

1                                   A bill to be entitled  
2           An act relating to child welfare; providing a short  
3           title; amending s. 25.385, F.S.; requiring the Florida  
4           Court Educational Council to establish certain  
5           standards for instruction of circuit and county court  
6           judges for dependency cases; creating s. 39.0142,  
7           F.S.; requiring the Department of Children and  
8           Families to notify local law enforcement agencies of  
9           certain people involved in a child protective  
10          investigation; authorizing a law enforcement officer  
11          to call the central abuse hotline in certain  
12          situations; creating s. 39.0143, F.S.; providing  
13          training requirements on the recognition and treatment  
14          of head trauma and brain injury in specified children;  
15          amending s. 39.8296, F.S.; requiring that the guardian  
16          ad litem training program include training on the  
17          recognition and treatment of head trauma and brain  
18          injury in specified children; amending s. 402.402,  
19          F.S.; requiring certain entities to provide training  
20          to certain parties on the recognition and treatment of  
21          head trauma and brain injury in specified children;  
22          removing obsolete language; amending s. 409.906, F.S.;  
23          requiring the Agency for Health Care Administration,  
24          in consultation with the department, to establish a  
25          targeted case-management pilot project in certain

26 | judicial circuits; amending s. 409.988, F.S.;

27 | authorizing lead agencies to provide intensive family

28 | reunification services that combine child welfare and

29 | mental health services to certain families; creating

30 | s. 943.17297, F.S.; requiring the Criminal Justice

31 | Standards and Training Commission to incorporate

32 | training for specified purposes; requiring law

33 | enforcement officers to complete training on the

34 | recognition and treatment of head trauma and brain

35 | injury in specified children for certification or

36 | continued employment; providing an effective date.

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38 | Be It Enacted by the Legislature of the State of Florida:

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40 | Section 1. This act may be cited as "Jordan's Law."

41 | Section 2. Section 25.385, Florida Statutes, is amended to

42 | read:

43 | 25.385 Standards for instruction of circuit and county

44 | court judges ~~in handling domestic violence cases.~~

45 | (1) The Florida Court Educational Council shall establish

46 | standards for instruction of circuit and county court judges who

47 | have responsibility for domestic violence cases, and the council

48 | shall provide such instruction on a periodic and timely basis.

49 | ~~(2) As used in this subsection, section:~~

50 | ~~(a)~~ the term "domestic violence" has the meaning set forth

51 in s. 741.28.

52 ~~(b) "Family or household member" has the meaning set forth~~  
 53 ~~in s. 741.28.~~

54 (2) The Florida Court Educational Council shall establish  
 55 standards for instruction of circuit and county court judges who  
 56 have responsibility for dependency cases regarding the  
 57 recognition and treatment of head trauma and brain injury in a  
 58 child from birth to 5 years of age. The council shall provide  
 59 such instruction on a periodic and timely basis.

60 Section 3. Section 39.0142, Florida Statutes, is created  
 61 to read:

62 39.0142 Notifying law enforcement of parent or caregiver  
 63 names.—

64 (1) The department shall enter the name of a parent or  
 65 caregiver who is the subject of a child protective investigation  
 66 into the Florida Crime Information Center for the purpose of  
 67 notifying local law enforcement agencies that there is an active  
 68 investigation. If a law enforcement officer has contact with the  
 69 named parent or caregiver, the officer may notify the department  
 70 by calling the central abuse hotline and provide a synopsis of  
 71 the interaction. The central abuse hotline shall determine the  
 72 next appropriate action, if any.

73 (2) The department shall remove the name of the parent or  
 74 caregiver from the Florida Crime Information Center when there  
 75 is no longer an active investigation or judicial supervision has

76 | ended.

77 | Section 4. Section 39.0143, Florida Statutes, is created  
78 | to read:

79 | 39.0143 Training on the recognition and treatment of head  
80 | trauma and brain injury.—Training on the recognition and  
81 | treatment of head trauma and brain injury in a child from birth  
82 | to 5 years of age shall include, at a minimum, the prevention,  
83 | symptoms, risks, and treatment of head trauma or brain injuries.

84 | Section 5. Paragraph (b) of subsection (2) of section  
85 | 39.8296, Florida Statutes, is amended to read:

86 | 39.8296 Statewide Guardian Ad Litem Office; legislative  
87 | findings and intent; creation; appointment of executive  
88 | director; duties of office.—

89 | (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a  
90 | Statewide Guardian Ad Litem Office within the Justice  
91 | Administrative Commission. The Justice Administrative Commission  
92 | shall provide administrative support and service to the office  
93 | to the extent requested by the executive director within the  
94 | available resources of the commission. The Statewide Guardian Ad  
95 | Litem Office shall not be subject to control, supervision, or  
96 | direction by the Justice Administrative Commission in the  
97 | performance of its duties, but the employees of the office shall  
98 | be governed by the classification plan and salary and benefits  
99 | plan approved by the Justice Administrative Commission.

100 | (b) The Statewide Guardian Ad Litem Office shall, within

101 available resources, have oversight responsibilities for and  
102 provide technical assistance to all guardian ad litem and  
103 attorney ad litem programs located within the judicial circuits.

104 1. The office shall identify the resources required to  
105 implement methods of collecting, reporting, and tracking  
106 reliable and consistent case data.

107 2. The office shall review the current guardian ad litem  
108 programs in Florida and other states.

109 3. The office, in consultation with local guardian ad  
110 litem offices, shall develop statewide performance measures and  
111 standards.

112 4. The office shall develop a guardian ad litem training  
113 program, which shall include, but not be limited to, the  
114 training requirements under s. 39.0143. The office shall  
115 establish a curriculum committee to develop the training program  
116 specified in this subparagraph. The curriculum committee shall  
117 include, but not be limited to, dependency judges, directors of  
118 circuit guardian ad litem programs, active certified guardians  
119 ad litem, a mental health professional who specializes in the  
120 treatment of children, a member of a child advocacy group, a  
121 representative of the Florida Coalition Against Domestic  
122 Violence, and a social worker experienced in working with  
123 victims and perpetrators of child abuse.

124 5. The office shall review the various methods of funding  
125 guardian ad litem programs, shall maximize the use of those

126 funding sources to the extent possible, and shall review the  
127 kinds of services being provided by circuit guardian ad litem  
128 programs.

129 6. The office shall determine the feasibility or  
130 desirability of new concepts of organization, administration,  
131 financing, or service delivery designed to preserve the civil  
132 and constitutional rights and fulfill other needs of dependent  
133 children.

134 7. In an effort to promote normalcy and establish trust  
135 between a court-appointed volunteer guardian ad litem and a  
136 child alleged to be abused, abandoned, or neglected under this  
137 chapter, a guardian ad litem may transport a child. However, a  
138 guardian ad litem volunteer may not be required or directed by  
139 the program or a court to transport a child.

140 8. The office shall submit to the Governor, the President  
141 of the Senate, the Speaker of the House of Representatives, and  
142 the Chief Justice of the Supreme Court an interim report  
143 describing the progress of the office in meeting the goals as  
144 described in this section. The office shall submit to the  
145 Governor, the President of the Senate, the Speaker of the House  
146 of Representatives, and the Chief Justice of the Supreme Court a  
147 proposed plan including alternatives for meeting the state's  
148 guardian ad litem and attorney ad litem needs. This plan may  
149 include recommendations for less than the entire state, may  
150 include a phase-in system, and shall include estimates of the

151 cost of each of the alternatives. Each year the office shall  
152 provide a status report and provide further recommendations to  
153 address the need for guardian ad litem services and related  
154 issues.

155 Section 6. Subsections (2) and (4) of section 402.402,  
156 Florida Statutes, are amended to read:

157 402.402 Child protection and child welfare personnel;  
158 attorneys employed by the department.-

159 (2) SPECIALIZED TRAINING.-All child protective  
160 investigators and child protective investigation supervisors  
161 employed by the department or a sheriff's office must complete  
162 the following specialized training:

163 (a) Training that includes the requirements under s.  
164 39.0143.

165 (b) Training that is either focused on serving a specific  
166 population, including, but not limited to, medically fragile  
167 children, sexually exploited children, children under 3 years of  
168 age, or families with a history of domestic violence, mental  
169 illness, or substance abuse, or focused on performing certain  
170 aspects of child protection practice, including, but not limited  
171 to, investigation techniques and analysis of family dynamics.  
172 ~~The specialized training may be used to fulfill continuing~~  
173 ~~education requirements under s. 402.40(3)(e).~~ Individuals hired  
174 ~~before July 1, 2014, shall complete the specialized training by~~  
175 ~~June 30, 2016, and individuals hired on or after July 1, 2014,~~

176 shall complete the specialized training required under this  
 177 paragraph within 2 years after hire. The specialized training  
 178 may be used to fulfill continuing education requirements under  
 179 s. 402.40(3)(e). An individual may receive specialized training  
 180 in multiple areas.

181 (4) ATTORNEYS EMPLOYED BY THE DEPARTMENT TO HANDLE CHILD  
 182 WELFARE CASES.—Attorneys hired on or after July 1, 2014, whose  
 183 primary responsibility is representing the department in child  
 184 welfare cases shall, within the first 6 months of employment,  
 185 receive training in all of the following:

186 (a) The dependency court process, including the attorney's  
 187 role in preparing and reviewing documents prepared for  
 188 dependency court for accuracy and completeness.†

189 (b) Preparing and presenting child welfare cases,  
 190 including at least 1 week shadowing an experienced children's  
 191 legal services attorney preparing and presenting cases.†

192 (c) Safety assessment, safety decisionmaking tools, and  
 193 safety plans.†

194 (d) Developing information presented by investigators and  
 195 case managers to support decisionmaking in the best interest of  
 196 children.†~~and~~

197 (e) The experiences and techniques of case managers and  
 198 investigators, including shadowing an experienced child  
 199 protective investigator and an experienced case manager for at  
 200 least 8 hours.



201        (f) The recognition and treatment of head trauma and brain  
202 injury in a child from birth to 5 years of age.

203        Section 7. Subsection (24) of section 409.906, Florida  
204 Statutes, is amended to read:

205        409.906 Optional Medicaid services.—Subject to specific  
206 appropriations, the agency may make payments for services which  
207 are optional to the state under Title XIX of the Social Security  
208 Act and are furnished by Medicaid providers to recipients who  
209 are determined to be eligible on the dates on which the services  
210 were provided. Any optional service that is provided shall be  
211 provided only when medically necessary and in accordance with  
212 state and federal law. Optional services rendered by providers  
213 in mobile units to Medicaid recipients may be restricted or  
214 prohibited by the agency. Nothing in this section shall be  
215 construed to prevent or limit the agency from adjusting fees,  
216 reimbursement rates, lengths of stay, number of visits, or  
217 number of services, or making any other adjustments necessary to  
218 comply with the availability of moneys and any limitations or  
219 directions provided for in the General Appropriations Act or  
220 chapter 216. If necessary to safeguard the state's systems of  
221 providing services to elderly and disabled persons and subject  
222 to the notice and review provisions of s. 216.177, the Governor  
223 may direct the Agency for Health Care Administration to amend  
224 the Medicaid state plan to delete the optional Medicaid service  
225 known as "Intermediate Care Facilities for the Developmentally

226 Disabled." Optional services may include:  
227       (24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.—The Agency  
228 for Health Care Administration, in consultation with the  
229 Department of Children and Families, may establish a targeted  
230 case-management project in those counties identified by the  
231 Department of Children and Families and for all counties with a  
232 community-based child welfare project, as authorized under s.  
233 409.987 which have been specifically approved by the department.  
234 Beginning October 1, 2019, the Agency for Health Care  
235 Administration, in consultation with the Department of Children  
236 and Families, shall establish a targeted case-management pilot  
237 project in the Sixth and Thirteenth Judicial Circuits. The  
238 covered group of individuals who are eligible to receive  
239 targeted case management include children who are eligible for  
240 Medicaid; who are between the ages of birth through 21; and who  
241 are under protective supervision or postplacement supervision,  
242 under foster-care supervision, or in shelter care or foster  
243 care. The number of individuals who are eligible to receive  
244 targeted case management is limited to the number for whom the  
245 Department of Children and Families has matching funds to cover  
246 the costs. The general revenue funds required to match the funds  
247 for services provided by the community-based child welfare  
248 projects are limited to funds available for services described  
249 under s. 409.990. The Department of Children and Families may  
250 transfer the general revenue matching funds as billed by the

251 Agency for Health Care Administration.

252 Section 8. Paragraph (f) of subsection (1) and subsection  
253 (3) of section 409.988, Florida Statutes, are amended to read:  
254 409.988 Lead agency duties; general provisions.—

255 (1) DUTIES.—A lead agency:

256 (f) Shall ensure that all individuals providing care for  
257 dependent children receive appropriate training and meet the  
258 minimum employment standards established by the department.  
259 Appropriate training shall include, but is not limited to,  
260 training requirements under s. 39.0143 on the recognition and  
261 treatment of head trauma and brain injury in a child from birth  
262 to 5 years of age.

263 (3) SERVICES.—A lead agency must provide dependent  
264 children with services that are supported by research or that  
265 are recognized as best practices in the child welfare field. The  
266 agency shall give priority to the use of services that are  
267 evidence-based and trauma-informed and may also provide other  
268 innovative services, including, but not limited to, family-  
269 centered and cognitive-behavioral interventions designed to  
270 mitigate out-of-home placements and intensive family  
271 reunification services that combine child welfare and mental  
272 health services for families with dependent children up to 5  
273 years of age.

274 Section 9. Section 943.17297, Florida Statutes, is created  
275 to read:

276 943.17297 Basic skills training in the recognition and  
277 treatment of head trauma and brain injury.—The commission shall  
278 establish standards, including, but not limited to, the training  
279 requirements under s. 39.0143, for the instruction of law  
280 enforcement officers in the subject of recognition and treatment  
281 of head trauma and brain injury in a child from birth to 5 years  
282 of age to aid an officer in the detection of head trauma and  
283 brain injury due to child abuse. Each law enforcement officer  
284 must successfully complete the training as part of the basic  
285 recruit training required for a law enforcement officer to  
286 obtain initial certification or as a part of continuing training  
287 or education required under s. 943.135(1).

288 Section 10. This act shall take effect July 1, 2019.