

By the Committee on Children, Families, and Elder Affairs; and  
Senator Bean

586-02485-19

2019128c1

1 A bill to be entitled  
2 An act relating to child abuse; amending s. 39.01,  
3 F.S.; expanding the list of incidents or injuries that  
4 constitute harm to a child's health or welfare to  
5 include incidents or injuries resulting from  
6 violations of child restraint and seatbelt  
7 requirements; amending s. 39.201, F.S.; requiring the  
8 central abuse hotline to accept certain reports or  
9 calls for investigation for children who do not live  
10 in this state; requiring the Department of Children  
11 and Families to initiate an investigation when a  
12 report is received from an emergency room physician;  
13 amending s. 39.303, F.S.; expanding the types of  
14 reports that the Department of Health must refer to  
15 Child Protection Teams; providing an effective date.  
16

17 Be It Enacted by the Legislature of the State of Florida:  
18

19 Section 1. Paragraph (m) is added to subsection (35) of  
20 section 39.01, Florida Statutes, to read:

21 39.01 Definitions.—When used in this chapter, unless the  
22 context otherwise requires:

23 (35) "Harm" to a child's health or welfare can occur when  
24 any person:

25 (m) Violates s. 316.613 or s. 316.614 resulting in the  
26 death of a child or the injury of a child which requires  
27 treatment at a hospital emergency department or a trauma center,  
28 if substantiated by a licensed physician's opinion that the  
29 violation exacerbated the child's injuries or resulted in the

586-02485-19

2019128c1

30 child's death.

31 Section 2. Paragraph (d) of subsection (2) of section  
 32 39.201, Florida Statutes, is amended, and paragraph (1) is added  
 33 to that subsection, to read:

34 39.201 Mandatory reports of child abuse, abandonment, or  
 35 neglect; mandatory reports of death; central abuse hotline.—

36 (2)

37 (d) If the report is of an instance of known or suspected  
 38 child abuse, abandonment, or neglect which ~~that~~ occurred out of  
 39 state and the alleged perpetrator and the child alleged to be a  
 40 victim live out of state, the central abuse hotline may ~~shall~~  
 41 not accept the report or call for investigation unless the child  
 42 is currently being evaluated in a medical facility in this  
 43 state.

44 1. If the child is currently being evaluated in a medical  
 45 facility in this state, the central abuse hotline shall accept  
 46 the report or call for investigation and transfer the  
 47 information on the report or call to the appropriate state or  
 48 country.

49 2. If the child is not currently being evaluated in a  
 50 medical facility in this state, the central abuse hotline, ~~but~~  
 51 shall transfer the information on the report or call to the  
 52 appropriate state or country.

53 (1) The department shall initiate an investigation when a  
 54 report from an emergency room physician is received.

55 Section 3. Paragraphs (i) and (j) are added to subsection  
 56 (4) of section 39.303, Florida Statutes, to read:

57 39.303 Child Protection Teams and sexual abuse treatment  
 58 programs; services; eligible cases.—

586-02485-19

2019128c1

59           (4) The child abuse, abandonment, and neglect reports that  
60 must be referred by the department to Child Protection Teams of  
61 the Department of Health for an assessment and other appropriate  
62 available support services as set forth in subsection (3) must  
63 include cases involving:

64           (i) A child who does not live in this state who is  
65 currently being evaluated in a medical facility in this state.

66           (j) A child who was not properly restrained in a motor  
67 vehicle pursuant to s. 316.613 or s. 316.614 and the improper  
68 restraint exacerbated the child's injuries or resulted in the  
69 child's death.

70           Section 4. This act shall take effect July 1, 2019.