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LEGISLATIVE ACTION

| Senate | . | House |
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| Comm: RCS | . | |
| 04/16/2019 | . | |
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Appropriations Subcommittee on Health and Human Services
(Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 72 - 286

and insert:

caregiver names.--Subject to an appropriation, the Department of
Law Enforcement shall provide information to a law enforcement
officer stating whether a person is a parent or caregiver who is
currently the subject of a child protective investigation for
alleged child abuse, abandonment, or neglect or is a parent or
caregiver of a child who has been allowed to return to or remain



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11 in the home under judicial supervision after an adjudication of
12 dependency. This information shall be provided via a Florida
13 Crime Information Center query into the department's child
14 protection database.

15 (1) If a law enforcement officer has an interaction with a
16 parent or caregiver as described in this section and the
17 interaction results in the officer having a concern about a
18 child's health, safety, or well-being, the law enforcement
19 officer shall report the relevant details of the interaction to
20 the central abuse hotline immediately after the interaction even
21 if the requirements of s. 39.201, relating to reporting of
22 knowledge or suspicion of abuse, abandonment, or neglect, are
23 not met.

24 (2) The central abuse hotline shall provide any relevant
25 information to:

26 (a) The child protective investigator, if the parent or
27 caregiver is the subject of a child protective investigation; or

28 (b) The child's case manager and the attorney representing
29 the department, if the parent or caregiver has a child under
30 judicial supervision after an adjudication of dependency.

31 Section 4. Paragraph (b) of subsection (2) of section
32 39.8296, Florida Statutes, is amended to read:

33 39.8296 Statewide Guardian Ad Litem Office; legislative
34 findings and intent; creation; appointment of executive
35 director; duties of office.-

36 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
37 Statewide Guardian Ad Litem Office within the Justice
38 Administrative Commission. The Justice Administrative Commission
39 shall provide administrative support and service to the office



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40 to the extent requested by the executive director within the
41 available resources of the commission. The Statewide Guardian Ad
42 Litem Office shall not be subject to control, supervision, or
43 direction by the Justice Administrative Commission in the
44 performance of its duties, but the employees of the office shall
45 be governed by the classification plan and salary and benefits
46 plan approved by the Justice Administrative Commission.

47 (b) The Statewide Guardian Ad Litem Office shall, within
48 available resources, have oversight responsibilities for and
49 provide technical assistance to all guardian ad litem and
50 attorney ad litem programs located within the judicial circuits.

51 1. The office shall identify the resources required to
52 implement methods of collecting, reporting, and tracking
53 reliable and consistent case data.

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

56 3. The office, in consultation with local guardian ad litem
57 offices, shall develop statewide performance measures and
58 standards.

59 4. The office shall develop a guardian ad litem training
60 program, which shall include, but not be limited to, training on
61 the recognition of and responses to head trauma and brain injury
62 in a child under 6 years of age. The office shall establish a
63 curriculum committee to develop the training program specified
64 in this subparagraph. The curriculum committee shall include,
65 but not be limited to, dependency judges, directors of circuit
66 guardian ad litem programs, active certified guardians ad litem,
67 a mental health professional who specializes in the treatment of
68 children, a member of a child advocacy group, a representative



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69 of the Florida Coalition Against Domestic Violence, and a social
70 worker experienced in working with victims and perpetrators of
71 child abuse.

72 5. The office shall review the various methods of funding
73 guardian ad litem programs, shall maximize the use of those
74 funding sources to the extent possible, and shall review the
75 kinds of services being provided by circuit guardian ad litem
76 programs.

77 6. The office shall determine the feasibility or
78 desirability of new concepts of organization, administration,
79 financing, or service delivery designed to preserve the civil
80 and constitutional rights and fulfill other needs of dependent
81 children.

82 7. In an effort to promote normalcy and establish trust
83 between a court-appointed volunteer guardian ad litem and a
84 child alleged to be abused, abandoned, or neglected under this
85 chapter, a guardian ad litem may transport a child. However, a
86 guardian ad litem volunteer may not be required or directed by
87 the program or a court to transport a child.

88 8. The office shall submit to the Governor, the President
89 of the Senate, the Speaker of the House of Representatives, and
90 the Chief Justice of the Supreme Court an interim report
91 describing the progress of the office in meeting the goals as
92 described in this section. The office shall submit to the
93 Governor, the President of the Senate, the Speaker of the House
94 of Representatives, and the Chief Justice of the Supreme Court a
95 proposed plan including alternatives for meeting the state's
96 guardian ad litem and attorney ad litem needs. This plan may
97 include recommendations for less than the entire state, may



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98 include a phase-in system, and shall include estimates of the
99 cost of each of the alternatives. Each year the office shall
100 provide a status report and provide further recommendations to
101 address the need for guardian ad litem services and related
102 issues.

103 Section 5. Subsections (2) and (4) of section 402.402,
104 Florida Statutes, are amended to read:

105 402.402 Child protection and child welfare personnel;
106 attorneys employed by the department.—

107 (2) SPECIALIZED TRAINING.—All child protective
108 investigators and child protective investigation supervisors
109 employed by the department or a sheriff's office must complete
110 the following specialized training:

111 (a) Training on the recognition of and responses to head
112 trauma and brain injury in a child under 6 years of age.

113 (b) Training that is either focused on serving a specific
114 population, including, but not limited to, medically fragile
115 children, sexually exploited children, children under 3 years of
116 age, or families with a history of domestic violence, mental
117 illness, or substance abuse, or focused on performing certain
118 aspects of child protection practice, including, but not limited
119 to, investigation techniques and analysis of family dynamics.

120 The specialized training may be used to fulfill continuing
121 education requirements under s. 402.40(3)(e). Individuals hired
122 before July 1, 2014, shall complete the specialized training by
123 June 30, 2016, and individuals hired on or after July 1, 2014,
124 shall complete the specialized training within 2 years after
125 hire. An individual may receive specialized training in multiple
126 areas.



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

132 (a) The dependency court process, including the attorney's
133 role in preparing and reviewing documents prepared for
134 dependency court for accuracy and completeness. ~~†~~

135 (b) Preparing and presenting child welfare cases, including
136 at least 1 week shadowing an experienced children's legal
137 services attorney preparing and presenting cases. ~~†~~

138 (c) Safety assessment, safety decisionmaking tools, and
139 safety plans. ~~†~~

140 (d) Developing information presented by investigators and
141 case managers to support decisionmaking in the best interest of
142 children. ~~†~~ ~~and~~

143 (e) The experiences and techniques of case managers and
144 investigators, including shadowing an experienced child
145 protective investigator and an experienced case manager for at
146 least 8 hours.

147 (f) The recognition of and responses to head trauma and
148 brain injury in a child under 6 years of age.

149 Section 6. Paragraph (f) of subsection (1) and subsection
150 (3) of section 409.988, Florida Statutes, are amended to read:

151 409.988 Lead agency duties; general provisions.—

152 (1) DUTIES.—A lead agency:

153 (f) Shall ensure that all individuals providing care for
154 dependent children receive appropriate training and meet the
155 minimum employment standards established by the department.



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156 Appropriate training shall include, but is not limited to,
157 training on the recognition of and responses to head trauma and
158 brain injury in a child under 6 years of age.

159 (3) SERVICES.—A lead agency must provide dependent children
160 with services that are supported by research or that are
161 recognized as best practices in the child welfare field. The
162 agency shall give priority to the use of services that are
163 evidence-based and trauma-informed and may also provide other
164 innovative services, including, but not limited to, family-
165 centered and cognitive-behavioral interventions designed to
166 mitigate out-of-home placements and intensive family
167 reunification services that combine child welfare and mental
168 health services for families with dependent children under 6
169 years of age.

170 Section 7. Subsection (24) is added to section 409.996,
171 Florida Statutes, to read:

172 409.996 Duties of the Department of Children and Families.—
173 The department shall contract for the delivery, administration,
174 or management of care for children in the child protection and
175 child welfare system. In doing so, the department retains
176 responsibility for the quality of contracted services and
177 programs and shall ensure that services are delivered in
178 accordance with applicable federal and state statutes and
179 regulations.

180 (24) Subject to an appropriation, the department, in
181 collaboration with the lead agencies serving the judicial
182 circuits selected in paragraph (a), may create and implement a
183 program to more effectively provide case management services for
184 dependent children under 6 years of age.



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185 (a) The department may select up to three judicial circuits
186 in which to develop and implement a program under this
187 subsection. Priority shall be given to a circuit that has a high
188 removal rate, significant budget deficit, significant case
189 management turnover rate, and the highest numbers of children in
190 out-of-home care or a significant increase in the number of
191 children in out-of-home care over the last 3 fiscal years.

192 (b) The program shall:

193 1. Include caseloads for dependency case managers comprised
194 solely of children who are under 6 years of age, except as
195 provided in paragraph (c). The maximum caseload for a case
196 manager shall be no more than 15 children if possible.

197 2. Include case managers who are trained specifically in:

198 a. Critical child development for children under 6 years of
199 age.

200 b. Specific practices of child care for children under 6
201 years of age.

202 c. The scope of community resources available to children
203 under 6 years of age.

204 d. Working with a parent or caregiver and assisting him or
205 her in developing the skills necessary to care for the health,
206 safety, and well-being of a child under 6 years of age.

207 (c) If a child being served through the program has a
208 dependent sibling, the sibling may be assigned to the same case
209 manager as the child being served through the program; however,
210 each sibling counts toward the case manager's maximum caseload
211 as provided under paragraph (b).

212 (d) The department shall evaluate the permanency, safety,
213 and well-being of children being served through the program and



214 submit a report to the Governor, the President of the Senate,
215 and the Speaker of the House of Representatives by October 1,
216 2024, detailing its findings.

217 Section 8. Section 943.17297, Florida Statutes, is created
218 to read:

219 943.17297 Training in the recognition of and responses to
220 head trauma and brain injury.—Subject to an appropriation, the
221 commission shall establish

222
223 ===== T I T L E A M E N D M E N T =====

224 And the title is amended as follows:

225 Delete lines 9 - 42

226 and insert:

227 officers relating to specified individuals, subject to
228 an appropriation; providing how such information shall
229 be provided to law enforcement officers; providing
230 requirements for law enforcement officers and the
231 central abuse hotline relating to specified
232 interactions with certain persons and how to relay
233 details of such interactions; amending s. 39.8296,
234 F.S.; requiring that the guardian ad litem training
235 program include training on the recognition of and
236 responses to head trauma and brain injury in children
237 younger than a specified age; amending s. 402.402,
238 F.S.; requiring certain investigators, supervisors,
239 and attorneys to complete training on the recognition
240 of and responses to head trauma and brain injury in
241 specified children; amending s. 409.988, F.S.;

242 requiring lead agencies to provide certain individuals



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243 with training on the recognition of and responses to
244 head trauma and brain injury in specified children;
245 authorizing lead agencies to provide intensive family
246 reunification services that combine child welfare and
247 mental health services to certain families; amending
248 s. 409.996, F.S.; requiring the department and certain
249 lead agencies to create and implement a program to
250 more effectively provide case management services to
251 specified children, subject to an appropriation;
252 providing criteria for selecting judicial circuits for
253 participation the program; specifying requirements of
254 the program; requiring the Department of Children and
255 families to evaluate the effectiveness of the program
256 and submit a report to the Legislature and Governor by
257 a specified date; creating s. 943.17297, F.S.;
258 requiring the Criminal Justice Standards and Training
259 Commission to incorporate specified training for law
260 enforcement officers, subject to an appropriation;
261 requiring law enforcement officers, as of a