

167           4. Documentation of compliance or noncompliance with the  
168 attendance requirements under s. 39.604, if the child is  
169 enrolled in a child care program, early education program, or  
170 preschool program;

171           ~~5.4.~~ Assurances that the child's placement takes into  
172 account proximity to the school in which the child is enrolled  
173 at the time of placement;

174           ~~6.5.~~ ~~A record of~~ The child's immunizations;

175           ~~7.6.~~ The child's known medical history, including any  
176 known health problems;

177           ~~8.7.~~ The child's medications, if any; and

178           ~~9.8.~~ Any other relevant health, mental health, and  
179 education information concerning the child.

180           Section 6. Subsection (29) of section 39.01, Florida  
181 Statutes, is renumbered as subsection (30), subsections (30)  
182 through (46) are renumbered as subsections (35) through (51),  
183 respectively, subsections (47) through (81) are renumbered as  
184 subsections (53) through (87), respectively, present subsections  
185 (10) and (32) and paragraph (g) of present subsection (30) are  
186 amended, and new subsections (29), (31), (32), (33), (34), and  
187 (52) are added to that section, to read:

316221

Approved For Filing: 2/28/2018 9:07:11 AM



Amendment No.

188 39.01 Definitions.—When used in this chapter, unless the  
189 context otherwise requires:

190 (10) "Caregiver" means the parent, legal custodian,  
191 permanent guardian, adult household member, or other person  
192 responsible for a child's welfare as defined in subsection (54)  
193 ~~(48)~~.

194 (29) "Fictive kin" means a person unrelated by birth,  
195 marriage, or adoption who has an emotionally significant  
196 relationship, which possesses the characteristics of a family  
197 relationship, to a child.

198 (31) "Guardian" means a relative, nonrelative, next of  
199 kin, or fictive kin who is awarded physical custody of a child  
200 in a proceeding brought pursuant to this chapter.

201 (32) "Guardianship assistance payment" means a monthly  
202 cash payment made by the department to a guardian on behalf of  
203 an eligible child or young adult.

204 (33) "Guardianship Assistance Program" means a program  
205 that provides benefits to a child's guardian on behalf of the  
206 child. Benefits may be in the form of a guardianship assistance  
207 payment, a guardianship nonrecurring payment, or Medicaid  
208 coverage.

209 (34) "Guardianship nonrecurring payment" means a one-time  
210 payment of up to \$2,000 made by the department to a guardian to  
211 assist with the expenses associated with obtaining legal

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

212 guardianship of a child who is eligible for the Guardianship  
213 Assistance Program pursuant to s. 39.6225.

214 ~~(35)-(30)~~ "Harm" to a child's health or welfare can occur  
215 when any person:

216 (g) Exposes a child to a controlled substance or alcohol.  
217 Exposure to a controlled substance or alcohol is established by:

218 1. A test, administered at birth, which indicated that the  
219 child's blood, urine, or meconium contained any amount of  
220 alcohol or a controlled substance or metabolites of such  
221 substances, the presence of which was not the result of medical  
222 treatment administered to the mother or the newborn infant; or

223 2. Evidence of extensive, abusive, and chronic use of a  
224 controlled substance or alcohol by a parent to the extent that  
225 the parent's ability to provide supervision and care for the  
226 child has been or is likely to be severely compromised ~~when the~~  
227 ~~child is demonstrably adversely affected by such usage.~~

228  
229 As used in this paragraph, the term "controlled substance" means  
230 prescription drugs not prescribed for the parent or not  
231 administered as prescribed and controlled substances as outlined  
232 in Schedule I or Schedule II of s. 893.03.

233 ~~(37)-(32)~~ "Institutional child abuse or neglect" means  
234 situations of known or suspected child abuse or neglect in which  
235 the person allegedly perpetrating the child abuse or neglect is  
236 an employee of a private school, public or private day care

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

237 center, residential home, institution, facility, or agency or  
238 any other person at such institution responsible for the child's  
239 care as defined in subsection (54) ~~(48)~~.

240 (52) "Nonrelative" means a person unrelated by blood or  
241 marriage or a relative outside the fifth degree of  
242 consanguinity.

243 Section 7. Subsection (1) of section 39.302, Florida  
244 Statutes, is amended to read:

245 39.302 Protective investigations of institutional child  
246 abuse, abandonment, or neglect.—

247 (1) The department shall conduct a child protective  
248 investigation of each report of institutional child abuse,  
249 abandonment, or neglect. Upon receipt of a report that alleges  
250 that an employee or agent of the department, or any other entity  
251 or person covered by s. 39.01(37) or (54) ~~s. 39.01(32) or (48)~~,  
252 acting in an official capacity, has committed an act of child  
253 abuse, abandonment, or neglect, the department shall initiate a  
254 child protective investigation within the timeframe established  
255 under s. 39.201(5) and notify the appropriate state attorney,  
256 law enforcement agency, and licensing agency, which shall  
257 immediately conduct a joint investigation, unless independent  
258 investigations are more feasible. When conducting investigations  
259 or having face-to-face interviews with the child, investigation  
260 visits shall be unannounced unless it is determined by the  
261 department or its agent that unannounced visits threaten the

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

262 safety of the child. If a facility is exempt from licensing, the  
263 department shall inform the owner or operator of the facility of  
264 the report. Each agency conducting a joint investigation is  
265 entitled to full access to the information gathered by the  
266 department in the course of the investigation. A protective  
267 investigation must include an interview with the child's parent  
268 or legal guardian. The department shall make a full written  
269 report to the state attorney within 3 working days after making  
270 the oral report. A criminal investigation shall be coordinated,  
271 whenever possible, with the child protective investigation of  
272 the department. Any interested person who has information  
273 regarding the offenses described in this subsection may forward  
274 a statement to the state attorney as to whether prosecution is  
275 warranted and appropriate. Within 15 days after the completion  
276 of the investigation, the state attorney shall report the  
277 findings to the department and shall include in the report a  
278 determination of whether or not prosecution is justified and  
279 appropriate in view of the circumstances of the specific case.

280 Section 8. Paragraph (h) is added to subsection (2) of  
281 section 39.5085, Florida Statutes, and subsections (3) and (4)  
282 are added to that section, to read:

283 39.5085 Relative Caregiver Program.—

284 (2)

285 (h) If the department determines that a nonrelative  
286 caregiver has received financial assistance under this section

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

287 to which he or she is not entitled, the department shall take  
288 all necessary steps to recover such payment. The department may  
289 make appropriate settlements and may adopt rules to calculate  
290 and recover such payments.

291 (3) The Relative Caregiver Program may not accept initial  
292 applications after June 30, 2019, except as provided in  
293 subsection (4). Relative Caregiver Program benefits shall  
294 continue to be provided to caregivers currently participating in  
295 the program pursuant to this section until the child reaches 18  
296 years of age if the caregiver continues to meet the eligibility  
297 requirements specified in subsection (2).

298 (4) If a caregiver seeking licensure as a child-specific  
299 foster home under s. 409.175 is denied due to inability to meet  
300 safety requirements that may not be waived, he or she may apply  
301 for and receive payments under the Relative Caregiver Program  
302 provided he or she meets the eligibility requirements in  
303 subsection (2). Such a caregiver shall be eligible for payments  
304 under the Relative Caregiver Program until the child reaches 18  
305 years of age, if the caregiver continues to meet the eligibility  
306 requirements specified in subsection (2). However, a caregiver  
307 may not apply for payments under this subsection after June 30,  
308 2021.

309 Section 9. Paragraph (f) is added to subsection (1) of  
310 section 39.6221, Florida Statutes, to read:

311 39.6221 Permanent guardianship of a dependent child.-

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

312 (1) If a court determines that reunification or adoption  
313 is not in the best interest of the child, the court may place  
314 the child in a permanent guardianship with a relative or other  
315 adult approved by the court if all of the following conditions  
316 are met:

317 (f) The child demonstrates a strong attachment to the  
318 prospective permanent guardian and such guardian has a strong  
319 commitment to permanently caring for the child.

320 Section 10. Section 39.6225, Florida Statutes, is created  
321 to read:

322 39.6225 Guardianship Assistance Program.—

323 (1) The department shall establish and operate the  
324 Guardianship Assistance Program to provide guardianship  
325 assistance payments to relatives, next of kin, and fictive kin  
326 who meet the eligibility requirements established in this  
327 section. For purposes of administering the program, the term:

328 (a) "Child" means an individual who has not attained 21  
329 years of age.

330 (b) "Young adult" means an individual who has attained 18  
331 years of age but who has not attained 21 years of age.

332 (2) To approve an application for the program, the  
333 department shall determine that all of the following  
334 requirements have been met:

335 (a) The child's placement with the guardian has been  
336 approved by the court.

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

337 (b) The court has granted legal custody to the guardian  
338 pursuant to s. 39.521 or s. 39.522.

339 (c) The guardian has been licensed to care for the child  
340 as provided in s. 409.175.

341 (d) The child was eligible for foster care room and board  
342 payments pursuant to s. 409.145 for at least 6 consecutive  
343 months while the child resided in the home of the guardian and  
344 the guardian was licensed as a foster parent.

345 (3) A guardian who has entered into a guardianship  
346 agreement for a dependent child may also receive guardianship  
347 assistance payments for a dependent sibling of that dependent  
348 child as a result of a court determination of child abuse,  
349 neglect, or abandonment and subsequent placement of the child  
350 with the relative under this part.

351 (4) The department shall complete an annual  
352 redetermination of eligibility for recipients of guardianship  
353 assistance benefits. If the department determines that a  
354 recipient is no longer eligible for guardianship assistance  
355 benefits, such benefits shall be terminated.

356 (5) A guardian with an application approved pursuant to  
357 subsection (2) who is caring for a child placed with the  
358 guardian by the court pursuant to this part may receive  
359 guardianship assistance payments based on the following  
360 criteria:

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

361 (a) A child eligible for cash benefits through the program  
362 is not eligible to simultaneously have payments made on the  
363 child's behalf through the Relative Caregiver Program under s.  
364 39.5085, postsecondary education services and supports under s.  
365 409.1451, or child-only cash assistance under chapter 414.

366 (b) Guardianship assistance payments are not contingent  
367 upon continued residency in the state. Guardianship assistance  
368 payments must continue for court-approved permanent guardians  
369 who move out of state and continue to meet the requirements of  
370 this subsection and as specified in department rule. Relicensure  
371 of the out-of-state guardian's home is not required for  
372 continuity of payments.

373 (c) Guardianship assistance payments for a child from  
374 another state who is placed with a guardian in this state are  
375 the responsibility of the other state.

376 (d) The department shall provide guardianship assistance  
377 payments in the amount of \$4,000 annually, paid on a monthly  
378 basis, or in an amount other than \$4,000 annually as determined  
379 by the guardian and the department and memorialized in a written  
380 agreement between the guardian and the department. The agreement  
381 shall take into consideration the circumstances of the guardian  
382 and the needs of the child. Changes may not be made without the  
383 concurrence of the guardian. However, in no case shall the  
384 amount of the monthly payment exceed the foster care maintenance  
385 payment that would have been paid during the same period if the

316221

Approved For Filing: 2/28/2018 9:07:11 AM



Amendment No.

386 child had been in licensed care at his or her designated level  
387 of care at the rate established in s. 409.145(4).

388 (e) Payments made pursuant to this section shall cease  
389 when the child attains 18 years of age, except as provided in  
390 subsection (9).

391 (6) Guardianship assistance benefits shall be terminated if:

392 (a) The child is absent from the home of the guardian for  
393 a period of at least 60 consecutive calendar days, unless the  
394 child:

395 1. Is absent due to medical care, school attendance,  
396 runaway status, or detention in a Department of Juvenile Justice  
397 facility; and

398 2. Continues to be under the care and custody of the  
399 guardian.

400 (b) The court modifies the placement of the child and the  
401 guardian is no longer eligible to receive guardianship  
402 assistance benefits.

403 (7) The department shall provide guardianship nonrecurring  
404 payments. Eligible expenses include, but are not limited to, the  
405 cost of a home study, court costs, attorney fees, and costs of  
406 physical and psychological examinations. Such payments are also  
407 available for a sibling placed in the same home as the child.

408 (8) A child receiving assistance under this section is  
409 eligible for Medicaid coverage until the child attains 18 years

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

410 of age, or until the child attains 21 years of age if he or she  
411 meets the requirements of subsection (9).

412 (9) Guardianship assistance payments shall only be made  
413 for a young adult whose permanent guardian entered into a  
414 guardianship assistance agreement after the child attained 16  
415 years of age but before the child attained 18 years of age if  
416 the child is:

417 (a) Completing secondary education or a program leading to  
418 an equivalent credential;

419 (b) Enrolled in an institution that provides postsecondary  
420 or vocational education;

421 (c) Participating in a program or activity designed to  
422 promote or eliminate barriers to employment;

423 (d) Employed for at least 80 hours per month; or

424 (e) Unable to participate in programs or activities listed  
425 in paragraphs (a)-(d) full time due to a physical, intellectual,  
426 emotional, or psychiatric condition that limits participation.  
427 Any such barrier to participation must be supported by  
428 documentation in the child's case file or school or medical  
429 records of a physical, intellectual, emotional, or psychiatric  
430 condition that impairs the child's ability to perform one or  
431 more life activities.

432 (10) The case plan must describe the following for each  
433 child with a permanency goal of permanent guardianship in which  
434 the guardian is in receipt of guardianship assistance payments:

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

- 435 (a) The manner in which the child meets program  
436 eligibility requirements.
- 437 (b) The manner in which the department determined that  
438 reunification or adoption is not appropriate.
- 439 (c) Efforts to discuss adoption with the child's permanent  
440 guardian.
- 441 (d) Efforts to discuss guardianship assistance with the  
442 child's parent or the reasons why efforts were not made.
- 443 (e) The reasons why a permanent placement with the  
444 prospective guardian is in the best interest of the child.
- 445 (f) The reasons why the child is separated from his or her  
446 siblings during placement, if applicable.
- 447 (g) Efforts to consult the child, if the child is 14 years  
448 of age or older, regarding the permanent guardianship  
449 arrangement.
- 450 (11) The department shall adopt rules to administer the  
451 program.
- 452 (12) The Florida Institute for Child Welfare shall  
453 evaluate the implementation of the Guardianship Assistance  
454 Program. This evaluation shall be designed to determine the  
455 impact of implementation of the Guardianship Assistance Program,  
456 identify any barriers that may prevent eligible caregivers from  
457 participating in the program, and identify recommendations  
458 regarding enhancements to the state's system of supporting  
459 kinship caregivers. The institute shall submit the report to the

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

460 Governor, the President of the Senate, and the Speaker of the  
461 House of Representatives no later than January 1, 2021. At a  
462 minimum, the evaluation shall include:

463 (a) Information about the perspectives and experiences of  
464 program participants, individuals who applied for licensure as  
465 child-specific foster homes or program participation but were  
466 determined to be ineligible, and individuals who were likely  
467 eligible for licensure as a child-specific foster home or for  
468 the program but declined to apply, collected through means,  
469 including, but not limited to, surveys and focus groups.

470 (b) An assessment of any communications procedures and  
471 print and electronic materials developed to publicize the  
472 program and recommendations for improving these materials. If  
473 possible, individuals with expertise in marketing and  
474 communications shall contribute to this assessment.

475 (c) An analysis of the program's impact on caregivers and  
476 children, including any differences in impact on children placed  
477 with caregivers who were licensed and those who were not.

478 (d) Recommendations for maximizing participation by  
479 eligible caregivers and improving the support available to  
480 kinship caregivers.

481 (13) The program shall take effect July 1, 2019.

482 Section 11. Paragraph (b) of subsection (6) and subsection  
483 (7) of section 39.6251, Florida Statutes, are amended to read:

484 39.6251 Continuing care for young adults.—

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

485 (6) A young adult who is between the ages of 18 and 21 and  
486 who has left care may return to care by applying to the  
487 community-based care lead agency for readmission. The community-  
488 based care lead agency shall readmit the young adult if he or  
489 she continues to meet the eligibility requirements in this  
490 section.

491 (b) Within 30 days after the young adult has been  
492 readmitted to care, the community-based care lead agency shall  
493 assign a case manager to update the case plan and the transition  
494 plan and to arrange for the required services. Updates to the  
495 case plan and the transition plan and arrangements for the  
496 required services ~~Such activities~~ shall be undertaken in  
497 consultation with the young adult. The department shall petition  
498 the court to reinstate jurisdiction over the young adult.  
499 Notwithstanding s. 39.013(2), the court shall resume  
500 jurisdiction over the young adult if the department establishes  
501 that he or she continues to meet the eligibility requirements in  
502 this section.

503 (7) During each period of time that a young adult is in  
504 care, the community-based lead agency shall provide regular case  
505 management reviews that must include at least monthly face-to-  
506 face meetings ~~contact~~ with the case manager. ~~If a young adult~~  
507 ~~lives outside the service area of his or her community-based~~  
508 ~~care lead agency, monthly contact may occur by telephone.~~

509 Section 12. Paragraph (p) of subsection (4) of section

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

510 394.495, Florida Statutes, is amended to read:

511 394.495 Child and adolescent mental health system of care;  
512 programs and services.—

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

515 (p) Trauma-informed services for children who have  
516 suffered sexual exploitation as defined in s. 39.01(77)(g) ~~s.~~  
517 ~~39.01(71)(g)~~.

518 Section 13. Subsection (4) of section 409.145, Florida  
519 Statutes, is amended to read:

520 409.145 Care of children; quality parenting; "reasonable  
521 and prudent parent" standard.—The child welfare system of the  
522 department shall operate as a coordinated community-based system  
523 of care which empowers all caregivers for children in foster  
524 care to provide quality parenting, including approving or  
525 disapproving a child's participation in activities based on the  
526 caregiver's assessment using the "reasonable and prudent parent"  
527 standard.

528 (4) FOSTER CARE ~~PARENT~~ ROOM AND BOARD RATES.—

529  
530 (a) Effective July 1, 2018 ~~January 1, 2014~~, room and board  
531 rates shall be paid to foster parents ~~are~~ as follows:

532

Monthly Foster Care Rate

533

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

	0-5 Years Age	6-12 Years Age	13-21 Years Age
534	<u>\$457.95</u> <del>\$429</del>	<u>\$469.68</u> <del>\$440</del>	<u>\$549.74</u> <del>\$515</del>

535

536       (b) Each January, foster parents shall receive an annual  
 537 cost of living increase. The department shall calculate the new  
 538 room and board rate increase equal to the percentage change in  
 539 the Consumer Price Index for All Urban Consumers, U.S. City  
 540 Average, All Items, not seasonally adjusted, or successor  
 541 reports, for the preceding December compared to the prior  
 542 December as initially reported by the United States Department  
 543 of Labor, Bureau of Labor Statistics. The department shall make  
 544 available the adjusted room and board rates annually.

545       (c) Effective July 1, 2019, foster parents of level I  
 546 family foster homes, as defined in under s. 409.175(5) (a) shall  
 547 receive a room and board rate of \$333.

548       (d) Effective July 1, 2019, the foster care room and board  
 549 rate for level II family foster homes as defined in s.  
 550 409.175(5) (a) shall be the same as the new rate established for  
 551 family foster homes as of January 1, 2019.

552       (e) Effective January 1, 2020, paragraph (b) shall only  
 553 apply to level II through level V family foster homes, as  
 554 defined in s. 409.175(5) (a).

316221

Amendment No.

555 ~~(f)-(e)~~ The amount of the monthly foster care room and  
556 board rate may be increased upon agreement among the department,  
557 the community-based care lead agency, and the foster parent.

558 ~~(g)-(d)~~ From July 1, 2018, through June 30, 2019,  
559 community-based care lead agencies providing care under contract  
560 with the department shall pay a supplemental room and board  
561 payment to foster care parents of all family foster homes, on a  
562 per-child basis, for providing independent life skills and  
563 normalcy supports to children who are 13 through 17 years of age  
564 placed in their care. The supplemental payment shall be paid  
565 monthly to the foster care parents ~~on a per-child basis~~ in  
566 addition to the current monthly room and board rate payment. The  
567 supplemental monthly payment shall be based on 10 percent of the  
568 monthly room and board rate for children 13 through 21 years of  
569 age as provided under this section and adjusted annually.  
570 Effective July 1, 2019, such supplemental payments shall only be  
571 paid to foster parents of level II through level V family foster  
572 homes.

573 Section 14. Subsections (4) and (5) of section 409.166,  
574 Florida Statutes, are amended to read:

575 409.166 Children within the child welfare system; adoption  
576 assistance program.—

577 (4) ADOPTION ASSISTANCE.—

578 (a) For purposes of administering payments under paragraph  
579 (d), the term:

316221

Approved For Filing: 2/28/2018 9:07:11 AM



Amendment No.

580 1. "Child" means an individual who has not attained 21  
581 years of age.

582 2. "Young adult" means an individual who has attained 18  
583 years of age but who has not attained 21 years of age.

584 (b)(a) A maintenance subsidy shall be granted only when  
585 all other resources available to a child have been thoroughly  
586 explored and it can be clearly established that this is the most  
587 acceptable plan for providing permanent placement for the child.  
588 The maintenance subsidy may not be used as a substitute for  
589 adoptive parent recruitment or as an inducement to adopt a child  
590 who might be placed without providing a subsidy. However, it  
591 shall be the policy of the department that no child be denied  
592 adoption if providing a maintenance subsidy would make adoption  
593 possible. The best interest of the child shall be the deciding  
594 factor in every case. This section does not prohibit foster  
595 parents from applying to adopt a child placed in their care.  
596 Foster parents or relative caregivers must be asked if they  
597 would adopt without a maintenance subsidy.

598 (c)(b) The department shall provide adoption assistance to  
599 the adoptive parents, subject to specific appropriation, in the  
600 amount of \$5,000 annually, paid on a monthly basis, for the  
601 support and maintenance of a child until the 18th birthday of  
602 such child or in an amount other than \$5,000 annually as  
603 determined by the adoptive parents and the department and  
604 memorialized in a written agreement between the adoptive parents

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

605 and the department. The agreement shall take into consideration  
606 the circumstances of the adoptive parents and the needs of the  
607 child being adopted. The amount of subsidy may be adjusted based  
608 upon changes in the needs of the child or circumstances of the  
609 adoptive parents. Changes shall not be made without the  
610 concurrence of the adoptive parents. However, in no case shall  
611 the amount of the monthly payment exceed the foster care  
612 maintenance payment that would have been paid during the same  
613 period if the child had been in a foster family home.

614 (d) Effective January 1, 2019, adoption assistance  
615 payments may be made for a child whose adoptive parent entered  
616 into an adoption assistance agreement after the child reached 16  
617 years of age but before the child reached 18 years of age. Such  
618 payments may be made until the child reaches age 21 if the child  
619 is:

620 1. Completing secondary education or a program leading to  
621 an equivalent credential;

622 2. Enrolled in an institution that provides postsecondary  
623 or vocational education;

624 3. Participating in a program or activity designed to  
625 promote or eliminate barriers to employment;

626 4. Employed for at least 80 hours per month; or

627 5. Unable to participate in programs or activities listed  
628 in subparagraphs 1.-4. full time due to a physical,  
629 intellectual, emotional, or psychiatric condition that limits

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

630 participation. Any such barrier to participation must be  
631 supported by documentation in the child's case file or school or  
632 medical records of a physical, intellectual, emotional, or  
633 psychiatric condition that impairs the child's ability to  
634 perform one or more life activities.

635 (e) A child or young adult receiving benefits through the  
636 adoption assistance program is not eligible to simultaneously  
637 receive relative caregiver benefits under s. 39.5085 or  
638 postsecondary education services and support under s. 409.1451.

639 (f)~~(e)~~ The department may provide adoption assistance to  
640 the adoptive parents, subject to specific appropriation, for  
641 medical assistance initiated after the adoption of the child for  
642 medical, surgical, hospital, and related services needed as a  
643 result of a physical or mental condition of the child which  
644 existed before the adoption and is not covered by Medicaid,  
645 Children's Medical Services, or Children's Mental Health  
646 Services. Such assistance may be initiated at any time but shall  
647 terminate on or before the child's 18th birthday.

648 (5) ELIGIBILITY FOR SERVICES.—

649 (a) As a condition of receiving ~~providing~~ adoption  
650 assistance under this section, the adoptive parents must have an  
651 approved adoption home study before the adoption is finalized  
652 and must enter into an adoption-assistance agreement with the  
653 department before the adoption is finalized which specifies the  
654 financial assistance and other services to be provided.

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

655 (b) A child who is handicapped at the time of adoption  
656 shall be eligible for services through the Children's Medical  
657 Services network established under part I of chapter 391 if the  
658 child was eligible for such services prior to the adoption.

659 Section 15. Paragraph (b) of subsection (2) of section  
660 409.1676, Florida Statutes, is amended to read:

661 409.1676 Comprehensive residential group care services to  
662 children who have extraordinary needs.—

663 (2) As used in this section, the term:

664 (b) "Residential group care" means a living environment  
665 for children who have been adjudicated dependent and are  
666 expected to be in foster care for at least 6 months with 24-  
667 hour-awake staff or live-in group home parents or staff. Each  
668 facility must be appropriately licensed in this state as a  
669 residential child caring agency as defined in s. 409.175(2)(1)  
670 ~~s. 409.175(2)(j)~~ and must be accredited by July 1, 2005. A  
671 residential group care facility serving children having a  
672 serious behavioral problem as defined in this section must have  
673 available staff or contract personnel with the clinical  
674 expertise, credentials, and training to provide services  
675 identified in subsection (4).

676 Section 16. Subsections (2) and (5), paragraph (k) of  
677 subsection (6), paragraph (b) of subsection (9), paragraphs (a)  
678 and (b) of subsection (10), paragraph (a) of subsection (11),

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

679 paragraph (b) of subsection (12), and subsection (14) of section  
680 409.175, Florida Statutes, are amended to read:

681 409.175 Licensure of family foster homes, residential  
682 child-caring agencies, and child-placing agencies; public  
683 records exemption.—

684 (2) As used in this section, the term:

685 (a) "Agency" means a residential child-caring agency or a  
686 child-placing agency.

687 (b) "Boarding school" means a school that is registered  
688 with the Department of Education as a school that provides a  
689 residential service for students and that is either:

690 1. Accredited for academic programs by the Florida Council  
691 of Independent Schools, the Southern Association of Colleges and  
692 Schools, an accrediting association that is a member of the  
693 National Council for Private School Accreditation, or an  
694 accrediting association that is a member of the Florida  
695 Association of Academic Nonpublic Schools, and that is  
696 accredited for residential programs by the Council on  
697 Accreditation, the Commission on Accreditation of Rehabilitation  
698 Facilities, or the Coalition for Residential Education; or

699 2. Accredited by one of the organizations specified in  
700 subparagraph 1. as a boarding school that includes both an  
701 academic and residential component in its accreditation.

702 (c) "Child" means any unmarried person under the age of 18  
703 years.

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

704 (d) "Child-placing agency" means any person, corporation,  
705 or agency, public or private, other than the parent or legal  
706 guardian of the child or an intermediary acting pursuant to  
707 chapter 63, that receives a child for placement and places or  
708 arranges for the placement of a child in a family foster home,  
709 residential child-caring agency, or adoptive home.

710 (e) "Family foster home" means a private residence in  
711 which children who are unattended by a parent or legal guardian  
712 are provided 24-hour care. The term does not include an adoptive  
713 home that has been approved by the department or approved by a  
714 licensed child-placing agency for children placed for adoption.

715 ~~Such homes include emergency shelter family homes and~~  
716 ~~specialized foster homes for children with special needs. A~~  
717 ~~person who cares for a child of a friend for a period not to~~  
718 ~~exceed 90 days, a relative who cares for a child and does not~~  
719 ~~receive reimbursement for such care from the state or federal~~  
720 ~~government, or an adoptive home which has been approved by the~~  
721 ~~department or by a licensed child-placing agency for children~~  
722 ~~placed for adoption is not considered a family foster home.~~

723 (f) "License" means "license" as defined in s. 120.52(10).  
724 A license under this section is issued to a family foster home  
725 or other facility and is not a professional license of any  
726 individual. Receipt of a license under this section shall not  
727 create a property right in the recipient. A license under this  
728 act is a public trust and a privilege, and is not an

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

729 entitlement. This privilege must guide the finder of fact or  
730 trier of law at any administrative proceeding or court action  
731 initiated by the department.

732 (g) "Licensing home study" means a documented assessment,  
733 as defined by department rule, to determine the safety and  
734 appropriateness of any 24-hour living arrangement for a child  
735 who is unattended by a parent or legal guardian. A primary  
736 caregiver issued a license for a specific child may apply for a  
737 waiver of the non-safety-related and non-health-related elements  
738 of a licensing home study under the Guardianship Assistance  
739 Program established in s. 39.6225.

740 (h)~~(g)~~ "Operator" means any onsite person ultimately  
741 responsible for the overall operation of a child-placing agency,  
742 family foster home, or residential child-caring agency, whether  
743 or not she or he is the owner or administrator of such an agency  
744 or home.

745 (i)~~(h)~~ "Owner" means the person who is licensed to operate  
746 the child-placing agency, family foster home, or residential  
747 child-caring agency.

748 (j)~~(i)~~ "Personnel" means all owners, operators, employees,  
749 and volunteers working in a child-placing agency, family foster  
750 home, or residential child-caring agency who may be employed by  
751 or do volunteer work for a person, corporation, or agency that  
752 holds a license as a child-placing agency or a residential  
753 child-caring agency, but the term does not include those who do

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

754 not work on the premises where child care is furnished and have  
755 no direct contact with a child or have no contact with a child  
756 outside of the presence of the child's parent or guardian. For  
757 purposes of screening, the term includes any member, over the  
758 age of 12 years, of the family of the owner or operator or any  
759 person other than a client, over the age of 12 years, residing  
760 with the owner or operator if the agency or family foster home  
761 is located in or adjacent to the home of the owner or operator  
762 or if the family member of, or person residing with, the owner  
763 or operator has any direct contact with the children. Members of  
764 the family of the owner or operator, or persons residing with  
765 the owner or operator, who are between the ages of 12 years and  
766 18 years are not required to be fingerprinted, but must be  
767 screened for delinquency records. For purposes of screening, the  
768 term also includes owners, operators, employees, and volunteers  
769 working in summer day camps, or summer 24-hour camps providing  
770 care for children. A volunteer who assists on an intermittent  
771 basis for less than 10 hours per month shall not be included in  
772 the term "personnel" for the purposes of screening if a person  
773 who meets the screening requirement of this section is always  
774 present and has the volunteer in his or her line of sight.

775 (k) "Placement screening" means the act of assessing the  
776 background of household members in the family foster home and  
777 includes, but is not limited to, criminal history records checks  
778 as provided in s. 39.0138 using the standards for screening set

316221

Approved For Filing: 2/28/2018 9:07:11 AM



Amendment No.

779 forth in that section. The term "household member" means a  
780 member of the family or a person, other than the child being  
781 placed, over the age of 12 years who resides with the owner who  
782 operates the family foster home if such family member or person  
783 has any direct contact with the child. Household members who are  
784 between the ages of 12 and 18 years are not required to be  
785 fingerprinted but must be screened for delinquency records.

786 (l)-(j) "Residential child-caring agency" means any person,  
787 corporation, or agency, public or private, other than the  
788 child's parent or legal guardian, that provides staffed 24-hour  
789 care for children in facilities maintained for that purpose,  
790 regardless of whether operated for profit or whether a fee is  
791 charged. Such residential child-caring agencies include, but are  
792 not limited to, maternity homes, runaway shelters, group homes  
793 that are administered by an agency, emergency shelters that are  
794 not in private residences, and wilderness camps. Residential  
795 child-caring agencies do not include hospitals, boarding  
796 schools, summer or recreation camps, nursing homes, or  
797 facilities operated by a governmental agency for the training,  
798 treatment, or secure care of delinquent youth, or facilities  
799 licensed under s. 393.067 or s. 394.875 or chapter 397.

800 (m)-(k) "Screening" means the act of assessing the  
801 background of personnel and includes, but is not limited to,  
802 employment history checks as provided in chapter 435, using the  
803 level 2 standards for screening set forth in that chapter.

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

804 (n)~~(l)~~ "Summer day camp" means recreational, educational,  
805 and other enrichment programs operated during summer vacations  
806 for children who are 5 years of age on or before September 1 and  
807 older.

808 (o)~~(m)~~ "Summer 24-hour camp" means recreational,  
809 educational, and other enrichment programs operated on a 24-hour  
810 basis during summer vacation for children who are 5 years of age  
811 on or before September 1 and older, that are not exclusively  
812 educational.

813 (5)~~(a)~~ The department shall adopt and amend ~~licensing~~  
814 rules for the levels of licensed care associated with the  
815 licensure of family foster homes, residential child-caring  
816 agencies, and child-placing agencies. The rules may include  
817 criteria to approve waivers to licensing requirements when  
818 applying for a child-specific license.

819 (a) Family foster homes shall be classified by levels of  
820 licensure, as follows:

821 1. Level I.-

822 a. Type of licensure.-Child-specific foster home.

823 b. Licensure requirements.-The caregiver must meet all  
824 level II requirements pursuant to this section. However,  
825 requirements not directly related to safety may be waived.

826 2. Level II.-

827 a. Type of licensure.-Non-child-specific foster home.

828 b. Licensure requirements.-The caregiver must meet all

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

829 licensing requirements pursuant to paragraph (b).

830 3. Level III.-

831 a. Type of licensure.-Safe foster home for victims of  
832 human trafficking.

833 b. Licensure requirements.-The caregiver must meet all  
834 licensing requirements pursuant to paragraph (b) and all  
835 certification requirements pursuant to s. 409.1678.

836 4. Level IV.-

837 a. Type of licensure.-Therapeutic foster home.

838 b. Licensure requirements.-The caregiver must meet all  
839 licensing requirements pursuant to paragraph (b) and all  
840 certification requirements established in rule by the Agency for  
841 Health Care Administration.

842 5. Level V.-

843 a. Type of licensure.-Medical foster home.

844 b. Licensure requirements.-The caregiver must meet all  
845 licensing requirements pursuant to paragraph (b) and all  
846 certification requirements established in rule by the Agency for  
847 Health Care Administration. ~~The department may also adopt rules~~  
848 ~~relating to the screening requirements for summer day camps and~~  
849 ~~summer 24-hour camps.~~

850 (b) The requirements for licensure and operation of family  
851 foster homes, residential child-caring agencies, and child-  
852 placing agencies shall include:

853 1. The operation, conduct, and maintenance of these homes

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

854 and agencies and the responsibility which they assume for  
855 children served and the evidence of need for that service.

856 2. The provision of food, clothing, educational  
857 opportunities, services, equipment, and individual supplies to  
858 assure the healthy physical, emotional, and mental development  
859 of the children served.

860 3. The appropriateness, safety, cleanliness, and general  
861 adequacy of the premises, including fire prevention and health  
862 standards, to provide for the physical comfort, care, and well-  
863 being of the children served.

864 4. The ratio of staff to children required to provide  
865 adequate care and supervision of the children served and, in the  
866 case of foster homes, the maximum number of children in the  
867 home.

868 5. The good moral character based upon screening,  
869 education, training, and experience requirements for personnel.

870 6. The department may grant exemptions from  
871 disqualification from working with children or the  
872 developmentally disabled as provided in s. 435.07.

873 7. The provision of preservice and inservice training for  
874 all foster parents and agency staff.

875 8. Satisfactory evidence of financial ability to provide  
876 care for the children in compliance with licensing requirements.

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

877 9. The maintenance by the agency of records pertaining to  
878 admission, progress, health, and discharge of children served,  
879 including written case plans and reports to the department.

880 10. The provision for parental involvement to encourage  
881 preservation and strengthening of a child's relationship with  
882 the family.

883 11. The transportation safety of children served.

884 12. The provisions for safeguarding the cultural,  
885 religious, and ethnic values of a child.

886 13. Provisions to safeguard the legal rights of children  
887 served.

888 ~~(c)~~ ~~(b)~~ The requirements for the licensure and operation of  
889 a child-placing agency shall also include compliance with the  
890 requirements of ss. 63.0422 and 790.335.

891 ~~(d)~~ ~~(e)~~ The department shall randomly drug test a licensed  
892 foster parent if there is a reasonable suspicion that he or she  
893 is using illegal drugs. The cost of testing shall be paid by the  
894 foster parent but shall be reimbursed by the department if the  
895 test is negative. The department may adopt rules necessary to  
896 administer this paragraph.

897 ~~(e)~~ ~~(d)~~ In adopting ~~promulgating~~ licensing rules pursuant  
898 to this section, the department may make distinctions among  
899 types of care; numbers of children served; and the physical,  
900 mental, emotional, and educational needs of the children to be  
901 served by a home or agency.

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

902        (f) ~~(e)~~ The department may ~~shall~~ not adopt rules which  
903 interfere with the free exercise of religion or which regulate  
904 religious instruction or teachings in any child-caring or child-  
905 placing home or agency. This section may not; ~~however, nothing~~  
906 ~~herein shall~~ be construed to allow religious instruction or  
907 teachings that are inconsistent with the health, safety, or  
908 well-being of any child; with public morality; or with the  
909 religious freedom of children, parents, or legal guardians who  
910 place their children in such homes or agencies.

911        (g) ~~(f)~~ The department's rules shall include adoption of a  
912 form to be used by child-placing agencies during an adoption  
913 home study that requires all prospective adoptive applicants to  
914 acknowledge in writing the receipt of a document containing  
915 solely and exclusively the language provided for in s. 790.174  
916 verbatim.

917        (6)

918        (k) The department may not license summer day camps or  
919 summer 24-hour camps. However, the department shall have access  
920 to the personnel records of such facilities to ensure compliance  
921 with the screening requirements. The department may adopt rules  
922 relating to the screening requirements for summer day camps and  
923 summer 24-hour camps.

924        (9)

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

925 (b) Any of the following actions by a home or agency or  
926 its personnel is a ground for denial, suspension, or revocation  
927 of a license:

928 1. An intentional or negligent act materially affecting  
929 the health or safety of children in the home or agency.

930 2. A violation of the provisions of this section or of  
931 licensing rules promulgated pursuant to this section.

932 3. Noncompliance with the requirements for good moral  
933 character as specified in paragraph (5) (b) ~~(5) (a)~~.

934 4. Failure to dismiss personnel found in noncompliance  
935 with requirements for good moral character.

936 5. Failure to comply with the requirements of ss. 63.0422  
937 and 790.335.

938 (10) (a) The department may institute injunctive  
939 proceedings in a court of competent jurisdiction to:

940 1. Enforce the provisions of this section or any license  
941 requirement, rule, or order issued or entered into pursuant  
942 thereto; or

943 2. Terminate the operation of an agency in which any of  
944 the following conditions exist:

945 a. The licensee has failed to take preventive or  
946 corrective measures in accordance with any order of the  
947 department to maintain conformity with licensing requirements.

948 b. There is a violation of any of the provisions of this  
949 section, or of any licensing requirement promulgated pursuant to

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

950 this section, which violation threatens harm to any child or  
951 which constitutes an emergency requiring immediate action.

952 3. Terminate the operation of a summer day camp or summer  
953 24-hour camp providing care for children when such camp has  
954 willfully and knowingly refused to comply with the screening  
955 requirements for personnel or has refused to terminate the  
956 employment of personnel found to be in noncompliance with the  
957 requirements for good moral character as determined in paragraph  
958 (5) (b) ~~(5) (a)~~.

959 (b) If the department finds, within 30 days after written  
960 notification by registered mail of the requirement for  
961 licensure, that a person or agency continues to care for or to  
962 place children without a license or, within 30 days after  
963 written notification by registered mail of the requirement for  
964 screening of personnel and compliance with paragraph (5) (b)  
965 ~~(5) (a)~~ for the hiring and continued employment of personnel,  
966 that a summer day camp or summer 24-hour camp continues to  
967 provide care for children without complying, the department  
968 shall notify the appropriate state attorney of the violation of  
969 law and, if necessary, shall institute a civil suit to enjoin  
970 the person or agency from continuing the placement or care of  
971 children or to enjoin the summer day camp or summer 24-hour camp  
972 from continuing the care of children.

973 (11) (a) The department is authorized to seek compliance  
974 with the licensing requirements of this section to the fullest

316221

Approved For Filing: 2/28/2018 9:07:11 AM



Amendment No.

975 extent possible by reliance on administrative sanctions and  
976 civil actions and may provide an exception of those standards  
977 for which a waiver has been granted pursuant to this section.

978 (12)

979 (b) It is unlawful for any person, agency, summer day  
980 camp, or summer 24-hour camp providing care for children to:

981 1. Willfully or intentionally fail to comply with the  
982 requirements for the screening of personnel or the dismissal of  
983 personnel found not to be in compliance with the requirements  
984 for good moral character as specified in paragraph (5)(b)  
985 ~~(5)(a)~~.

986 2. Use information from the criminal records obtained  
987 under this section for any purpose other than screening a person  
988 for employment as specified in this section or to release such  
989 information to any other person for any purpose other than  
990 screening for employment as specified in this section.

991 (14)(a) In order to provide improved services to children,  
992 the department shall provide or cause to be provided preservice  
993 training for prospective foster parents ~~and emergency shelter~~  
994 ~~parents~~ and inservice training for foster parents ~~and emergency~~  
995 ~~shelter parents~~ who are licensed and supervised by the  
996 department.

997 (b) As a condition of licensure, foster parents ~~and~~  
998 ~~emergency shelter parents~~ shall successfully complete a minimum  
999 of 21 hours of preservice training. The preservice training

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

1000 shall be uniform statewide and shall include, but not be limited  
1001 to, such areas as:

1002 1. Orientation regarding agency purpose, objectives,  
1003 resources, policies, and services;

1004 2. Role of the foster parent ~~and the emergency shelter~~  
1005 ~~parent~~ as a treatment team member;

1006 3. Transition of a child into and out of foster care ~~and~~  
1007 ~~emergency shelter care~~, including issues of separation, loss,  
1008 and attachment;

1009 4. Management of difficult child behavior that can be  
1010 intensified by placement, by prior abuse or neglect, and by  
1011 prior placement disruptions;

1012 5. Prevention of placement disruptions;

1013 6. Care of children at various developmental levels,  
1014 including appropriate discipline; and

1015 7. Effects of foster parenting on the family of the foster  
1016 parent ~~and the emergency shelter parent~~.

1017 (c) In consultation with foster parents, each region  
1018 ~~district~~ or lead agency shall develop a plan for making the  
1019 completion of the required training as convenient as possible  
1020 for potential foster parents ~~and emergency shelter parents~~. The  
1021 plan should include, without limitation, such strategies as  
1022 providing training in nontraditional locations and at  
1023 nontraditional times. The plan must be revised at least annually

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

1024 and must be included in the information provided to each person  
1025 applying to become a foster parent ~~or emergency shelter parent~~.

1026 (d) Prior to licensure renewal, each level II through  
1027 level V foster parent ~~and emergency shelter parent~~ shall  
1028 successfully complete 8 hours of inservice training. Each level  
1029 I foster parent shall successfully complete 4 hours of inservice  
1030 training. Periodic time-limited training courses shall be made  
1031 available for selective use by foster parents ~~and emergency~~  
1032 ~~shelter parents~~. Such inservice training shall include subjects  
1033 affecting the daily living experiences of foster parenting as a  
1034 foster parent ~~or as an emergency shelter parent, whichever is~~  
1035 ~~appropriate.~~ For a foster parent ~~or emergency shelter parent~~  
1036 participating in the required inservice training, the department  
1037 shall reimburse such parent for travel expenditures and, if both  
1038 parents in a home are attending training or if the absence of  
1039 the parent would leave the children without departmentally  
1040 approved adult supervision, ~~either~~ the department shall make  
1041 provision for child care or shall reimburse the foster ~~or~~  
1042 ~~emergency shelter~~ parents for child care purchased by the  
1043 parents for children in their care.

1044 Section 17. Subsection (5) of section 960.065, Florida  
1045 Statutes, is amended to read:

1046 960.065 Eligibility for awards.-

1047 (5) A person is not ineligible for an award pursuant to  
1048 paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) if that

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

1049 person is a victim of sexual exploitation of a child as defined  
1050 in s. 39.01(77)(g) ~~s. 39.01(71)(g)~~.

1051  
1052 -----  
1053 **T I T L E A M E N D M E N T**

1054 Remove lines 22-36 and insert:

1055 amending s. 39.521, F.S.; authorizing the court to  
1056 make certain determinations regarding placement of a  
1057 child with a guardian; conforming a cross-reference;  
1058 amending s. 39.6012, F.S.; revising the types of  
1059 records that must be attached to a case plan and  
1060 updated throughout the judicial review process;  
1061 amending s. 39.01, F.S.; revising and providing  
1062 definitions; amending s. 39.5085, F.S.; authorizing  
1063 the department to recover financial assistance  
1064 provided to nonrelative caregivers under certain  
1065 circumstances; terminating the Relative Caregiver  
1066 Program on a specified date; providing for continuance  
1067 of benefits to current participants; allowing certain  
1068 individuals to apply for and receive benefits under  
1069 the Relative Caregiver Program until July 1, 2021;  
1070 amending s. 39.6221, F.S.; providing an additional  
1071 condition for court placement of a child in permanent  
1072 guardianship; creating s. 39.6225, F.S.; requiring the  
1073 department to establish and operate a Guardianship

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

1074 Assistance Program to provide guardianship assistance  
1075 payments to certain guardians beginning on a specified  
1076 date; providing definitions; providing eligibility  
1077 requirements; authorizing guardians to receive such  
1078 payments for certain siblings; requiring the  
1079 department to annually redetermine eligibility;  
1080 providing conditions for termination of benefits;  
1081 requiring the department to provide guardianship  
1082 nonrecurring payments for certain expenses;  
1083 authorizing the use of certain state and federal funds  
1084 to operate the program; providing that children  
1085 receiving assistance under the program are eligible  
1086 for Medicaid coverage until they reach a certain age;  
1087 requiring case plans to include certain information;  
1088 requiring the department to adopt rules; requiring the  
1089 Florida Institute for Child Welfare conduct a program  
1090 evaluation and submit a report of its findings to the  
1091 Governor and Legislature; amending s. 39.6251, F.S.;  
1092 requiring the case manager for a young adult in foster  
1093 care to consult the young adult when updating case or  
1094 the transition plans and arrangements; deleting a  
1095 provision authorizing case management reviews to be  
1096 conducted by telephone under certain circumstances;  
1097 amending s. 409.145, F.S.; revising rates for room and  
1098 board reimbursement of certain family foster homes;

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

1099 | revising provisions relating to supplemental payments  
1100 | by community-based care lead agencies; amending s.  
1101 | 409.166, F.S.; providing definitions; providing  
1102 | conditions for the department to provide adoption  
1103 | assistance payments to adoptive parents of certain  
1104 | children; providing that children and young adults  
1105 | receiving benefits through the adoption assistance  
1106 | program are ineligible for specified other benefits  
1107 | and services; providing additional conditions for  
1108 | eligibility for adoption assistance; amending s.  
1109 | 409.175, F.S.; revising and providing definitions;  
1110 | requiring a guardian to apply for a license with the  
1111 | department to be eligible for the program; classifying  
1112 | family foster homes by licensure type; exempting  
1113 | certain household members from specified  
1114 | fingerprinting requirements; authorizing the  
1115 | department to adopt rules relating to certain summer  
1116 | camps; deleting references to preservice training  
1117 | requirements for emergency shelter parents; providing  
1118 | inservice training requirements for certain foster  
1119 | parents; amending ss. 39.302, 394.495, 409.1676, and  
1120 | 960.065, F.S.; conforming cross-references; amending  
1121 | s. 39.604, F.S.; revising enrollment and attendance  
1122 | requirements for children under protective supervision  
1123 | or out-of-home care enrolled in an early education or

316221

Approved For Filing: 2/28/2018 9:07:11 AM

Amendment No.

1124 child care program; providing requirements and  
1125 procedures for maintaining the educational stability  
1126 of a child during the child's placement in out-of-home  
1127 care or subsequent changes in out-of-home placement;  
1128 requiring that a child's transition from an early  
1129 education or child care program be pursuant to a plan  
1130 that meets certain requirements; providing an  
1131 effective date.

316221

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